

MANITOBA) Order No. 164/06
)
THE PUBLIC UTILITIES BOARD ACT) December 5, 2006

BEFORE: Graham F. J. Lane, C.A., Chairman
Leonard Evans, LL.D. (Hon.), Member
Eric Jorgensen, Member

APPLICATION BY THE COALITION OF MANITOBA
MOTORCYCLE GROUPS FOR A COST AWARD --
INTERVENTION, APPLICATION OF MANITOBA PUBLIC
INSURANCE CORPORATION FOR APPROVAL OF 2007/08
INSURANCE RATES

MPI's Perspective

MPI expressed concern over CMMG's continued reliance on Satyatas Consulting, with respect to preparing information requests, drafting cross examination for CMMG counsel and preparing CMMG's final argument. MPI opined there was duplication in the hours charged, due to the involvement of both CMMG's counsel and Satyatas' consultant. Furthermore, MPI suggests that CMMG's consultant did not make a contribution to the hearing with respect to the RSR range, and that issue had been fully examined by Board counsel as well as counsel for other interveners. MPI suggests that CMMG's efforts with respect to the RSR was a duplication of the efforts of others.

MPI further indicated that its understanding was that the resolution of the previous PIPP cost allocation issue would have resulted in a decreased intervention by CMMG.

Accordingly, MPI suggested that the Board reduce CMMG's cost award.

CMMG response:

In support of its application, CMMG acknowledged that the claim submitted in relation to consulting fees exceeded its initial budget. CMMG noted the extremely voluminous material and heavy focus on the level of the Rate Stabilization Reserve as factors in its over-budget situation.

CMMG suggested that its examination of the application in regards to the RSR and applicable diagnostic tests were different than that undertaken by other interveners.

With respect to the hours of preparation by CMMG counsel and by Satyatas, CMMG noted the large amount of material in this year's application that had to be read, understood, and discussed, towards providing a cohesive, well organized, cross examination and argument. The vast amounts of material and the need to review transcripts and formulate effective cross examination translated into the hours as charged.

BOARD FINDINGS

The Board is satisfied that CMMG qualifies for an award of costs, and made a contribution to the Board's understanding of matters before it. Many of CMMG's positions were reflected in the Order, due in some measure to CMMG's contributions.

The Board notes the budget overrun, but recognizes that the materials filed this year and the range of issues covered were extensive and broad.

Accordingly, the Board will grant CMMG's request for costs as claimed.

IT IS THEREFORE ORDERED THAT:

1. The Coalition of Manitoba Motorcycle Groups Inc. be awarded costs of \$36,224.22 in making its intervention at the Manitoba Public Insurance Corporation's 2007 Insurance Rates Hearing.
2. Costs shall be payable by the Manitoba Public Insurance Corporation within 30 days of the date of this Order.

THE PUBLIC UTILITIES BOARD

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

"G. GAUDREAU, C.M.A."
Secretary

Certified a true copy of Order
No. 164/06 issued by The Public
Utilities Board

Secretary