

MANITOBA) Order No.54/07
)
THE PUBLIC UTILITIES BOARD ACT) April 20, 2007

BEFORE: Graham Lane, B.A., C.A., Chairman
Alain Molgat, B.Comm., C.M.A, Member

**COST AWARD APPLICATION, CONSUMERS' ASSOCIATION
OF CANADA (MANITOBA) INC. AND MANITOBA SOCIETY
OF SENIORS: INTERVENTION, FOUR PARTY TRENCHING
PROCEEDING, CENTRA GAS MANITOBA INC.**

Introduction

By this Order, the Public Utilities Board (Board) awards costs of \$9,178.45 to the Consumers' Association of Canada (Manitoba) Inc. and Manitoba Society of Seniors (CAC/MSOS).

The award of costs is with respect to the Board's December 12, 2006 hearing of an application by Centra Gas Manitoba Inc. (Centra) regarding Centra's use of four-party trenching for natural gas main pipeline installations.

CAC/MSOS were granted intervener status by the Board.

Application

By letter of January 23, 2007, CAC/MSOS filed with the Board an application for costs of \$9,721.98, with supporting documentation. The cost application was comprised of fees and disbursements pertaining to CAC/MSOS' counsel, D'Arcy & Deacon.

In support of its application, CAC/MSOS opined it had contributed significantly to the proceeding and had solicited information that assisted the Board in its determination. CAC/MSOS submitted that its intervention elucidated information for the Board and that there had not been any duplication of effort between the Board and it. The Applicant also noted that it had met the test of the other criteria for an award of cost, that being it lacked financial resources to intervene without the Board's assistance and had a substantial interest in the outcome of the proceedings.

In summary, CAC/MSOS suggested that its contribution to the hearing deserved an award of costs as it had fully met the Board's criteria for an award of costs.

Centra did not object to the application for costs

Board Findings

The Board agrees with CAC/MSOS that it made a significant contribution to the proceeding. As well, the applicant met the other criteria for an award.

The Board notes that the subject matter of the hearing had implications for Centra's ratepayers, including the consumers represented by the intervener. The Applicant has both demonstrated financial need and a substantial interest in the proceeding. Furthermore, the Board finds that the Applicant represented CAC/MSOS' interests in a responsible manner, and both respected the public hearing process and co-operated with the other parties through the hearing.

The Board will approve CAC/MSOS' application for costs, for payment by Centra no later than thirty (30) 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 \$9,178.45; and
2. This award be paid by Centra Gas Manitoba Inc. to CAC/MSOS no later than 30 days following the date of this Order.

THE PUBLIC UTILITIES BOARD

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

"G. GAUDREAU, C.M.A."
Secretary

Certified a true copy of Order
No. 54/07 issued by The Public
Utilities Board

Secretary