



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 25, 2024
Our File: EB20230298

Attn: Nancy Marconi, Registrar

Dear Ms. Marconi:

Re: EB-2023-0298 – Upper Canada Transmission 2 – Cost Claim

We are counsel to the School Energy Coalition (“SEC”). Enclosed, please find SEC’s cost claim using the OEB’s cost claim system.

This was an unusually complex application which the OEB noted in its Decision involving a “breadth of issues” due to the “unique aspects of this Application given the time period and circumstances in which the East-West Tie Line was constructed”, as well as the “one-time adjustment to the 2024 revenue requirement.” The Settlement Conference was extended and lasted 4 days. SEC acted as a spokesperson/coordinator amongst the intervenors in discussions with UCT 2. As shown by the detailed dockets, this involved additional work during the broader settlement period, including modeling various offers/counter-offers that were used by the intervenors and OEB Staff. SEC also coordinated and consolidated comments and edits during the Settlement Conference amongst intervenors and OEB Staff.

For purposes of cost claim categorization, where dockets include both reviewing evidence and preparing interrogatories, or reviewing interrogatory responses and preparing for the Settlement Conference, we have allocated 50% to each specific category activity. As a practical matter, each set of activities are done at the same time and so cannot be readily extricable (e.g. we are preparing IRs as we review the evidence). Time spent seeking a full and adequate response to interrogatory SEC-4 has been included under the ‘Prepare Submissions on the Motions’ category.

SEC submits that its participation in this proceeding was thorough and valuable, and was designed to maximize its assistance to the OEB in this 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 its role.

Shepherd Rubenstein P.C.

Mark Rubenstein

Shepherd Rubenstein Professional Corporation | **Regulatory Law**
2200 Yonge Street, Suite 1302 T. (416) 483-3300 F. (416) 483-3305
Toronto, ON M4S 2C6 shepherdrubenstein.com



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

EB-2023-0298 : 1 : Mark Rubenstein

COST CLAIM NUMBER
2184

SUBMISSION DEADLINE DATE
June 27, 2024

CLAIM STATUS
Submitted

EB#
EB-2023-0298: Rates: Transmission: Upper
Canada Transmission 2, Inc.

OTHER EB#S

PHASE #*
1

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

<u>New</u>	<u>Non-Filing Participant First, Last Name</u>	<u>Filing Participant</u>	<u>Total (\$)</u>	<u>Total Hours</u>	<u>Participant Claim Status</u>
No	,	Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdubenstein.com	24,249.82	74.00	Submitted

ATTACHMENTS

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
EB-2023-0298 Cover Letter.pdf	Cover Letter	

TOTAL LEGAL/CONSULTANT/OTHER FEES
21,460.00

TOTAL DISBURSEMENTS
0.00

TOTAL HST
2,789.82

TOTAL CLAIM
24,249.82

TOTAL AMOUNT AWARDED

TOTAL HOURS CLAIMED
74.00

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
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
June 25, 2024

CASE EB-2023-0298: Rates: Transmission: Upper Canada Transmission 2, Inc.	COST CLAIM EB-2023-0298 : 1 : Mark Rubenstein	INTERVENOR NAME Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.c om	PARTICIPANT CLAIM STATUS Submitted
FILING PARTICIPANT Rubenstein, Mark; +1 (647) 483-0113 mark@shepherdrubenstein.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 290
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 74.00	Hearings Subtotal (\$) 21,460.00	Hearings Total Tax (\$) 2,789.82	Hearings Total (\$) 24,249.82
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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>
DISCOVERY						
Read and Research Application and Evidence	4.95	290	1,435.50	13.00	186.62	1,622.12
Preparation of Interrogatories	4.55	290	1,319.50	13.00	171.54	1,491.04
Review Interrogatory Responses	9.05	290	2,624.50	13.00	341.19	2,965.69
Technical Conference Preparation		290		13.00		
Technical Conference Attendance		290		13.00		
Technical Conference Follow-up		290		13.00		
Subtotal of DISCOVERY	18.55		5,379.50		699.35	6,078.85
PROCEDURAL						
Preparation of Issues List Submission	0.50	290	145.00	13.00	18.85	163.85
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)	3.50	290	1,015.00	13.00	131.95	1,146.95
Attendance at Hearing on Motion(s)		290		13.00		
Review Procedural Documents	2.20	290	638.00	13.00	82.94	720.94

<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	6.20		1,798.00		233.74	2,031.74
INTERVENOR EVIDENCE						
Preparation of Intervenor Evidence		290		13.00		
Interrogatory Responses		290		13.00		
Preparation of Witness(es) for Attendance at Hearing		290		13.00		
Subtotal of INTERVENOR EVIDENCE	0.00		0.00		0.00	0.00
SETTLEMENT CONFERENCE						
Preparation for Settlement Conference	16.65	290	4,828.50	13.00	627.71	5,456.21
Attendance at Settlement Conference	23.30	290	6,757.00	13.00	878.41	7,635.41
Preparation of Settlement Proposal	8.90	290	2,581.00	13.00	335.53	2,916.53
Attendance at Presentation to Panel		290		13.00		
Subtotal of SETTLEMENT CONFERENCE	48.85		14,166.50		1,841.65	16,008.15
WRITTEN ARGUMENT						
Written Submissions		290		13.00		
Subtotal of WRITTEN ARGUMENT	0.00		0.00		0.00	0.00
ORAL ARGUMENT						
Preparation for Oral Hearing		290		13.00		
Attendance at Oral Hearing		290		13.00		
Oral Submissions		290		13.00		
Attendance at Oral Submissions		290		13.00		
Subtotal of ORAL ARGUMENT	0.00		0.00		0.00	0.00
DECISION						
Review Decision	0.40	290	116.00	13.00	15.08	131.08
Review Rate/Accounting Order		290		13.00		
Prepare Submission on Rate Order		290		13.00		
Subtotal of DECISION	0.40		116.00		15.08	131.08
OTHER						
Other Attendance (e.g., Intervenor Conferences)		290		13.00		
Subtotal of OTHER	0.00		0.00		0.00	0.00
TOTAL SERVICE PROVIDER FEES						
Total Service Provider Fees	74.00		21,460.00		2,789.82	24,249.82

Attachments

<u>Attachment</u>	<u>Document Type</u>	<u>Import Message</u>
EB-2023-0298 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-2023-0298 Client Fees Listing.pdf	Time Docket	Hearings	

Date	Explanation	Lwyr	Hours
20231106	review Notice/preliminary review Application	MR	1.5
20231113	prepare and complete intervention form/emails	MR	0.2
20231117	emails	MR	0.1
20231128	review PO/emails	MR	0.3
20231201	emails re: issues list	MR	0.3
20231205	emails	MR	0.1
20231208	review issues list decision	MR	0.1
20231212	review interim decision/emails	MR	0.2
20231218	review Application and draft IRs/research	MR	3.2
20231219	review Application and draft IRs	MR	3.5
20240108	emails/edit and finalize IRs	MR	0.5
20240109	emails	MR	0.2
20240110	finalize and file IRs/review other parties IRs	MR	0.5
20240123	email	MR	0.1
20240124	p. call w. G. Nettelton/p. call w. S. Grice and S. Girvan	MR	0.8
20240125	review UCT corr	MR	0.1
20240126	emails	MR	0.1
20240129	review PO/emails	MR	0.1
20240205	email/review corr	MR	0.1
20240206	emails/prelim review of IRR/p. call w. G. Nettleton/sign and file DU/receive confidential materials/p. call w. L. Murray	MR	2.4
20240206	draft letter	MR	1.5
20240207	finalize and file letter/emails	MR	0.3
20240207	review IRRs/p. call w. J. Girvan	MR	3.9
20240208	prepare for Settlement Conference	MR	4.2
20240208	review UCT letter and draft reply	MR	1.4
20240209	finalize and file letter/review VECC corr	MR	0.3
20240212	review IRR and prepare for Settlement Conference/p. call w. S. Grice/p. call w. L. Murray/p. call w. J. Girvan	MR	5.5
20240212	review PO/decision	MR	0.1
20240213	attend Settlement Conference	MR	6.2
20240213	prepare for UCT meeting re: connections	MR	0.6
20240214	attend UCT sub-group meeting	MR	0.4
20240216	attend Settlement Conference/multiple phone calls with AM (Facilitator) and other intervenors/review corr	MR	6.2
20240221	create model/consider next steps and offer issues/review PO/emails/p. call w. AM (Facilitator)	MR	4
20240225	prepare for Day 3	MR	1.6
20240226	attend Settlement Conference	MR	6.5
20240226	prepare for next day/review Excel model/multiple p. calls w. AM/emails	MR	2.3
20240227	p. call w. M. Price/meeting with intervenors/multiple p. calls AM/many emails	MR	1.2

20240228	attend Settlement Conference	MR	4
20240308	review PO	MR	0.1
20240326	emails	MR	0.1
20240327	emails	MR	0.1
20240403	emails/preliminary review of settlement proposal	MR	0.3
20240405	emails	MR	0.2
20240406	review settlement proposal	MR	2.5
20240407	review settlement proposal/emails	MR	0.3
20240408	emails	MR	0.1
20240409	emails/draft and send clarification question to UCT	MR	0.4
20240410	emails	MR	0.1
20240411	emails	MR	0.2
20240412	emails/review corr/review PO	MR	0.2
20240414	emails	MR	0.1
20240415	emails	MR	0.1
20240415	emails/meeting with UCT re: adjustment calculation issue	MR	0.6
20240417	emails	MR	0.2
20240418	emails	MR	0.2
20240419	emails	MR	0.2
20240420	emails	MR	0.1
20240421	consolidate comments and prepare response email	MR	0.4
20240422	emails	MR	0.1
20240423	emails/prepare for meeting with UCT	MR	0.4
20240424	meeting with UCT re: adjustment calculation issue	MR	0.6
20240426	emails	MR	0.3
20240429	emails	MR	0.1
20240430	emails/consolidate and send back settlement proposal	MR	0.5
20240501	emails/final review and sign off of on Settlement Proposal	MR	0.3
20240502	emails	MR	0.1
20240503	emails	MR	0.1
20240513	review OEB Staff subscriptions on confidentiality/review Staff submission on settlement	MR	0.2
20240613	review decision	MR	0.2
			74