

M A N I T O B A) **Order No. 94/00**
)
THE PUBLIC UTILITIES BOARD ACT) **June 30, 2000**

BEFORE: G. D. Forrest, Chairman
E. Edmondson, Member

**APPLICATION BY THE CONSUMERS' ASSOCIATION OF
CANADA (MANITOBA) INC. AND MANITOBA SOCIETY OF
SENIORS FOR AN AWARD OF COSTS FOR
PARTICIPATING IN A HEARING CALLED TO CONSIDER
AN APPLICATION BY MANITOBA HYDRO FOR APPROVAL
OF THE SURPLUS ENERGY PROGRAM AND THE LIMITED
USE BILLING DEMAND RATE**

A paper hearing process was held to consider Manitoba Hydro's Application which process commenced with public notice on February 12, 2000 and concluded with argument on May 17, 2000. The Public Utilities Board (the "Board") considered applications for intervenor status at the commencement of the proceeding and in Order No. 34/00 dated February 28, 2000 granted intervenor status to the Consumers' Association of Canada (Manitoba) Inc./Manitoba Society of Seniors ("CAC/MSOS").

By letter dated June 9, 2000 Mr. Byron Williams, Counsel for CAC/MSOS filed an application for costs pursuant to the Board's Draft Rules of Practice and Procedure and Order No. 163/87 and attached the Hearing and Summary sheet. The total claim for costs is \$7,280.79 comprised of professional fees of \$6,938.00 and disbursements of \$342.79.

CAC/MSOS submitted that they had met the full criteria of the Board for an award of costs.

In a letter dated June 20, 2000 Manitoba Hydro indicated that it had no comment with respect to the submission for costs.

BOARD COMMENTS

CAC/MSOS is well known to the Board as an intervenor on such matters and the Board is satisfied CAC/MSOS represents a group which has a substantial interest in the outcome of the proceedings and that CAC/MSOS has insufficient financial resources to present its case adequately without an award of costs.

The Board recognizes the contribution made by this Intervenor to the process and would allow the request in whole amounting to \$7,280.79.

IT IS THEREFORE ORDERED THAT:

1. The Consumers' Association of Canada (Manitoba) Inc. and Manitoba Society of Seniors' application for an award of costs be allowed in the amount of \$7,280.79.

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

THE PUBLIC UTILITIES BOARD

"G. D. FORREST"
Chairman

"G. O. BARRON"
Secretary

Certified a true copy of Order
No. 94/00 issued by The Public
Utilities Board

Secretary