

Order No. 5/17

**AWARD OF COSTS: BIKE WINNIPEG - INTERVENTION IN
MANITOBA PUBLIC INSURANCE CORPORATION'S
GENERAL RATE APPLICATION FOR THE 2017/18 INSURANCE YEAR**

January 18, 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

1.0 Introduction

By this Order, the Public Utilities Board (Board) approves Bike Winnipeg's (BW) application for a cost award of \$26,989.49.

The award relates to BW'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.

2.0 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 which 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 processing 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, BW applied for an award of costs in the amount of \$26,989.49 as outlined below:

Fees (legal)	\$23,884.50
Disbursements	\$381.50.
GST	\$1,194.23
PST	<u>\$1,910.76</u>
Total	<u>\$26,989.49</u>

MPI by way of email dated January 16, 2016 stated that it has no representation to make on the request for costs filed on behalf of BW.

Procedural order No. 85/16 approved BW's intervention budget of \$26,320.00 inclusive of tax, fees and disbursements.

3.0 Board Findings

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

BW meets the criteria for a cost award, having provided a contribution to the Board's understanding, as it:

- (i). required a cost award to be able to intervene;
- (ii). acted cooperatively with the other parties throughout the hearing process; and
- (iii). provided a concise argument at the conclusion of the hearing.

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.

4.0 IT IS THEREFORE ORDERED THAT:

1. Bike Winnipeg BE AND IS HEREBY awarded costs of \$26,989.49.
2. Costs shall be payable by the Manitoba Public Insurance Corporation within 30 days of the date of this Order.
3. In the future, the BW 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. 5/17 issued
by The Public Utilities Board

Secretary