

M A N I T O B A) Order No. 119/04
)
THE PUBLIC UTILITIES BOARD ACT) September 22, 2004

BEFORE: Graham F. J. Lane, C.A., Chairman
R. Mayer, Q.C., Vice-Chair
L. Evans, Member

**MANITOBA HYDRO - GENERAL RATE APPLICATION
APPLICATION OF CANADIAN CENTRE FOR ENERGY POLICY INC.
FOR AN AWARD OF COSTS**

On March 24, 2004, The Public Utilities Board (the Board) issued Order No. 43/04 approving a public hearing process to consider Manitoba Hydro's General Rate Application. Canadian Centre for Energy Policy Inc. (CCEP) intervened in this proceeding, representing the interests of small commercial and non-profit ratepayers of Manitoba Hydro. On September 12, 2004, CCEP filed an application for costs with supporting particulars as follows:

Fees	\$32,422.50
Disbursements	<u>\$ 2,921.77</u>
Total	\$35,344.27

The costs sought were less than CCEP's forecast recent expenditures of \$54,150.

In its application, CCEP opined that its contribution was consistent with CCEP's substantial interests, interests not addressed by other parties to the same extent. In the general area of revenue requirement, CCEP reported that it had minimized its efforts in co-operation with other parties, and that in the interest of cost minimization, CCEP had not engaged accounting or economic experts but relied on its legal counsel. CCEP submitted it could not have presented its case adequately without its expectation of a cost award. Manitoba Hydro, in a letter to the Board dated September 14, 2004, did not object to an award of costs to CCEP.

While the Board finds CCEP did make a contribution to the proceeding, and cooperated with the other intervenors in the canvass of issues, it finds excessive the compensation CCEP sought with respect to preparing for the Pre-Hearing Conference, drafting its proposed budget for its intervention, drafting and redrafting responses to Manitoba Hydro's objections, and preparing for the revenue requirement segment of the hearing. Other than that, CCEP was relatively efficient and reasonably effective in its cross-examination and closing comments.

IT IS THEREFORE ORDERED THAT:

1. Canadian Centre for Energy Policy Inc.'s application for an award of costs be allowed in the amount of \$29,344.27, this being \$6,000.00 less than that sought.

2. The costs shall be payable by Manitoba Hydro within 30 days of the date of this Order.

THE PUBLIC UTILITIES BOARD

"GRAHAM F. J. LANE, C.A."
Chairman

"G. O. BARRON"
Secretary

Certified a true copy of Order
No. 119/04 issued by The Public
Utilities Board

Secretary