

MANITOBA) Order No. 137/03
)
THE PUBLIC UTILITIES BOARD ACT) September 12, 2003

BEFORE: M. Girouard, Acting Chairman
L. Evans, Member

**APPLICATION BY THE CONSUMERS' ASSOCIATION OF
CANADA (MANITOBA) INC. AND MANITOBA SOCIETY OF
SENIORS FOR AN AWARD OF COSTS FOR PARTICIPATING
IN THE 2003/04 GENERAL RATE APPLICATION OF
CENTRA GAS MANITOBA INC.**

Background

A public hearing was held in the City of Winnipeg, commencing May 20, 2003 to consider issues arising out of an application by Centra Gas Manitoba Inc. ("Centra") regarding the 2003/04 General Rate Application. The Consumers' Association of Canada (Manitoba) Inc. and Manitoba Society of Seniors (the "Applicant" or "CAC/MSOS") were granted intervenor status to present a joint intervention.

Application by CAC/MSOS

By letter dated July 22, 2003 the Applicant, through its Counsel filed with the Board, the appropriate hearing and summary sheets detailing the claim for costs. The total claim for costs is \$362,910.96 comprised of professional fees (legal, accounting and consultant) of \$318,666.25, disbursements of \$19,426.67 and GST of \$24,818.04.

The Applicant, in commenting about the nature of its intervention, noted that the hearing was unusual and prolonged as a result of the purchase and amalgamation with Manitoba Hydro. The Applicant noting the process submitted that they provided a major contribution. The Applicant also noted the consultants used and that the budget initially provided to the Board was fairly accurate in its estimate.

The Applicant submitted that there was no duplication by its intervention. The Applicant also noted its lack of financial resources and substantial interest in the filing and the outcome of the proceedings. The Applicant asked that the Order as to costs to be rendered as soon as possible.

Centra responded to the request for costs by the Applicant by way of letter dated August 8, 2003, indicating that it had no comments with respect to CAC/MSOS' submission as to costs.

Board Comments

The Board has reviewed the submissions of the Applicant and the comments provided by Centra Gas.

The Board notes that the subject matter of the hearing has significant financial implications for the ratepayers of Manitoba.

With respect to this Application for costs, the Board finds that the Applicant has demonstrated financial need and that the Intervenors do have a substantial interest in the proceeding. Furthermore, the Board finds that the Applicant did represent its interest in a responsible manner, respected the public hearing process and co-operated with others.

All of the costs submitted on behalf of the Applicant will be approved for payment within fifteen (15) days from the date of this Order.

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 AND IS HEREBY APPROVED in the amount of \$362,910.96.

