

MANITOBA) Order No. 118/10
)
THE PUBLIC UTILITIES BOARD ACT) December 7, 2010

BEFORE: Graham Lane, CA, Chairman
Len Evans, LL.D., Member

MANITOBA BAR ASSOCIATION:
COST AWARD INTERVENTION,
APPLICATION OF MANITOBA PUBLIC INSURANCE
CORPORATION FOR APPROVAL OF 2011/12 COMPULSORY
DRIVER AND VEHICLE INSURANCE PREMIUMS

Introduction

By this Order, the Public Utilities Board (Board) approves the application of the Manitoba Bar Association (MBA) for a cost award of \$23,040.64. The award relates to the recently concluded Board hearing of Manitoba Public Insurance's (MPI) proposed 2011/12 Compulsory Driver and Vehicle Insurance Premiums.

Application

The Board held a public hearing of MPI's application at the Board's offices in Winnipeg in October 2010. Several interested parties, including MBA, intervened.

Pursuant to Section 56 of *The Public Utilities Board Act*, the Board has jurisdiction to award costs of, and incidental to, any proceeding. The Board's Rules of Practice and Procedure (Rules) stipulate four main criteria assisting it in determining whether costs should be awarded to an Intervener. The Notice of Public Hearing for MPI's application advised as to the Board's cost award guidelines.

Pursuant to the Board's Rules and following the hearing, MBA applied for an award of costs in the amount of \$23,040.64:

Legal Fees (including PST and GST)

\$23,040.64

MBA noted that its cost application was less than its initial budget, which forecast a cost application seeking \$26,360.70; the reduction reportedly achieved through reduced time spent with respect to preparation and hearing appearances, with the savings partly offset by additional time with respect to MBA's closing statement/argument.

MPI advised of no objection to MBA's request.

BOARD FINDINGS

The Board is satisfied with MBA's participation in and contribution to the proceeding, and finds that MBA qualifies for an award of costs.

MBA contributed to the Board's understanding of aspects of the application, acted cooperatively with the other parties through the proceeding, and provided a concise argument at the conclusion of the hearing.

Accordingly, the Board will grant MBA's request.

Board decisions may be appealed in accordance with the provisions of Section 58 of *The Public Utilities Board Act*, or reviewed in accordance with Section 36 of the Board's Rules of Practice and Procedure (Rules). The Board's Rules may be viewed on the Board's website at www.pub.gov.mb.ca.

