

Order No. 13/25

**AWARD OF COSTS: CONSUMERS ASSOCIATION OF CANADA (MANITOBA) INC.–
INTERVENTION IN 2024 MANITOBA PAYDAY LENDING AND GOVERNMENT
CHEQUE CASHING PUBLIC HEARING**

January 27, 2025

BEFORE: George Bass, K.C., ICD. D., Panel Chair
Marilyn Kapitany, B.Sc.(Hon), M.Sc., Member
Carol Bellringer, FCPA, FCA, Member
Jim Hrichishen, B.A. (Hon.), M.A, Member
Kim Sharman, Member

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1.0 Introduction

By this Order, the Public Utilities Board (Board) approves The Consumers Association of Canada's (CAC) Application for a cost award of \$130,745.85

The award relates to CAC's intervention in the 2024 Manitoba Payday Lending and Government Cheque Cashing Public Hearing.

2.0 Application

On January 24, 2025, The Consumers Association of Canada, filed with the Board an Application for an Award of Costs for its intervention in the 2024 Manitoba Payday Lending and Government Cheque Cashing Public Hearing.

Pursuant to Section 56 of *The Public Utilities Board Act*, the Board has jurisdiction to award costs of, and incidental to, any proceeding before the Board. For the purpose of this hearing, the Board adopted an Intervener Costs Policy. The purpose of this Policy was to set out the Board's procedures for considering requests for Intervener costs and to provide guidance to Interveners on how to apply for funding of costs for participation in Board Proceedings.

Sections 3.1 and 3.2 of the Intervener Costs Policy describes Intervener eligibility for a cost award and the Board's principles in determining the amount of the cost award:

3.1 *In any proceeding the Board may award costs to be paid to any Intervener who has:*

- (a) *made a significant contribution that is relevant to the proceeding and contributed to a better understanding, by all parties, of the issues before the Board;*

- (b) *participated in the hearing in a responsible manner and cooperated with other Interveners who have common objectives in the outcome of the proceedings in order to avoid a duplication of intervention;*
- (c) *represented interests beyond their sole business interest; and*
- (d) *a substantial interest in the outcome of the proceeding and represents the interests of a substantial number of ratepayers.*

3.2 *In determining whether the Intervener should receive the amount of costs sought in a costs application, the Board may consider whether the Intervener did one or more of the following:*

- (a) *made reasonable efforts to ensure that the intervener's evidence was not unduly repetitive of evidence presented by another intervener;*
- (b) *made reasonable efforts to cooperate with other interveners to reduce the duplication of evidence and questions or to combine the intervener's submission with that of similarly interested interveners; and*
- (c) *needed legal or technical assistance to take part in the proceeding;*

In October 2024, CAC filed an Application for Intervener status with the Board. The Board awarded CAC Intervener status on October 15, 2024 in Board Order 121/24. Included in the Board's Order was an issues list deemed by the Board as applicable for this proceeding.

On October 15, 2024 the CAC filed an initial budget of \$168,360.00, with the Board.

On January 24, 2025, CAC filed its Cost Application for its participation in 2024 Manitoba Payday Lending and Government Cheque Cashing Public Hearing. The Cost Application was supported by statements of accounts as summarized below:

	Budget Total*	Cost Application Total
Legal Costs (K. Dilay)	\$22,100.00	\$13,872.00
(C. Klassen)	\$20,060.00	\$30,302.40
(K. Griffin)	\$4,500.00	\$1850.00
Consultant Costs (J. Buckland)	\$11,250.00	\$4,050.00
(B. Spotton Visano)	\$17,000.00	\$15,879.22
(C. Robinson)	\$16,500.00	\$37,493.53
(J. Frimpong)	\$14,350.00	\$13,510.00
(W. Simpson)	\$4,500.00	\$4,312.50
(Probe Research)	\$41,850.00	\$19,675.00
(Z. St. Aubin)	\$8,250.00	\$7,610.82
Disbursements	\$8,000.00	\$5,113.13
Taxes	\$0	\$0
TOTAL COSTS	\$168,360.00	\$130,745.85

CAC's Cost Application was supported by detailed invoices and a written submission describing CAC's participation.

3.0 Board Findings

The Board has reviewed the Cost Application by CAC. The Board finds that CAC meets all of the requirements for a cost award. The Board further finds that the costs incurred by CAC are reasonable and the Board is prepared to award an amount of \$130,745.85 for CAC's intervention in the 2024 Manitoba Payday Lending and Government Cheque Cashing Public Hearing.

4.0 IT IS THEREFORE ORDERED THAT:

1. The Application of The Consumers Association of Canada's for an award of costs BE AND IS HEREBY APPROVED in the total amount of \$130,745.85

Board decisions may be appealed in accordance with the provisions of Section 58 of *The Public Utilities Board Act*, or reviewed in accordance with Section 36 of the Board's Rules of Practice and Procedure. The Board's Rules may be viewed on the Board's website at www.pubmanitoba.ca

THE PUBLIC UTILITIES BOARD

"George Bass, K.C., ICD. D."

Panel Chair

"Darren Christle, PhD, CCLP, P.Log., MCIT"

Secretary

Certified a true copy of Order 13/25
issued by the Public Utilities Board



Secretary