

MANITOBA) Order No. 119/10
)
THE PUBLIC UTILITIES BOARD ACT) December 7, 2010

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

COALITION OF MANITOBA MOTORCYCLE GROUPS INC.:
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 Coalition of Manitoba Motorcycle Groups Inc.'s (CMMG) application for a cost award of \$53,398.08. 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 CMMG, 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, CMMG applied for an award of costs in the amount of \$53,398.08:

Legal:	
Fees (including PST and GST)	\$25,589.21
Disbursements (including GST)	244.93
Total legal	<u>\$25,834.14</u>
Actuarial Consultant:	
Fees (including PST and GST)	\$25,944.59
Disbursements (including GST)	1,619.35
Total consulting	<u>\$27,563.94</u>

Total Claim \$53,398.08

CMMG noted that its cost application exceeded its initial estimate, this attributed to additional work involving the actuary the intervener engaged, responding to interrogatories and preparing reports.

MPI advised of no objection to CMMG's request.

BOARD FINDINGS

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

CMMG meets the criteria for a cost award. CMMG provided a contribution to the Board's understanding of some 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 CMMG's request for costs as claimed.

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.

