

BY EMAIL and RESS

Mark Rubenstein mark@shepherdrubenstein.com Dir. 647-483-0113

April 7, 2025 Our File: EB20240063

Ontario Energy Board 2300 Yonge Street 27th Floor Toronto, Ontario M4P 1E4

Attn: Nancy Marconi, Registrar

Dear Ms. Marconi:

Re: EB-2024-0063 - Generic Hearing on Cost of Capital - SEC Cost Claim

We are counsel to the School Energy Coalition ("SEC"). Attached, please find SEC's cost claim using the OEB's cost claim system.

This was a complex and critically important proceeding for SEC and all participants. It involved extensive interrogatories and responses, the need for significant analysis and research, a six-day oral hearing, and two rounds of detailed written argument.

SEC actively coordinated during the proceeding with other customer groups, most extensively with CCC and AMPCO/IGUA. SEC and AMPCO/IGUA took the lead in cross-examining the utility experts and coordinated their respective focuses to avoid undue duplication. Furthermore, our detailed written submissions were referenced and relied upon by both AMPCO/IGUA and CME in their own submissions.

SEC notes that for categorization purposes, since there do not appear to be appropriate categories for the following activities, time spent preparing for the Issues Conference has been included under the 'Preparation of Issues List Submission' category. Similarly, time spent meeting and consulting with other ratepayer groups regarding the potential filing of expert evidence, as well as drafting the joint letter in support of the proposal filed by AMPCO/IGUA, has been included in the 'Review Procedural Documents' category.

SEC submits that its participation in this proceeding was thorough and valuable and was designed to maximize its assistance to the OEB. Accordingly, SEC requests reimbursement of its reasonably incurred costs as set out in this letter and the attached documentation. These costs are commensurate with the scope of the issues and the role SEC played in this proceeding.

∠Shepherd Rubenstein

Yours very truly, **Shepherd Rubenstein P.C.**

Mark Rubenstein

cc: Brian McKay SEC (by email)

EB-2024-0063 : 2 : Mark Rubenstein

COST CLAIM NUMBER SUBMISSION DEADLINE DATE **CLAIM STATUS** 2609 Submitted

April 07, 2025

EB# OTHER EB#S PHASE #*

EB-2024-0063: Rates: Policy-Related: Ontario

Energy Board

INTERVENOR INTERVENOR COMPANY* INTERVENOR TYPE

Rubenstein, Mark; +1 (647) 483-0113 School Energy Coalition, Toronto: Full Registrant

mark@shepherdrubenstein.com Corporation

HST RATE ONTARIO **EXCHANGE RATE COUNTRY**

13.00

HST NUMBER LATE SUBMISSION ALLOWED EXTENSION DEADLINE DATE

83673 5464 RT0001 No

<u>PARTICIPANTS</u>					
New	Non-Filing Participant First, Last Name	Filing Participant	Total (\$)	Total Hours	Claim Status
No	,	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.c om	91,362.76	278.80	Submitted
No	,	Shepherd, Jay; +1 (416) 804-2767 jay@shepherdrubenstein.co m	7,383.42	19.80	Submitted

ATTACHMENTS

Attachment	Document Import Message Type
SEC_CoC_CoverLetter.pdf	Cover Letter

TOTAL LEGAL/CONSULTANT/OTHER FEES 87,386.00

TOTAL DISBURSEMENTS 0.00

TOTAL HST 11,360.18

TOTAL CLAIM 98,746.18

TOTAL AMOUNT AWARDED

TOTAL HOURS CLAIMED

298.60

TOTAL HOURS DISALLOWED

REASON FOR REASON FOR REASON FOR DISALLOWANCE - 2 DISALLOWANCE - 3

MAKE CHEQUE PAYABLE TO

Shepherd Rubenstein Professional Corporation, in trust

SEND PAYMENT TO ADDRESS

ATTENTION

2200 Yonge Street Suite 1302 Toronto, ON M4S 2C6

SUBMIT SECTION

I am a representative of the Party. I have examined all of the documentation in support of this cost claim. The costs incurred and time spent are directly related to the Party's participation in the OEB Process referred to above.

This cost claim does not include any costs for work done, or time spent, by a person that is an employee or officer of the Party as described in section 6.05 and 6.09 of the OEB's Practice Direction on Cost Awards.

The information (fees and disbursements) filed in this cost claim is complete and accurate and in accordance with the OEB's Practice Direction for Cost Awards and Appendix A, the Cost Awards Tariff.

SUBMITTED BY
Mark Rubenstein

DATE SUBMITTED
April 07, 2025

CASE

EB-2024-0063: Rates:

Policy-Related: Ontario Energy

Board

COST CLAIM

EB-2024-0063: 2: Mark

Rubenstein

INTERVENOR NAME

Rubenstein, Mark; +1 (647)

483-0113

mark@shepherdrubenstein.c

PARTICIPANT

Submitted

NON-FILING

CLAIM STATUS

Rubenstein, Mark; +1 (647)

FILING PARTICIPANT

483-0113

mark@shepherdrubenstein.com

NEW

PARTICIPANT

NON-FILING

PARTICIPANT F. NAME

PARTICIPANT L. NAME

SERVICE PROVIDER TYPE*

Legal Counsel

YEAR CALLED TO BAR*

2011

COMPLETED YEARS PRACTICING/YEARS OF

RELEVANT EXPERIENCE*

12

HST RATE CHARGED*

13.00

CV STATUS (FOR CONSULTANT/ANALYST)

CV Required

LAST CV DATE

OVERRIDE

HOURLY RATE

290

HOURLY RATE No

HST NUMBER

83673 5464 RT0001

HEARINGS

Yes

CONSULTATIONS

No

DISBURSEMENTS

No

HEARINGS

Hearings Hours 278.80

Hearings Subtotal (\$) 80,852.00

Hearings Total Tax (\$) 10,510.76

Hearings Total (\$) 91,362.76

HST Name Hourly Sub Total HST Total Hours Rate Rate **DISCOVERY** Read and Research Application and 19.60 290 5.684.00 13.00 738.92 6.422.92 Evidence Preparation of Interrogatories 7.90 290 2,291.00 13.00 297.83 2,588.83 **Review Interrogatory Responses** 11.20 290 3,248.00 13.00 422.24 3,670.24 **Technical Conference Preparation** 290 13.00 290 13.00 **Technical Conference Attendance** 13.00 Technical Conference Follow-up 290 Subtotal of DISCOVERY 38.70 11,223.00 12,681.99 1,458.99 **PROCEDURAL** Preparation of Issues List Submission 3.30 290 957.00 13.00 124.41 1,081.41 Attendance at Issues List Conference 7.30 290 2,117.00 13.00 275.21 2,392.21 Preparation for a Confidentiality Request 290 13.00 Prepare Submissions on Confidentiality 0.70 290 203.00 13.00 26.39 229.39 290 13.00 Preparation of Motion(s) Materials Prepare Submissions on the Motion(s) 290 13.00 Attendance at Hearing on Motion(s) 290 13.00 **Review Procedural Documents** 9.00 290 2,610.00 13.00 339.30 2,949.30

	<u>Name</u>	<u>Hours</u>	Hourly Rate	Sub Total	HST Rate	<u>HST</u>	<u>Total</u>
	Subtotal of PROCEDURAL	20.30		5,887.00		765.31	6,652.31
INTE	RVENOR EVIDENCE Preparation of Intervenor Evidence		290		13.00		
	Interrogatory Responses		290		13.00		
	Preparation of Witness(es) for Attendance at Hearing Subtotal of INTERVENOR EVIDENCE	0.00	290	0.00	13.00	0.00	0.00
SETT	LEMENT CONFERENCE Preparation for Settlement Conference		290		13.00		
	Attendance at Settlement Conference		290		13.00		
	Preparation of Settlement Proposal		290		13.00		
	Attendance at Presentation to Panel		290		13.00		
WDIT	Subtotal of SETTLEMENT CONFERENCE	0.00		0.00		0.00	0.00
WKII	TEN ARGUMENT Written Submissions	120.50	290	34,945.00	13.00	4,542.85	39,487.85
	Subtotal of WRITTEN ARGUMENT	120.50		34,945.00		4,542.85	39,487.85
ORAI	ARGUMENT	50.70	000	44.700.00	40.00	4.044.00	40.044.00
	Preparation for Oral Hearing	50.70	290	14,703.00	13.00	1,911.39	16,614.39
	Attendance at Oral Hearing	45.10	290	13,079.00	13.00	1,700.27	14,779.27
	Oral Submissions		290		13.00		
	Attendance at Oral Submissions		290		13.00		
	Subtotal of ORAL ARGUMENT	95.80		27,782.00		3,611.66	31,393.66
DECI	SION Review Decision	3.50	290	1,015.00	13.00	131.95	1,146.95
	Review Rate/Accounting Order		290		13.00		
	Prepare Submission on Rate Order		290		13.00		
	Subtotal of DECISION	3.50		1,015.00		131.95	1,146.95
OTHE	Other Attendance (e.g., Intervenor Conferences)		290		13.00		
	Subtotal of OTHER	0.00		0.00		0.00	0.00
TOTA	L SERVICE PROVIDER FEES Total Service Provider Fees	278.80		80,852.00		10,510.76	91,362.76

Attachments

<u>Attachment Document Type</u> <u>Import Message</u>

EB-2024-0063 Client Fees Listing Final.pdf Time Docket

Hearings, Consultations, Disbursements Attachments

<u>Attachment</u> <u>Document Type</u> <u>Claim Type</u> <u>Import Message</u>

EB-2024-0063 Client Fees Listing Final.pdf
Time Docket
Hearings

Date	Explanation	Lwyr	Hours
20240306	Review OEB materials, Many emails	JCS	0.4
20240306	review Notice/emails	MR	0.4
20240308	complete and file intervenor form	MR	0.3
20240313	emails	MR	0.1
20240314	p. call w. JG	MR	0.1
20240315	emails	MR	0.1
20240318	prepare and attend meeting with customer groups to discuss	MR	1.5
	evidence/emails/p. call w. F. O'Connell (OEB Staff)		
20240319	p. call w. F. O'Connell (OEB Staff)/emails	MR	0.3
20240328	Review Board material, Scheduling, Many emails	JCS	0.3
20240328	review PO/emails	MR	0.4
20240404	emails	MR	0.1
20240405	p. call w. lan Mondrow	MR	0.2
20240408	review background documents	MR	1
20240416	emails	MR	0.1
20240417	prepare for issues conference/attend meeting with IGUA and VECC	MR	2
20240418	attend issues conference/disc. w. parties	MR	7.3
	review circulated revised issues list/review IGUA comments on issues	MR	0.2
	list/provide proposed edit/emails		
20240422	emails re: issues list/review Bd letter	MR	0.2
	emails/p. call w. S. Grice/p. call w. J. Girvan	MR	0.2
	emails/p. call w. J. Girvan/p. call w. I. Mondrow	MR	0.5
	emails with IGUA/undertake impact analysis of change in CoC change	MR	1.2
20240428	further emails with I. Mondrow regarding impact analysis	MR	0.5
20240429	mulitple/p. call w. I. Mondrow/Zoom meeting with consumer	MR	2
	groups/review draft letter/p. call w. S. Grice/p. call. w. J. Girvan/review c		
20240430	emails/review letters from parties on evidence	MR	0.5
20240501	review corr/emails	MR	0.1
20240503	review OEB letter	MR	0.1
20240508	emails/meeting with intervenors	MR	0.6
20240509	draft support letter/emails	MR	0.3
20240510	finalizeletter/view IGUA letter/emails	MR	0.2
20240510	Many emails, Review correspondence	JCS	0.2
20240515	emails	MR	0.1
20240517	review PO	MR	0.1
20240621	emails	MR	0.1
20240621	Initial review of Staff expert evidence	JCS	0.5
20240625	emails	MR	0.1
20240626	preliminary review of reports/emails	MR	2.8
20240627	emails	MR	0.1

20240704	emails/research on reg changes since 2011	MR	2.5
	emails/research/p. call w. S. Grice	MR	1.5
	emails/p. call w. S. Grice	MR	0.3
	emails/p. call w. S. Grice	MR	0.2
	p. call w. S. Grice/p. call w L. Gluck	MR	0.4
	review OEB letter	MR	0.1
20240715		MR	0.1
	review LEI report	MR	3.2
	review LEI report	MR	0.5
	preliminary review of intervenor evidence	MR	0.6
	review expert reports	MR	2.1
	review expert reports	MR	1.5
	emails/review reports/draft IRs	MR	3
	draft IRs/emails/research	MR	3.8
	edit, finalize IRs/emails	MR	0.7
	draft cover letter, finalize and file IRs/review other parties IRs	MR	1.4
	review VECC IRs	MR	0.2
20240807	emails/review PO	MR	0.2
20240809		MR	0.1
20240815	review corr	MR	0.1
20240822	preliminary review of IRR/p. call w. I. Mondrow/emails	MR	0.4
20240823	preilimary review of IRR and emails	MR	1.1
20240826	emails/file D&U/review confidential letters	MR	0.5
20240827	review IRR responses/emails	MR	1.5
20240829	emails	MR	0.1
20240830	emails/p. call w. FO (OEB Staff)	MR	0.3
20240902	draft objection/emails	MR	0.4
20240903	finalize and file objection letter	MR	0.2
20240903	email/p. call. w. L. Gluck	MR	0.3
20240904	prepare for presentation day/review presentations	MR	1
20240905	attend presentation day	MR	5
20240909	review IRR responses/research/p. call w. LG	MR	2.5
20240909	emails/review corr re: confidential IRs	MR	0.1
20240912	emails/disc. w. IM and LG	MR	0.5
20240913	review OEA corr	MR	0.1
20240914	review IRR/research/emails	MR	3.6
20240919	emails/schedule intervenor meeting/review IRR and prepare for hearing	MR	2.8
20240920	meeting with consumer groups/p. call w. Ian Richler (OEB Staff)/p. call w. I. Mondrow (AMPCO/IGUA)/prepare for hearing	MR	3.5
20240920	review OEB ltr re: confidentiality	MR	0.1
20240921	prepare for hearing/Zoom meeting with L. Gluck (to coordinate)	MR	8.6

20240922	emails/prepare for hearing	MR	4
20240923	emails	MR	0.1
20240924	emails/prepare compendium/prepare for hearing/prepare opening	MR	2.2
	statement		
20240924	prepare for hearing/prepare LEI cross and compendium/review other	MR	5.5
	parties materials/p. call w. L. Gluck		
20240925	attend hearing/disc. w. parties	MR	7
20240925	prepare LEI and CEA cross/emails/p. call w. S. Grice (AMPCO)/p. call w.	MR	2.7
	L. Gluck (CCC)		
20240926	prepare for next day/revised cross/review UT responses/p. call w. L.	MR	3.3
	Gluck		
20240926	attend Hearing/disc. w. parties	MR	7.6
20240927	emails/prepare for next panel	MR	1
20240927	attend Hearing/dis. w. parties	MR	7.7
20240928	emails/prepare for next panel/review IM docs	MR	2.2
20240929	emails/prepare for next panel/prepare compendium	MR	2.3
20240930	prepare Nexus cross/emails/preapre SEC US ROE analysis	MR	5.4
20241001	attend hearing	MR	7.9
20241001	review transcript/prepare for next day	MR	1.5
20241002	attend hearing	MR	7.6
20241007	emails	MR	0.1
20241009	many emails/p. call w. LG (CCC)	MR	0.2
20241010	attend hearing/disc. w. parties	MR	7.3
20241015	review letter	MR	0.1
20241018	emails/outline argument/review Notices	MR	3.5
20241021	draft submissions	MR	6.7
20241022	drafts submissions/p. call w. LG (CCC)	MR	7.8
20241023	draft submissions/emails	MR	6.6
20241024	draft submissions/emails	MR	2.6
20241025	emails/draft submissions	MR	7.2
20241026	draft submissions	MR	3.2
20241027	draft submissions/prepare ROE recommendation models	MR	3
20241028	emails/p. call w. S. Grice x2/draft submissions	MR	4
20241029	draft submissions/emails/p. call w. S. Grice	MR	5.3
20241030	draft submissions	MR	0.5
20241101	draft submissions	MR	4.6
20241103	draft submissions	MR	4.5
20241104	draft submissions/p. call. w. LG (CCC)/emails	MR	2.2
20241104	draft submissions/review CCC draft	MR	3.3
20241104	Review and provide comments on submissions, Research, Many emails	JCS	6.3
	edit submissions/emails	MR	3.7
20241105	Review and provide comments on submissions, Various emails	JCS	3
20241106	edit submissions/emails	MR	1.5

20241107	finalize and file sub	MR	1.1
	Review submissions of parties	JCS	2
	prelim review of other parties sub	MR	1.5
	Review submissions	JCS	0.4
20241112	review parties submissions/outline reply	MR	4.4
20241113	p. call w. LG (CCC) to discuss	MR	1.7
20241114	draft reply sub	MR	3.5
20241115	emails/draft argument/undertake analysis of Staff trangulation	MR	6.5
	approach/p. call w. LG (CCC)		
20241117	draft reply arg	MR	1.8
20241118	draft reply arg/p. call w. LG (CCC)	MR	2.5
	draft reply arg	MR	5.1
20241120	draft submissions	MR	4.4
20241121	draft submissions	MR	6.7
20241122	draft submissions	MR	4
20241125	draft and edit submissions/p. call w. LG	MR	1.2
20241125	Review and revise reply submissions	JCS	3.5
20241126	edit submission	MR	1.5
20241127	edit submission	MR	1.5
20241128	finalize and file reply arg/review other parties arg	MR	2.1
20241128	Review reply submissions	JCS	1.5
20241129	review other parties arg	MR	0.5
20241129	Review reply submissions	JCS	0.3
20241202	review Minogi/TFG letter/review OEA corr	MR	0.1
20241219	review OEB corr	MR	0.1
20250106	review TFG further sub	MR	0.3
20250327	review Decision/email	MR	2.5
20250327	Review Decision, Impact calculations	JCS	1.4
			297.6

CASE

EB-2024-0063: Rates:

Policy-Related: Ontario Energy

Board

COST CLAIM

EB-2024-0063: 2: Mark

Rubenstein

INTERVENOR NAME

Rubenstein, Mark; +1 (647)

483-0113

mark@shepherdrubenstein.c

NON-FILING

NON-FILING

PARTICIPANT

Submitted

CLAIM STATUS

PARTICIPANT L. NAME

FILING PARTICIPANT

Shepherd, Jay; +1 (416) 804-2767

jay@shepherdrubenstein.com

NEW PARTICIPANT No

PARTICIPANT F. NAME

SERVICE PROVIDER TYPE*

Legal Counsel

YEAR CALLED TO BAR*

1980

COMPLETED YEARS PRACTICING/YEARS OF

RELEVANT EXPERIENCE*

41

HST RATE CHARGED*

13.00

CV STATUS (FOR CONSULTANT/ANALYST)

CV Required

LAST CV DATE

OVERRIDE

HOURLY RATE

330

HOURLY RATE No

HST NUMBER 83673 5464 RT0001 **HEARINGS**

Yes

CONSULTATIONS

No

DISBURSEMENTS

No

HEARINGS

Hearings Subtotal (\$) **Hearings Hours Hearings Total Tax (\$)** Hearings Total (\$) 19.80 6,534.00 849.42 7,383.42

HST Name Sub Total **HST** Total Hours Hourly Rate Rate **DISCOVERY** Read and Research Application and 1.20 330 396.00 13.00 51.48 447.48 Evidence Preparation of Interrogatories 330 13.00 **Review Interrogatory Responses** 330 13.00 **Technical Conference Preparation** 330 13.00 330 13.00 **Technical Conference Attendance** 13.00 Technical Conference Follow-up 330 Subtotal of DISCOVERY 1.20 396.00 51.48 447.48 **PROCEDURAL** Preparation of Issues List Submission 330 13.00 Attendance at Issues List Conference 330 13.00 Preparation for a Confidentiality Request 330 13.00 Prepare Submissions on Confidentiality 330 13.00 330 Preparation of Motion(s) Materials 13.00 Prepare Submissions on the Motion(s) 330 13.00 Attendance at Hearing on Motion(s) 330 13.00 **Review Procedural Documents** 0.20 330 66.00 13.00 8.58 74.58

<u>Name</u>	<u>Hours</u>	Hourly Rate	Sub Total	HST Rate	<u>HST</u>	<u>Total</u>
Subtotal of PROCEDURAL	0.20		66.00		8.58	74.58
INTERVENOR EVIDENCE Preparation of Intervenor Evidence		330		13.00		
Interrogatory Responses		330		13.00		
Preparation of Witness(es) for Attendance at Hearing Subtotal of INTERVENOR EVIDENCE	0.00	330	0.00	13.00	0.00	0.00
SETTLEMENT CONFERENCE Preparation for Settlement Conference		330		13.00		
Attendance at Settlement Conference		330		13.00		
Preparation of Settlement Proposal		330		13.00		
Attendance at Presentation to Panel		330		13.00		
Subtotal of SETTLEMENT CONFERENCE	0.00		0.00		0.00	0.00
WRITTEN ARGUMENT Written Submissions	17.00	330	5,610.00	13.00	729.30	6,339.30
Subtotal of WRITTEN ARGUMENT	17.00		5,610.00		729.30	6,339.30
ORAL ARGUMENT Preparation for Oral Hearing		330		13.00		
Attendance at Oral Hearing		330		13.00		
Oral Submissions		330		13.00		
Attendance at Oral Submissions		330		13.00		
Subtotal of ORAL ARGUMENT	0.00		0.00		0.00	0.00
DECISION Review Decision	1.40	330	462.00	13.00	60.06	522.06
Review Rate/Accounting Order		330		13.00		
Prepare Submission on Rate Order		330		13.00		
Subtotal of DECISION	1.40		462.00		60.06	522.06
OTHER Other Attendance (e.g., Intervenor Conferences)		330		13.00		
Subtotal of OTHER	0.00		0.00		0.00	0.00
TOTAL SERVICE PROVIDER FEES Total Service Provider Fees	19.80		6,534.00		849.42	7,383.42
Attachments						
Attachment Docket Notice.pdf	Document Ty Time Docket	<u>rpe</u>	<u>lr</u>	nport Mes	ssage	

Hearings, Consultations, Disbursements Attachments

<u>Attachment</u> <u>Document Type</u> <u>Claim Type</u> <u>Import Message</u>

Docket Notice.pdf Time Docket Hearings

See Participant – Mark Rubenstein