



**BY EMAIL and RESS**

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

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

April 7, 2025  
Our File: EB20240063

**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 incremental 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.



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

Mark Rubenstein

cc: Brian McKay SEC (by email)

## EB-2024-0063 : 2 : Mark Rubenstein

COST CLAIM NUMBER  
2609

SUBMISSION DEADLINE DATE  
April 07, 2025

CLAIM STATUS  
Approved by Finance

EB#  
EB-2024-0063: Rates: Policy-Related: Ontario  
Energy Board

OTHER EB#S

PHASE #\*  
2

INTERVENOR  
Rubenstein, Mark; +1 (647) 483-0113  
mark@shepherdrubenstein.com

INTERVENOR COMPANY\*  
School Energy Coalition, Toronto:  
Corporation

INTERVENOR TYPE  
Full Registrant

HST RATE ONTARIO  
13.00

EXCHANGE RATE

COUNTRY

HST NUMBER  
83673 5464 RT0001

LATE SUBMISSION ALLOWED  
No

EXTENSION DEADLINE DATE

### PARTICIPANTS

			Total (\$)	Total Hours	Participant Claim Status
New	Non-Filing Participant First, Last Name	Filing Participant			
No	,	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.com	72,651.09	221.70	Submitted
No	,	Shepherd, Jay; +1 (416) 804-2767 jay@shepherdrubenstein.com	6,861.36	18.40	Submitted

### ATTACHMENTS

Attachment	Document Type	Import Message
SEC_CoC_CoverLetter_20250407.pdf	Cover Letter	
SEC EB-2024-0063 Cost Claim 040720251710.pdf		

TOTAL LEGAL/CONSULTANT/OTHER FEES  
70,365.00

TOTAL DISBURSEMENTS  
0.00

TOTAL HST  
9,147.45

TOTAL CLAIM  
79,512.45

TOTAL AMOUNT AWARDED

TOTAL HOURS CLAIMED  
240.10

TOTAL HOURS DISALLOWED

REASON FOR  
DISALLOWANCE

REASON FOR  
DISALLOWANCE - 2

REASON FOR  
DISALLOWANCE - 3

MAKE CHEQUE PAYABLE TO  
Shepherd Rubenstein Professional Corporation, in trust

SEND PAYMENT TO ADDRESS  
2200 Yonge Street  
Suite 1302  
Toronto, ON  
M4S 2C6

ATTENTION

#### 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

<b>CASE</b> EB-2024-0063: Rates: Policy-Related: Ontario Energy Board	<b>COST CLAIM</b> EB-2024-0063 : 2 : Mark Rubenstein	<b>INTERVENOR NAME</b> Rubenstein, Mark; +1 (647) 483-0113 mark@shepherd Rubenstein.c om	<b>PARTICIPANT CLAIM STATUS</b> Submitted
<b>FILING PARTICIPANT</b> Rubenstein, Mark; +1 (647) 483-0113 mark@shepherd Rubenstein.com	<b>NEW PARTICIPANT</b> No	<b>NON-FILING PARTICIPANT F. NAME</b>	<b>NON-FILING PARTICIPANT L. NAME</b>
<b>SERVICE PROVIDER TYPE*</b> Legal Counsel	<b>YEAR CALLED TO BAR*</b> 2011	<b>COMPLETED YEARS PRACTICING/YEARS OF RELEVANT EXPERIENCE*</b> 12	<b>HOURLY RATE</b> 290
<b>HST RATE CHARGED*</b> 13.00	<b>CV STATUS (FOR CONSULTANT/ANALYST)</b> CV Required	<b>LAST CV DATE</b>	<b>OVERRIDE HOURLY RATE</b> No
<b>HST NUMBER</b> 83673 5464 RT0001	<b>HEARINGS</b> Yes	<b>CONSULTATIONS</b> No	<b>DISBURSEMENTS</b> No

## HEARINGS

Hearings Hours	Hearings Subtotal (\$)	Hearings Total Tax (\$)	Hearings Total (\$)			
221.70	64,293.00	8,358.09	72,651.09			
<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
DISCOVERY						
Read and Research Application and Evidence		290		13.00		
Preparation of Interrogatories		290		13.00		
Review Interrogatory Responses	7.60	290	2,204.00	13.00	286.52	2,490.52
Technical Conference Preparation		290		13.00		
Technical Conference Attendance		290		13.00		
Technical Conference Follow-up		290		13.00		
Subtotal of DISCOVERY	7.60		2,204.00		286.52	2,490.52
PROCEDURAL						
Preparation of Issues List Submission		290		13.00		
Attendance at Issues List Conference		290		13.00		
Preparation for a Confidentiality Request		290		13.00		
Prepare Submissions on Confidentiality		290		13.00		
Preparation of Motion(s) Materials		290		13.00		
Prepare Submissions on the Motion(s)		290		13.00		
Attendance at Hearing on Motion(s)		290		13.00		
Review Procedural Documents	0.30	290	87.00	13.00	11.31	98.31

<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
<b>Subtotal of PROCEDURAL</b>	<b>0.30</b>		<b>87.00</b>		<b>11.31</b>	<b>98.31</b>
<b>INTERVENOR EVIDENCE</b>						
Preparation of Intervenor Evidence		290		13.00		
Interrogatory Responses		290		13.00		
Preparation of Witness(es) for Attendance at Hearing		290		13.00		
<b>Subtotal of INTERVENOR EVIDENCE</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>	<b>0.00</b>
<b>SETTLEMENT CONFERENCE</b>						
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		
<b>Subtotal of SETTLEMENT CONFERENCE</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>	<b>0.00</b>
<b>WRITTEN ARGUMENT</b>						
Written Submissions	120.50	290	34,945.00	13.00	4,542.85	39,487.85
<b>Subtotal of WRITTEN ARGUMENT</b>	<b>120.50</b>		<b>34,945.00</b>		<b>4,542.85</b>	<b>39,487.85</b>
<b>ORAL ARGUMENT</b>						
Preparation for Oral Hearing	44.70	290	12,963.00	13.00	1,685.19	14,648.19
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		
<b>Subtotal of ORAL ARGUMENT</b>	<b>89.80</b>		<b>26,042.00</b>		<b>3,385.46</b>	<b>29,427.46</b>
<b>DECISION</b>						
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		
<b>Subtotal of DECISION</b>	<b>3.50</b>		<b>1,015.00</b>		<b>131.95</b>	<b>1,146.95</b>
<b>OTHER</b>						
Other Attendance (e.g., Intervenor Conferences)		290		13.00		
<b>Subtotal of OTHER</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>	<b>0.00</b>
<b>TOTAL SERVICE PROVIDER FEES</b>						
<b>Total Service Provider Fees</b>	<b>221.70</b>		<b>64,293.00</b>		<b>8,358.09</b>	<b>72,651.09</b>

## Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
EB-2024-0063 Client Fees Listing Revised Incremental.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 Revised Incremental.pdf	Time Docket	Hearings	

Date	Explanation	Lwyr	Hours
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 statement	MR	2.2
20240924	prepare for hearing/prepare LEI cross and compendium/review other parties materials/p. call w. L. Gluck	MR	5.5
20240925	attend hearing/disc. w. parties	MR	7
20240925	prepare LEI and CEA cross/emails/p. call w. S. Grice (AMPCO)/p. call w. L. Gluck (CCC)	MR	2.7
20240926	prepare for next day/revised cross/review UT responses/p. call w. L. Gluck	MR	3.3
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
20241105	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
20241107	Review submissions of parties	JCS	2
20241108	prelim review of other parties sub	MR	1.5
20241108	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 triangulation approach/p. call w. LG (CCC)	MR	6.5
20241117	draft reply arg	MR	1.8
20241118	draft reply arg/p. call w. LG (CCC)	MR	2.5
20241119	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
20250331	emails/undertake financial/analysis on decision/reporting on decision	MR	1
			240.1

<b>CASE</b> EB-2024-0063: Rates: Policy-Related: Ontario Energy Board	<b>COST CLAIM</b> EB-2024-0063 : 2 : Mark Rubenstein	<b>INTERVENOR NAME</b> Rubenstein, Mark; +1 (647) 483-0113 mark@shepherd Rubenstein.c om	<b>PARTICIPANT CLAIM STATUS</b> Submitted
<b>FILING PARTICIPANT</b> Shepherd, Jay; +1 (416) 804-2767 jay@shepherd Rubenstein.com	<b>NEW PARTICIPANT</b> No	<b>NON-FILING PARTICIPANT F. NAME</b>	<b>NON-FILING PARTICIPANT L. NAME</b>
<b>SERVICE PROVIDER TYPE*</b> Legal Counsel	<b>YEAR CALLED TO BAR*</b> 1980	<b>COMPLETED YEARS PRACTICING/YEARS OF RELEVANT EXPERIENCE*</b> 41	<b>HOURLY RATE</b> 330
<b>HST RATE CHARGED*</b> 13.00	<b>CV STATUS (FOR CONSULTANT/ANALYST)</b> CV Required	<b>LAST CV DATE</b>	<b>OVERRIDE HOURLY RATE</b> No
<b>HST NUMBER</b> 83673 5464 RT0001	<b>HEARINGS</b> Yes	<b>CONSULTATIONS</b> No	<b>DISBURSEMENTS</b> No

## HEARINGS

<b>Hearings Hours</b> 18.40	<b>Hearings Subtotal (\$)</b> 6,072.00	<b>Hearings Total Tax (\$)</b> 789.36	<b>Hearings Total (\$)</b> 6,861.36
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<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
<b>DISCOVERY</b>						
Read and Research Application and Evidence		330		13.00		
Preparation of Interrogatories		330		13.00		
Review Interrogatory Responses		330		13.00		
Technical Conference Preparation		330		13.00		
Technical Conference Attendance		330		13.00		
Technical Conference Follow-up		330		13.00		
<b>Subtotal of DISCOVERY</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>	<b>0.00</b>
<b>PROCEDURAL</b>						
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		
Preparation of Motion(s) Materials		330		13.00		
Prepare Submissions on the Motion(s)		330		13.00		
Attendance at Hearing on Motion(s)		330		13.00		
Review Procedural Documents		330		13.00		

<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
<b>Subtotal of PROCEDURAL</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>	<b>0.00</b>
<b>INTERVENOR EVIDENCE</b>						
Preparation of Intervenor Evidence		330		13.00		
Interrogatory Responses		330		13.00		
Preparation of Witness(es) for Attendance at Hearing		330		13.00		
<b>Subtotal of INTERVENOR EVIDENCE</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>	<b>0.00</b>
<b>SETTLEMENT CONFERENCE</b>						
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		
<b>Subtotal of SETTLEMENT CONFERENCE</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>	<b>0.00</b>
<b>WRITTEN ARGUMENT</b>						
Written Submissions	17.00	330	5,610.00	13.00	729.30	6,339.30
<b>Subtotal of WRITTEN ARGUMENT</b>	<b>17.00</b>		<b>5,610.00</b>		<b>729.30</b>	<b>6,339.30</b>
<b>ORAL ARGUMENT</b>						
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		
<b>Subtotal of ORAL ARGUMENT</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>	<b>0.00</b>
<b>DECISION</b>						
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		
<b>Subtotal of DECISION</b>	<b>1.40</b>		<b>462.00</b>		<b>60.06</b>	<b>522.06</b>
<b>OTHER</b>						
Other Attendance (e.g., Intervenor Conferences)		330		13.00		
<b>Subtotal of OTHER</b>	<b>0.00</b>		<b>0.00</b>		<b>0.00</b>	<b>0.00</b>
<b>TOTAL SERVICE PROVIDER FEES</b>						
<b>Total Service Provider Fees</b>	<b>18.40</b>		<b>6,072.00</b>		<b>789.36</b>	<b>6,861.36</b>

## Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
Docket Notice.pdf	Time Docket	

## 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**