



BY EMAIL and RESS

Mark Rubenstein
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Dir. 647-483-0113

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

June 11, 2025
Our File: EB20240111

Attn: Ritchie Murray, Acting Registrar

Dear Mr. Murray:

Re: EB-2024-0111 – Enbridge Gas 2024-2028 Phase 2 - SEC Cost Claim

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

Phase 2 of the proceedings were complex, and involved among other steps, a 4 day technical conference, 10 days of settlement conference, a 3 day oral hearing, and final written argument.

The issues were broad and included, among others, the proposed rate-setting framework during the IRM term, which involved the assessment of competing expert evidence regarding the appropriate stretch factor; a range of matters related to storage (e.g., the inclusion of storage space, the appropriate level of cost-based storage, and utility/non-utility cost allocation), and the proposed Energy Technology Transition Fund.

Just as in Phase 1, the undersigned acted as the coordinators/spokesperson during the settlement process on behalf of intervenors who participated. This involved coordinating among certain intervenors and addressing specific more technically complex issues in advance of the scheduled Settlement Conference and acting as the spokesperson during the negotiations with Enbridge. This role, while leading to a more efficient process, involved considerable additional work for SEC, especially considering the sheer number of intervenors (21) and the broad range of perspectives. As a lot of this work took place at the end of and between the formal Settlement Conference Day, they are included under the "Settlement Conference Preparation" category.

Additionally, during the settlement proposal drafting process, the undersigned acted as the liaison between Enbridge and intervenors, coordinating the review of the Settlement Proposal by each intervenor, consolidating their edits and comments as required, and working through issues that inevitability arise.



SEC submits all of this to the benefit of the process which resulted in a comprehensive settlement on all but 3 issues, which saved customers more than \$540M.¹

With respect to the OEB's cost claim categories, as can be seen from our detailed dockets, certain activities are done at the same time and so cannot easily be separated into individual categories. For example, reviewing the evidence and preparing interrogatories are, in most situations, done at the same time. Additionally, considering the limited time between receiving interrogatory responses and the Technical Conference, reviewing interrogatory responses and preparing for the Technical Conference were undertaken at the same time. For the purposes of the OEB's cost claim categories, if a docket includes two categories of activities, we have generally allocated time equally between the two relevant categories. We have included time in the 'Preparation for Submissions at Motion' and 'Attendance at Hearing on Motion' category for docketed activities not just related to the Environmental Defense Motion, but also attendance at the settlement proposal presentation, which were held at as part of the same hearing.

SEC submits that its participation in this proceeding was thorough and valuable and was designed to maximize its assistance to the OEB in this large, complex, and challenging matter. SEC therefore requests reimbursement of its reasonably incurred costs as set forth in the attached cost claim, which is commensurate with the scope of the issues, and the role that it took in this proceeding.

Yours very truly,
Shepherd Rubenstein P.C.

Mark Rubenstein

cc: Brian McKay, SEC (by email)
Applicant (by email)

¹ Settlement Proposal, p.13, Table 2

EB-2024-0111 : 1 : Mark Rubenstein

COST CLAIM NUMBER 2747	SUBMISSION DEADLINE DATE June 13, 2025	CLAIM STATUS Approved by Finance
EB# EB-2024-0111: Rates: Distribution: Enbridge Gas Inc.	OTHER EB#S	PHASE #* 1
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

New	Non-Filing Participant First, Last Name	Filing Participant	Total (\$)	Total Hours	Participant Claim Status
No	,	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdubenstein.com	88,679.04	259.00	Submitted

ATTACHMENTS

Attachment	Document Type	Import Message
SEC_EGI_Phase2CostClaim_Letter.pdf	Cover Letter	
SEC EB-2024-0111 Cost Claim 061120251202.pdf		

TOTAL LEGAL/CONSULTANT/OTHER FEES 78,477.00	TOTAL DISBURSEMENTS 0.00	TOTAL HST 10,202.04
TOTAL CLAIM 88,679.04	TOTAL AMOUNT AWARDED	
TOTAL HOURS CLAIMED 259.00	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		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
June 11, 2025

CASE EB-2024-0111: Rates: Distribution: Enbridge Gas Inc.	COST CLAIM EB-2024-0111 : 1 : Mark Rubenstein	INTERVENOR NAME Rubenstein, Mark; +1 (647) 483-0113 mark@shepherd rubenstein.c om	PARTICIPANT CLAIM STATUS Submitted
FILING PARTICIPANT Rubenstein, Mark; +1 (647) 483-0113 mark@shepherd rubenstein.com	NEW PARTICIPANT No	NON-FILING PARTICIPANT F. NAME	NON-FILING PARTICIPANT L. NAME
SERVICE PROVIDER TYPE* Legal Counsel	YEAR CALLED TO BAR* 2011	COMPLETED YEARS PRACTICING/YEARS OF RELEVANT EXPERIENCE* 12	HOURLY RATE 303
HST RATE CHARGED* 13.00	CV STATUS (FOR CONSULTANT/ANALYST) CV Required	LAST CV DATE	OVERRIDE HOURLY RATE No
HST NUMBER 83673 5464 RT0001	HEARINGS Yes	CONSULTATIONS No	DISBURSEMENTS No

HEARINGS

Hearings Hours	Hearings Subtotal (\$)	Hearings Total Tax (\$)		Hearings Total (\$)		
259.00	78,477.00	10,202.04		88,679.04		
<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	17.70	303	5,363.10	13.00	697.20	6,060.30
Preparation of Interrogatories	14.40	303	4,363.20	13.00	567.22	4,930.42
Review Interrogatory Responses	11.90	303	3,605.70	13.00	468.74	4,074.44
Technical Conference Preparation	13.50	303	4,090.50	13.00	531.77	4,622.27
Technical Conference Attendance	23.40	303	7,090.20	13.00	921.73	8,011.93
Technical Conference Follow-up	3.45	303	1,045.35	13.00	135.90	1,181.25
Subtotal of DISCOVERY	84.35		25,558.05		3,322.56	28,880.61
PROCEDURAL						
Preparation of Issues List Submission	2.80	303	848.40	13.00	110.29	958.69
Attendance at Issues List Conference		303		13.00		
Preparation for a Confidentiality Request		303		13.00		
Prepare Submissions on Confidentiality		303		13.00		
Preparation of Motion(s) Materials		303		13.00		
Prepare Submissions on the Motion(s)	3.30	303	999.90	13.00	129.99	1,129.89
Attendance at Hearing on Motion(s)	5.10	303	1,545.30	13.00	200.89	1,746.19
Review Procedural Documents	5.40	303	1,636.20	13.00	212.71	1,848.91

<u>Name</u>	<u>Hours</u>	<u>Hourly Rate</u>	<u>Sub Total</u>	<u>HST Rate</u>	<u>HST</u>	<u>Total</u>
Subtotal of PROCEDURAL	16.60		5,029.80		653.88	5,683.68
INTERVENOR EVIDENCE						
Preparation of Intervenor Evidence		303		13.00		
Interrogatory Responses		303		13.00		
Preparation of Witness(es) for Attendance at Hearing		303		13.00		
Subtotal of INTERVENOR EVIDENCE	0.00		0.00		0.00	0.00
SETTLEMENT CONFERENCE						
Preparation for Settlement Conference	37.15	303	11,256.45	13.00	1,463.34	12,719.79
Attendance at Settlement Conference	59.50	303	18,028.50	13.00	2,343.71	20,372.21
Preparation of Settlement Proposal	9.90	303	2,999.70	13.00	389.96	3,389.66
Attendance at Presentation to Panel		303		13.00		
Subtotal of SETTLEMENT CONFERENCE	106.55		32,284.65		4,197.01	36,481.66
WRITTEN ARGUMENT						
Written Submissions	16.10	303	4,878.30	13.00	634.18	5,512.48
Subtotal of WRITTEN ARGUMENT	16.10		4,878.30		634.18	5,512.48
ORAL ARGUMENT						
Preparation for Oral Hearing	11.20	303	3,393.60	13.00	441.17	3,834.77
Attendance at Oral Hearing	22.50	303	6,817.50	13.00	886.28	7,703.78
Oral Submissions		303		13.00		
Attendance at Oral Submissions		303		13.00		
Subtotal of ORAL ARGUMENT	33.70		10,211.10		1,327.45	11,538.55
DECISION						
Review Decision	0.90	303	272.70	13.00	35.45	308.15
Review Rate/Accounting Order	0.80	303	242.40	13.00	31.51	273.91
Prepare Submission on Rate Order		303		13.00		
Subtotal of DECISION	1.70		515.10		66.96	582.06
OTHER						
Other Attendance (e.g., Intervenor Conferences)		303		13.00		
Subtotal of OTHER	0.00		0.00		0.00	0.00
TOTAL SERVICE PROVIDER FEES						
Total Service Provider Fees	259.00		78,477.00		10,202.04	88,679.04

Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
EB-2024-0111 Client Fees Listing.pdf	Time Docket	

Hearings, Consultations, Disbursements Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Claim Type</u>	<u>Import Message</u>
EB-2024-0111 Client Fees Listing.pdf	Time Docket	Hearings	

Date	Explanation	Lwyr	Hours
20240110	review HVAC intervention letter	MR	0.1
20240115	Zoom meeting with client	MR	0.5
20240117	review corr	MR	0.1
20240122	review HRAI intervention reply/comment	MR	0.3
20240404	review corr	MR	0.1
20240426	review EG corr to ED re: ELC	MR	0.1
20240426	review PO/review EG letter	MR	0.2
20240429	review ED letter/preliminary review of Phase 2 evidence	MR	1.5
20240430	emails	MR	0.3
20240501	review corr/emails	MR	0.1
20240502	review Staff corr	MR	0.1
20240503	emails	MR	0.1
20240506	emails	MR	0.1
20240507	consider OEB issues list/review HRAI draft corr circulated/review EG issues list letter/draft issues list sub	MR	2
20240508	emails	MR	0.1
20240510	review HRAI corr	MR	0.1
20240513	finalize and file issues list sub/review other parties submissions	MR	0.5
20240517	review issues list reply sub	MR	0.3
20240527	review EG letter	MR	0.1
20240530	review PO/issues list decision	MR	0.3
20240606	review corr	MR	0.1
20240607	review EG corr/emails re: ED evidence proposal	MR	0.3
20240610	emails/review HRAI letter	MR	0.1
20240611	emails/review ED proposed evidence	MR	0.2
20240612	review IGUA corr/review EG letter re evidence	MR	0.2
20240613	review evidence and draft IRs/p. call w. J. Girvan	MR	5.2
20240614	review evidence/draft IRs/emails	MR	5.5
20240616	review evidence/draft IRs	MR	1.5
20240617	meeting with DQ (FRPO), LG (CCC) re: storage issues	MR	1.2
20240617	review evidence/draft IRs	MR	3.5
20240618	review evidence/draft IRs	MR	3.1
20240619	edit and finalize IRs/review other parties IRs	MR	2.5
20240620	emails/review FRPO IRs	MR	0.1
20240705	review ED corr and sup IR	MR	0.1
20240708	review corr	MR	0.1
20240709	preliminary review of IRR	MR	0.7
20240710	review IRR/prepare for TC	MR	3.1
20240711	review IRR/prepare for TC	MR	6.1
20240712	emails/meeting with DQ (FRPO) and LG (CCC) re: storage issues	MR	1.9
20240716	emails/preliminary review of confidential IRR	MR	0.5
20240716	draft TC letter	MR	0.2
20240717	emails	MR	0.2

20240718	meeting with LG (CCC), DQ (FRPO) re: storage issues	MR	2.4
20240719	many emails re: storage/analysis re: B&V working papers/prepare for TC/review corr/emails	MR	4.6
20240720	prepare for Technical Conference	MR	1.5
20240722	attend Technical Conference	MR	7.7
20240722	prepare for Day 2 of TC	MR	1.2
20240723	attend Technical Conference	MR	7.5
20240723	prepare for Day 3 (panels 3 and 4)/emails	MR	1.7
20240724	attend Technical Conference	MR	6.5
20240724	review transcript/prepare for Day 4/many emails	MR	1
20240725	prepare for TC before day begun/p. call w. L. Gluck	MR	0.3
20240725	attend Technical Conference	MR	1.7
20240729	emails/review EG corr	MR	0.1
20240731	emails	MR	0.1
20240806	emails/review HRAI motion	MR	0.3
20240807	emails/review corr	MR	0.2
20240812	emails/draft motion letter	MR	0.7
20240812	emails re: expert evidence	MR	0.1
20240813	edit and finalize letter	MR	0.1
20240818	email/review motion hearing transcript	MR	0.5
20240821	emails/review EG corr	MR	0.3
20240821	emails/disc with LW (CCC)/review intervenor and Staff evidence	MR	1.1
20240822	review intervenor and Staff evidence	MR	3.3
20240822	review HRAI motion Decision	MR	0.1
20240823	finalize and file M2 IRs/review other parties IRs	MR	0.3
20240826	consider issues/review UT responses	MR	1.5
20240827	review UT and prepare for SC	MR	3.3
20240828	review corr re: HRAI	MR	0.1
20240902	emails	MR	0.2
20240903	emails/prepare for Settlement Conference/p. call w. J. Girvan	MR	3.6
20240904	prepare for Settlement Conference/undertake analysis/many emails/meeting re: storage issues with DQ (FRPO) and LG (CCC)/p. call w. LG	MR	4.1
20240905	meeting with LG (CCC) and DQ (FRPO, prepare CA storage draft offer/emails/finalize and send pre-settlement CQ	MR	2
20240906	review intervenor and Staff evidence IRRs	MR	1.5
20240906	meeting with EG and certain parties/p. call w. K. Rosenberg (Facilitator)/meeting with ED, TFG, PP/p. call w. L. Gluck/many emails	MR	5.2
20240909	prepare for Settlement Conference/p. call w. I. Mondow/p. call w. JCS	MR	3.3
20240910	attend Settlement Conference/disc w. parties	MR	8
20240910	prepare for Day2/draft offer/emails/p. call w. L. Gluck	MR	2.9
20240911	attend Day 3	MR	7.8

20240911	prepare for Day 3 of Settlement Conference/emails	MR	1.2
20240912	attend Settlement Conference/disc. w. parties	MR	5.5
20240913	prepare for Day 5/emails/review CQ questions	MR	0.7
20240913	attend Settlement Conference/disc. w. parties	MR	6
20240915	emails/prepare for Day 5	MR	0.5
20240916	emails	MR	0.5
20240917	p. call w. K. Rosenberg (Facilitator)/meeting with all parties/meeting with intervenors	MR	0.5
20240917	emails/Teams meeting with BY (APPrO) and LG (CCC) re: storage/p. call w. LG (CCC)	MR	0.5
20240918	attend Settlement Conference	MR	7
20240918	emails/prepare for next day/draft offer/Zoom meeting re: storage	MR	1.6
20240919	attend Settlement Conference	MR	5.5
20240919	emails/prepare for next day	MR	0.6
20240920	emails/p. call w. N. Daube, meeting with intervenors	MR	3.3
20240921	emails	MR	0.1
20240923	emails	MR	0.1
20240923	emails/review draft letter	MR	0.2
20240926	review PO	MR	0.1
20241001	emails	MR	0.1
20241003	many emails/p. call w. MB (CBA)	MR	0.5
20241004	meeting w. LG (CCC), DQ (FRPO)/emails/ p. call w. KE (ED), p. call w. LG (CCC)/prepare for resumption of Settlement Conference	MR	2.5
20241006	prepare for Settlement Conference/many emails	MR	0.7
20241007	attend Settlement Conference/disc. w. parties	MR	7.9
20241007	emails/prepare for next day of SC	MR	0.3
20241008	attend Settlement Conference/disc. w. parties	MR	6.7
20241009	attend Settlement Conference/disc. w. parties/p. call w. MB/p. call w. LG	MR	5.1
20241010	emails/review draft letter	MR	0.3
20241011	emails	MR	0.1
20241015	email/p. call w. KE (ED)	MR	0.6
20241018	emails	MR	0.1
20241018	emails re: circulate draft settlement proposals	MR	0.3
20241018	emails re: hearing	MR	0.1
20241020	review Settlement Proposal and provide comments and edits/emails	MR	2.2
20241021	emails	MR	0.3
20241022	emails/monitor parties review/dealing with issues as they arise	MR	0.5
20241023	emails	MR	0.2
20241024	emails/review intervenors and Staff comments and consolidate/resolve issues/p. call w. LG (CCC), p. call w. KE (ED)	MR	1.1
20241025	emails/circulate draft AO and other doc	MR	0.2
20241029	preliminary review of second SP draft/emails to all parties	MR	0.5

20241030	many emails	MR	0.3
20241031	emails/consider EG responses to storage calculation questions	MR	0.5
20241101	consolidate comments and edits of intervenors/emails/address issues/p. calls w. D. Stevens x2/consolidated further draft comments	MR	2
20241104	emails/review final version/p. call w. Gluck	MR	0.6
20241105	review ED motion ltr	MR	0.1
20241107	review corr	MR	0.1
20241108	review PO	MR	0.1
20241113	p. call w. LG	MR	0.3
20241114	review Staff sub	MR	0.2
20241114	review DRO	MR	0.5
20241115	p. call w. Kent Elscot re: ED motion/p. call w. L. Gluck re: motion/considering position/review VECC and PP letter	MR	0.6
20241115	review EG responses to ED questions	MR	0.5
20241115	review materials for Presentation Day	MR	0.3
20241117	emails re: ED motion	MR	0.2
20241118	attend motion and settlement presentation hearing	MR	5
20241118	review EG corr re: DRO	MR	0.1
20241120	emails/review draft UT responses EG seeks comments	MR	0.3
20241121	emails/review final filed UT	MR	0.1
20241126	review ED corr	MR	0.1
20241129	review EG letter	MR	0.1
20241129	review OEB decision on settlement/emails	MR	0.3
20241130	emails	MR	0.1
20241202	emails	MR	0.2
20241203	review EG corr	MR	0.1
20241205	review EG corr/emails	MR	0.1
20241206	review PO	MR	0.1
20241210	emails/review EG letter	MR	0.2
20241211	emails/review ED documents for hearing	MR	0.5
20241212	review EG final letter/emails	MR	0.2
20241213	emails/prepare for hearing	MR	3.2
20241214	review updated EG response/emails	MR	0.3
20241215	prepare for hearing/prepare compendium	MR	1.7
20241216	prepare for hearing/emails	MR	4.5
20241217	attend Oral Hearing/disc. w. parties	MR	8
20241217	prepare for Day 2/emails	MR	1.2
20241218	attend hearing/disc. w. Parties	MR	7.8
20241218	review transcript/prepare for Day 3	MR	0.6
20241219	attend hearing/disc. w. parties	MR	6.7
20241220	review PO	MR	0.1
20250117	prel. review of UT responses	MR	0.3
20250203	review ED Argument-in-Chief/emails/p. call w. L. Gluck (CCC)	MR	1.1

20250206	prelim. review of Argument-in-Chief	MR	0.3
20250207	review Argument-in-Chief/outline argument/research/draft argument/emails	MR	4.7
20250208	draft argument	MR	1
20250210	emails	MR	0.2
20250213	draft argument/emails	MR	2.5
20250214	draft argument/emails	MR	3.5
20250218	finalize sub/review other parties submissions/emails	MR	1.1
20250219	review further parties sub	MR	0.3
20250304	review corr	MR	0.1
20250306	review EG reply arg	MR	0.5
20250307	review ED reply arg/emails	MR	0.5
20250529	review Decision/email	MR	0.6
			259