

MANITOBA) Order No. 120/10
)
THE PUBLIC UTILITIES BOARD ACT) December 7, 2010

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

CONSUMERS' ASSOCIATION OF CANADA (MANITOBA) INC.
AND MANITOBA SOCIETY OF SENIORS
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 Consumers' Association of Canada (Manitoba) Inc. and Manitoba Society of Seniors (CAC/MSOS) for a cost award of \$82,741.80 with respect to the recently concluded Board hearing of Manitoba Public Insurance's (MPI) application for 2011/12 Compulsory Basic 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 CAC/MSOS, 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, CAC/MSOS applied for an award of costs in the amount of \$82,741.80, comprised of:

Legal Fees	\$25,599.00
Disbursements (including GST)	<u>\$ 1,072.80</u>
Total Legal	\$26,671.80

Consultants

Econalysis Consulting	\$21,510.00	
PRD Consulting	<u>\$34,560.00</u>	
	<u>\$56,070.00</u>	<u>\$56,070.00</u>
Total Claim		<u>\$82,741.80</u>

CAC/MSOS' application was for less than its initial budget, which forecast a cost application between \$88,000 and \$95,000. The reduction was achieved through CAC/MSOS' reallocation of its resources to "better focus" on the issues (the bill for the experts engaged by CAC/MSOS amounted to \$56,070.00, compared to an original estimate of \$59,040.00).

MPI did not object to CAC/MSOS' request.

BOARD FINDINGS

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

CAC/MSOS 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 CAC/MSOS' 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

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Practice and Procedure (Rules). The Board's Rules may be viewed on the Board's website at www.pub.gov.mb.ca.

