

MANITOBA) Order No. 80/04
)
THE PUBLIC UTILITIES BOARD ACT) May 26, 2004

BEFORE: Graham F. J. Lane, C.A., Chairman
R. Mayer, Q.C., Vice-Chair
Dr. K. Avery Kinew, Member

**MANITOBA HYDRO - DIESEL RATE APPLICATION
APPLICATION OF CONSUMERS' ASSOCIATION OF CANADA (MANITOBA) INC./
MANITOBA SOCIETY OF SENIORS
FOR AN AWARD OF COSTS**

On February 6, 2004, The Public Utilities Board (the Board) issued Order No. 17/04 approving rates for diesel generated electricity service in Shamattawa, Tadoule Lake, Brochet and Lac Brochet. Consumers' Association of Canada (Manitoba) Inc./Manitoba Society of Seniors (CAC/MSOS) intervened in this proceeding. On April 27, 2004, CAC/MSOS filed an application for costs with supporting particulars (the Application). The following is a summary of the Application:

Fees	\$41,377.50
Disbursements	<u>740.11</u>
Total	\$42,117.61

With respect to the criteria for an award of costs, CAC/MSOS reminded the Board of its financial need and its substantial interest in the outcome of these proceedings. CAC/MSOS stated that they had participated responsibly by meeting all deadlines and co-operating with other parties in order to minimize duplication.

CAC/MSOS is not a party to pre-existing relationships between Manitoba Hydro, Indian and Northern Affairs Canada and the First Nations represented by Manitoba Keewatinook Ininew Okimowin. Accordingly, CAC/MSOS represented their participation on the matter before the Board as being objective. CAC/MSOS noted that its representations to the Board received significant consideration.

CAC/MSOS incurred approximately \$1,950.00 in advisor fees, and its legal counsel's travel costs were shared with other clients.

In a letter dated May 12, 2004, Manitoba Hydro advised that Manitoba Hydro did not have any comments with respect to CAC/MSOS' Application.

The Board has reviewed the application of CAC/MSOS and will allow costs in full. The complexity and importance of this matter required a thorough review, and the Board was pleased with CAC/MSOS's contribution.

IT IS THEREFORE ORDERED THAT:

1. Consumers' Association of Canada (Manitoba) Inc./Manitoba Society of Seniors application for an award of costs be allowed in the full amount of \$42,117.61.

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

THE PUBLIC UTILITIES BOARD

"GRAHAM F. J. LANE, C.A."
Chairman

"G. O. BARRON"
Secretary

Certified a true copy of Order
No. 80/04 issued by The Public
Utilities Board

Secretary