

June 25, 2019

VIA EMAIL

Public Utilities Board of Manitoba
400 – 330 Portage Avenue
Winnipeg, MB R3C 0C4

Attention: Darren Christle
Secretary / Executive Director

Dear Sir:

Re: Bike Winnipeg Inc. Application for Intervention
Manitoba Public Insurance General Rate Application 2019/2020
Our File: 19165

Further in this matter, please find enclosed the Intervener Application filed on behalf of Bike Winnipeg Inc.

Please do not hesitate to contact me should you have any questions or comments.

Yours truly,

HILL SOKALSKI WALSH LLP

Per:



Christian Monnin*

CM/jm

Encl.

** services provided by Christian Monnin Law Corporation*

INTERVENER APPLICATION FORM

Application re Hearing:			
Manitoba Public Insurance General Rate Application 2020			
Name of Prospective Intervener (Organization Name or Individual):			
Bike Winnipeg Inc.			
Prospective Intervener Contact Information			
Organization or Individual Address:			
Bike Winnipeg Inc. P.O. Box 162 RPO Corydon, Winnipeg, Manitoba, R3M 3S7			
Organization Contact Person(s) (if applicable):			
Mark Cohoe			
Contact Information:	Business:	Other Phone:	
	Fax Number:	Email:	
Representative Contact Information:			
Counsel or Representative Name(s):			
Christian Monnin			
Organization (if different from above) :			
Hill Sokalski Walsh LLP			
Address (if different from above):			
2670 - 360 Main Street, Winnipeg, Manitoba, R3C 3Z3			
Contact Information (if different from above):	Business:	Other Phone:	
	204-954-0758		
	Fax Number:	Email:	
	204-943-3934	cmonnin@hillcounsel.com	
Counsel Seniority:			
Years of Experience	17 _____ Years	Tariff Rate	\$ 240 _____
Also representing (if applicable):			

Additional Information

(For organizations only) Please describe the mandate of your organization and provide a description of the membership, including the number of members. Please also confirm whether the organization's intervention in this proceeding is supported by a resolution of the governing body, if any. Please enclose the resolution, if any, with your Application, along with supporting documentation of your mandate and membership

See Schedule "A"

Please state your reasons for intervening in this proceeding:

See Schedule "A"

Please state how you are directly affected by the Board's decision in this matter:

See Schedule "A"

Please explain whether and how you represent a substantial number of ratepayers that are otherwise not represented on issues that are within the scope of this proceeding:

See Schedule "A"

Please describe your experience, information, or expertise relevant to this matter that would contribute to the Board's decision making, including any other prior interventions in regulatory matters before this Board or other decision-makers:

See Schedule "A"

Please list the key issues you intend to address in the proceeding. Please be specific.		
See Schedule "A"		
Do you intend to participate fully and actively, including attendance at hearings, submission of evidence, and testing of evidence and cross examination of witnesses? If yes, please describe your intended participation.		
Bike Winnipeg intends to submit information requests and test Manitoba Public Insurance's evidence. Given the limited nature of it's intervention and the fact it only recently received the substantial filing, Bike Winnipeg is still considering whether it intends to file its own evidence.		
Do you intend to request an award of costs for your participation? Please explain how you meet the criteria for an award of costs.		
See Schedule "A"		
Do you intend to retain experts or consultants? If yes, please attach copies of the <i>curriculum vitae</i> for any expert and/or consultant, as well as the following:		
Expert Consultant #1:		
Name:	Experience	Evidence to be provided on issues in scope:
	_____ Years	
Telephone #:	Tariff Rate:	
	\$ _____	
Address and Email:	Firm or Organization:	Brief explanation of experience relevant to evidence to be provided:

Expert Consultant #2:		
Name:	Experience:	Evidence to be provided on issues in scope:
	_____ Years	
Telephone #:	Tariff Rate:	
	\$ _____	
Address and Email:	Firm or organization:	Brief explanation of experience relevant to evidence to be provided:
Expert Consultant #3:		
Name:	Years of Experience:	Evidence to be provided on issues in scope:
	_____ Years	
Telephone #:	Tariff Rate:	
	\$ _____	
Address and Email:	Firm or organization:	Brief explanation of experience relevant to evidence to be provided:

Do you intend to provide evidence from witnesses other than experts and/or consultants? If yes, please provide:	
Witness #1:	
Name:	Evidence to be provided on issues in scope:
Email:	Brief explanation of relevant experience and/or knowledge to issues in scope:
Address and Phone number:	
Do you intend to seek approval for any other form of participation or provision of evidence, including for which you intend to seek an award of costs? If yes, please provide details and an explanation of the relation to issues in scope in the proceeding.	

SCHEDULE “A”

Overview

This document provides information with respect to the proposed intervention of Bike Winnipeg Inc. (“Bike Winnipeg”) in the proceeding relating to Manitoba Public Insurance’s 2019/2020 General Rate Application. In addition, this document provides responses to the questions in the Intervener Application Form, including:

- Who is Bike Winnipeg;
- Reasons for the proposed intervention;
- How is Bike Winnipeg directly affected by the Public Utilities Board’s decision in this matter;
- How does Bike Winnipeg represent a substantial number of ratepayers that are otherwise not represented on issues that are within the scope of this proceeding;
- How Bike Winnipeg’s experience, information or expertise relevant to this matter that would contribute to the Board’s decision making;
- Key issues that Bike Winnipeg intends to address in this proceeding; and,
- Description of Bike Winnipeg’s proposed participation in this proceeding.

Should it be approved as an Intervener, Bike Winnipeg will file a detailed cost estimate within the time prescribed by the Public Utilities Board.

Bike Winnipeg’s Intervention

Bike Winnipeg seeks to intervene in the MPI 2019/2020 General Rate Application to build upon its participation and contributions in previous General Rate Applications where it dealt with issues related to Road Safety and Loss Prevention.

In addition, Bike Winnipeg wishes to build upon its most recent participation in the Technical Conference which was held on April 4 and 5, 2019. As noted in the Summary Report flowing from that Technical Conference at pages 6/7 of 69 therein:

“Every year, Manitoba Public Insurance is required to file an application to the Public Utilities Board for insurance premiums to be charged under the Basic compulsory automobile insurance program in Manitoba. During these hearings, the Corporation’s road safety efforts consistently generate significant interest from the Board and registered interveners on the basis that successful road safety efforts ultimately impact claims, claims costs, and the premiums required to fund the Basic compulsory program.

The Public Utilities Board has recognized that road safety and loss prevention are complex, multi-faceted issues that involve multiple stakeholders, with challenging and emerging issues that ultimately impact both direct and societal costs.

[...]

[...] in this forum, Mr. Keith was retained by the Board as an objective and impartial facilitator with primary responsibility to facilitate the discussion between conference participants; and to prepare a written report summarizing key discussion topics, current MPI priorities and initiatives, and stakeholder input for consideration by the Board during MPI's 2020 General Rate Application. [Emphasis Added]

Bike Winnipeg respectfully submits that the report contemplates that the issues identified therein are to be further considered in the context of the General Rate Application. In that regard, Bike Winnipeg wishes to intervene in order to assist the Public Utilities Board in critically evaluating the Loss Prevention and Road Safety sections of MPI's filing, by testing the evidence and raising issues of concern and interest to vulnerable road users, which include but are not limited to cyclists ("Vulnerable Road Users") and to Manitobans generally. In that regard, Bike Winnipeg seeks approval to intervene on the following general issues:

- The optimum size of MPI's Road Safety and/or Loss Prevention budget and whether it is sufficient to enable a significant reduction and the costs to MPI of injuries to Vulnerable Road Users in the short and long term. This includes, but is not limited to, ensuring that MPI's Road Safety and/or Loss Prevention budget is sufficient to meet MPI's mandate to ensure an adequate standard of driver knowledge;
- The adequacy of MPI's Road Safety and/or Loss Prevention programs with respect to fatal and severe injury of Vulnerable Road Users;
- The quality and clarity of MPI's data collection, analysis and accessibility, regarding collisions involving Vulnerable Road Users, generally and, particularly, in comparison to transportation safety programs from other local, national and international entities and jurisdictions; and,
- In addition to the foregoing Bike Winnipeg seeks to intervene in order to assist the Public Utilities Board in understanding and considering the issues and matters flowing from and addressed within the Technical Conference Summary Report (as directed by Board Order No. 130/17 and included it in this proceeding as directed by Board Order No. 66/19).

Bike Winnipeg intends to fully participate in this proceeding, including attendance at hearings, asking Information Requests and testing the evidence and cross-examination of witnesses. While Bike Winnipeg does not currently have any plans to submit its own evidence in this proceeding, since it has only recently received the substantial filing, it is still considering that option at this time.

Further, Bike Winnipeg intends to request an award of costs for its participation in this proceeding. As stated in the Intervener Cost Policy 2019-2020, in any proceeding, the Public Utilities 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 the 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 interventions;
- c) Represented interests beyond their sole business interests; and,
- d) A substantial interest in the outcome of the proceeding and represents the interest of a substantial number of rate payers.

Bike Winnipeg submits that it represents not only the interests of Vulnerable Road Users, but also Manitobans who have a substantial interest in the outcome of the proceeding when it comes to Road Safety. Bike Winnipeg submits that this is in line with MPI's Mission statement: "*Exceptional coverage and service, affordable rates and safer roads through public auto insurance.*"

In addition, Bike Winnipeg respectfully submits, that as it has consistently done in past General Rate Applications, it will make a significant contribution to this proceeding. It will participate in a reasonable manner and it will cooperate with other Intervenors who have common objectives and it will make every effort to ensure that its participation is not unduly repetitive of other intervenors. All of this is consistent with Bike Winnipeg participation in previous General Rate Applications.

Subject to the approval from the Public Utilities Board, Bike Winnipeg looks forward to participating in the proceeding.