

M A N I T O B A) **Order No. 41/00**
)
THE PUBLIC UTILITIES BOARD ACT) **March 21, 2000**

BEFORE: G. D. Forrest, Chairman
D. L. Barrett-Hrominchuk, Member
J. A. MacDonald, Member

**APPLICATIONS BY THE BIFROST RATEPAYERS
ASSOCIATION, MEL CHRISTIAN/WILLIAM FLEURY,
COMMUNICATIONS, ENERGY AND PAPERWORKERS UNION
LOCAL 681, CONSUMERS' ASSOCIATION OF CANADA
(MANITOBA) INC./MANITOBA SOCIETY OF SENIORS,
INTERLAKE NATURAL GAS CO-OP LTD. AND THE
SEAGRAM COMPANY TO INTERVENE IN AN
APPLICATION BY CENTRA GAS MANITOBA INC.
REGARDING THE INTERLAKE EXPANSION**

The Public Utilities Board of Manitoba (the Board) received applications for intervenor status from the Bifrost Ratepayers Association (RATEPAYERS), Mel Christian and William Fleury (CHRISTIAN/FLEURY), Communications, Energy and Paperworkers Union Local 681 (CEPU), Consumers' Association of Canada (Manitoba) Inc./Manitoba Society of Seniors (CAC/MSOS), Interlake Natural Gas Co-op Inc. (INGC) and The Seagram Company (SEAGRAM), the "Applicants", to intervene at the public hearing to consider the Application

by Centra Gas Manitoba Inc. regarding the Interlake Expansion.

This Order is issued pursuant to Rule 26 of the Board's Draft Rules of Practice and Procedure.

Bifrost Ratepayers Association

Bifrost Ratepayers Association by way of a completed Intervenor Request Form received March 8, 2000 requested intervenor status. The Applicant noted that the reasons for its intervention are: 1) cost of the project is extremely high for the people who will benefit; 2) Rural Municipality of Bifrost is contributing to this project; 3) lack of information surrounding this project; 4) taxation of all Rural Municipality is unfair to those who will never get gas.

The Applicant noted that it intends to appear throughout the hearing, participate in the production and testing of evidence, call a witness and present final argument. The Applicant indicated a "tentative" intention to apply for costs.

Mel Christian and William Fleury

Mel Christian and William Fleury by way of a completed Intervenor Request Form received March 6, 2000 requested intervenor status. The Applicants noted their involvement with a group of concerned ratepayers, noted their participation in the previous hearing and is seeking an "opportunity to voice concerns of a large majority of

our community (Rural Municipality of Woodlands). The Applicant also noted that they were seeking an "assurance of fairness".

The Applicant noted that it intends to appear throughout the hearing, participate in the production and testing of evidence, call a witness and present final argument. The Applicant indicated it did not intend to file for costs.

Communications, Energy and Paperworkers Union Local 681

Communications, Energy and Paperworkers Union Local 681 by way of a completed Intervenor Request Form received March 3, 2000 requested intervenor status. The Applicant noted that it was intervening "to gather information so that we may provide one of the Manitoba Gas Industry Major Stakeholders' viewpoint in order to assist The Public Utilities Board with its deliberations in this matter".

The Applicant was not certain as to whether it would be appearing throughout the hearing and testing evidence. The Applicant indicated that it did not intend to produce evidence or call a witness. The Applicant will be presenting final argument and will not be applying for costs.

Consumers' Association of Canada (Manitoba) Inc./Manitoba
Society of Seniors

Consumers' Association of Canada (Manitoba) Inc. and Manitoba Society of Seniors by way of a letter dated February 23, 2000 and completed Intervenor Request Form requested intervenor status. The Applicant noted that it would be making a full intervention on all issues of the Application.

The Applicant also noted that it would be appearing throughout the hearing, participating in the production and testing of evidence and presenting final argument. The Applicant did not indicate whether it would be calling witnesses but did indicate that it would be making an application for costs.

Interlake Natural Gas Co-op Inc.

Interlake Natural Gas Co-op Inc. by way of a letter dated February 29, 2000 and completed Intervenor Request Form requested intervenor status. The Applicant noted its reasons for intervention as follows: "to support approval of financial feasibility test; to address the development of ING Coop as a result of need for natural gas service in communities; to document ING Coop's continuing role in project development and ensuring Board Order 115/99 recommendations were addressed; ING Coop's role in securing necessary funding; ING Coop's leadership in community consultation and communication".

The Applicant intends to appear throughout the hearing, to participate in the production and testing of evidence and present final argument. The Applicant will be calling witnesses and applying for costs.

The Seagram Company

The Seagram Company by way of a completed Intervenor Request Form received February 25, 2000 requested intervenor status. The Applicant noted that it was intervening "to obtain copies of documentation/notices of proceedings for review to see if/how issues may affect us".

The Applicant also noted that it did not intend to appear throughout the hearing, participate in the production or testing of evidence, present final argument, call witnesses or apply for costs.

The Board also received an application for intervenor status from the Association of Manitoba Natural Gas Providers which was subsequently withdrawn.

By way of letter dated March 15, 2000 Centra provided its comments on the various applications for intervenor status. Centra by way of general comments indicated the subject areas of the application and submitted that those areas should define the scope of the hearing. Centra also noted that issues of public funding and taxation became the focus of a previous hearing resulting in an extended hearing and increased costs.

Centra asked that the Board confine all parties to the matters at issue.

With respect to specific intervenors, Centra submitted that the Bifrost Ratepayers Association be combined with that of Mr. Mel Christian and Mr. William A. Fleury as they all cite similar reasons for their intervention. Centra submitted that the Board should be informed as to the composition, mandate and membership of the Bifrost Ratepayers Association.

Finally, Centra noted its concerns with regard to the awarding of costs for matters which exceed the criteria specified by the Board.

By way of letter received March 16, 2000 Messers Christian/Fleury responded to Centra's letter indicating that they would prefer not to be joined with the Bifrost Ratepayers Association as they represented a different part of the region under consideration.

The Bifrost Ratepayers Association by way of letter dated March 16, 2000 dealt with two issues as raised by Centra. On the matter of a joint intervention with Messers Christian and Fleury; the Applicant noted that the Bifrost Ratepayers Association is primarily concerned with feasibility and aspects of the transmission system pertaining to the Rural Municipality of Bifrost, as well as other aspects of the Application. The Applicant noted that while there may be some overlap on some of the contribution there may be significant differences. The Applicant further noted the time frame for discussion of a joint

presentation given that the deadline for submitting information requests is March 17, 2000 and that "a protocol has been set in a previous hearing".

On the matter of information about the Association it was noted that the organization began in the fall of 1996, is registered with the province of Manitoba and that membership eligibility is based on being an eligible voter in the Rural Municipality of Bifrost.

Board Findings

The Board notes the issues raised by Centra in its letter. On the matter of the joining of the applications of the Bifrost Ratepayers Association, Messers Christian and Fleury, the Board notes that Messers Christian and Fleury have already indicated that their application should be considered as one. The Board notes that the applicants Christian/Fleury and the Bifrost Ratepayers Association represent different areas of the region under consideration. The Board is of the opinion that the issues to each of the parties could likely be different and would not ask the Bifrost Ratepayers Association to join with Messers Christian and Fleury. Should common issues come to light the Board will expect parties will cooperate to avoid any duplication.

With regard to Centra's position that the composition, mandate or membership of the Bifrost Ratepayers Association should be provided to the Board, the Board notes the information provided by the Applicant and is satisfied at this time.

The Board will strongly encourage all parties to utilize the opportunity prior to the hearing to ask questions and obtain information. The Board would also ask that all parties be mindful of the scope of the hearing and govern themselves accordingly during the entire process.

The Board having considered all of the applications will grant intervenor status to the Applicants. The Board would ask that all parties familiarize themselves with the rules of the Board and the timetable.

IT IS THEREFORE ORDERED THAT:

1. Intervenor status BE AND IS HEREBY GRANTED to Bifrost Ratepayers Association.
2. Intervenor status BE AND IS HEREBY GRANTED to Mel Christian and William Fleury of the Rural Municipality of Woodlands.
3. Intervenor status BE AND IS HEREBY GRANTED to Communications, Energy and Paperworkers Union Local 681.
4. Intervenor status BE AND IS HEREBY GRANTED to Consumers' Association of Canada (Manitoba) Inc./Manitoba Society of Seniors.
5. Intervenor status BE AND IS HEREBY GRANTED to Interlake Natural Gas Co-op Inc.

