

MANITOBA) Order No. 63/06
)
THE PUBLIC UTILITIES BOARD ACT) May 1, 2006

BEFORE: Graham F. J. Lane, B.A., C.A., Chairman
Monica Girouard, C.G.A., Member
Mario J. Santos, B.A., LL.B., Member

CENTRA GAS MANITOBA INC.: APPLICATION BY
CONSUMERS' ASSOCIATION OF CANADA (MANITOBA)
INC./MANITOBA SOCIETY OF SENIORS FOR AN AWARD OF
COSTS ARISING OUT OF A QUARTERLY PRIMARY GAS RATE
APPLICATION (FEBRUARY 1, 2006)

Introduction

Centra Gas Manitoba Inc. (Centra) filed an Application for interim ex parte approval for revised quarterly primary gas rates. However, as the Application was not based on the Rate Setting Methodology (RSM) approved by the Public Utilities Board (Board), the Board varied its normal approach to quarterly primary gas rate setting and shared the Application with registered Interveners.

Centra's Application proposed to freeze rates for all customer classes. The Board provided all known interested parties with an opportunity to review and comment on the Application. One of the responding interveners was Consumers' Association of Canada (Manitoba) Inc./Manitoba Society of Seniors (CAC/MSOS), and the intervener incurred costs and sought a cost award.

Centra raised no objection to the Board awarding costs as requested, though noting the unusual circumstances of this particular quarterly rate Application and suggesting that future quarterly applications would revert to the interim ex parte process, which involves no notice to interveners nor awards of costs.

By this Order, the Board approves CAC/MSOS' application and directs Centra to provide a payment to CAC/MSOS in the amount of \$1,711.34.

Application

On March 8, 2006, CAC/MSOS applied for an award of costs of \$1,711.34, comprised of:

Fees and disbursements:

Legal Fees	\$1,500.00
Disbursements	\$ 1.25
GST	\$ 105.09
PST	\$ 105.00
TOTAL	<u>\$1,711.34</u>

CAC/MSOS noted the circumstances, the limited nature of their review and the minimal cost involved. As previously indicated, Centra raised no objection in the particular circumstances.

Board Findings

Cost awards are at the Board's discretion, which are made on the basis of long-established criteria. The criteria require that applicants for cost awards have a material interest in the proceeding, lack the financial resources necessary to participate in the absence of a cost award, and participate responsibly in the process.

CAC/MSOS is well known to the Board and Centra. The Board accepts CAC/MSOS had a material interest in the outcome of the proceeding, participated responsibly, and is a non-profit organization lacking the ability to participate effectively without a cost award.

The February 1, 2006 Application did not follow the approved RSM methodology. Rather it reflected both the Board's suggestions of Order 142/05 as well as Centra's reflection of its understanding of the tenets of the Government of Manitoba's proposed Bill 11 (Winter Home Heating). Given the variance from the RSM, the Board was interested in receiving commentary from interveners, and solicited comments.

The matters commented on by CAC/MSOS were germane to the matters at hand, and the Board is satisfied that CAC/MSOS has contributed to its review of the Application.

Accordingly, the Board will approve the claim as submitted.

IT IS THEREFORE ORDERED THAT:

1. The application of the Consumers' Association of Canada (Manitoba) Inc./Manitoba Society of Seniors' for an award of costs BE AND IS HEREBY APPROVED in the total amount of \$1711.34; and
2. These costs shall be paid by Centra (Manitoba Hydro) within 15 days of the date of this Order.

THE PUBLIC UTILITIES BOARD

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

"GERALD GAUDREAU, CMA"
Secretary

Certified a true copy of Order
No. 63/06 issued by The Public
Utilities Board

Secretary