

Order No. 20/17

**AWARD OF COSTS:
COALITION OF MANITOBA MOTORCYCLE GROUPS INC. –
INTERVENTION IN MANITOBA PUBLIC INSURANCE CORPORATION'S
GENERAL RATE APPLICATION FOR THE 2017/18 INSURANCE YEAR**

February 13, 2017

BEFORE: Robert Gabor, QC, Chair
Karen Botting, B.A., B.Ed., M.Ed., Member
The Hon. Anita Neville, P.C., B.A.(Hons.), Member
Allan Morin, B.A., ICD.D., Member

Introduction

By this Order, the Public Utilities Board (Board) approves the Coalition of Manitoba Motorcycle Groups Inc.'s (CMMG) Application for a cost award of \$56,594.48.

The award relates to CMMG's intervention in the General Rate Application of Manitoba Public Insurance (MPI) with respect to Compulsory Driver and Vehicle Insurance Premiums for the 2017/18 rate year.

Application

Pursuant to Section 56 of *The Public Utilities Board Act*, the Board has jurisdiction to award costs of, and incidental to, any proceeding. The Board's Rules of Practice and Procedure (Rules) reflect that the Board may award costs to be paid to an Intervener who has:

1. 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;
2. participated in the hearing in a responsible manner and cooperated with other Interveners with common objectives in the outcome of the proceedings in order to avoid a duplication of intervention;
3. insufficient financial resources to present the case adequately without an award of costs; and
4. a substantial interest in the outcome of the proceeding, and represents the interests of a substantial number of the ratepayers.

Pursuant to the Board's Rules, CMMG applied for an award of costs in the amount of \$56,594.48 as outlined below:

Fees (legal)	\$49,875.00
Disbursements	\$224.50
GST	\$2,504.98
PST	\$3,990.00
Total	<u>\$56,594.48</u>

MPI by way of letter dated November 7, 2016 stated that they have no representation to make on the request for costs filed on behalf of CMMG.

Procedural order No. 85/16 approved CMMG's intervention budget of \$28,927.00 before tax, inclusive of fees and disbursements. CMMG Counsel indicated that the increase over budget is due to an increase in Counsel rates due to years of service, participation in a technical conference and increased work related to their intervention. The PUB was not notified by CMMG or their counsel that they would be over budget.

BOARD FINDINGS

The Board is satisfied with CMMG's contribution to the proceeding and finds that CMMG qualifies for an award of costs.

CMMG meets the criteria for a cost award, having provided a contribution to the Board's understanding, having acted cooperatively with the other parties to the proceeding, having provided a concise argument at the conclusion of the hearing, and requiring a cost award to be able to intervene.

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 (Rules). The Board's Rules may be viewed on the Board's website at www.pub.gov.mb.ca.

IT IS THEREFORE ORDERED THAT:

1. The Coalition of Manitoba Motorcycle Groups Inc. **BE AND IS HEREBY** awarded costs of \$56,594.48.
2. Costs shall be payable by the Manitoba Public Insurance Corporation within 30 days of the date of this Order.
3. The CMMG will notify the Public Utilities Board in writing if its intervener cost estimate is anticipated to exceed approved estimate by more than 10% and provide an explanation and request for approval for the additional amount.

THE PUBLIC UTILITIES BOARD

"Robert Gabor, Q.C."

Chair

"Darren Christle, MPA, BA, CCLP, P.Log, MCIT"

Secretary

Certified a true copy of Order No. 20/17
issued by The Public Utilities Board

Secretary