

**Order No. 90/17**

**AWARD OF COSTS TO CITY OF WINNIPEG  
FOR THEIR INTERVENTION IN THE  
MANITOBA HYDRO COST OF SERVICE METHODOLOGY REVIEW  
2015/2016**

---

**August 17, 2017**

**BEFORE: Marilyn Kapitany, B.Sc., (Hon), M.Sc., Panel Chair  
Hugh Grant, Ph.D., Member  
Larry Ring, Q.C., Member**

## 1.0 Introduction

By this Order, the Public Utilities Board (Board) approves an award of costs of \$55,187.27 to the City of Winnipeg (CoW) for their intervention in the Board's review of Manitoba Hydro's Cost of Service Methodology.

## 2.0 Application

CoW filed with the Board an Application for an Award of Costs on June 1, 2017.

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) stipulate 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.

The Board approved Intervener status to the CoW in Procedural Order 26/16 dated February 26, 2016. In the same Order, the Board requested all approved interveners to file a budget proposal with the Board by March 1, 2016. On April 8, 2016, the Board acknowledged a proposal requesting a budget of approximately \$63,500. On September 20, 2016 the Board approved an overall budget increase for interveners of no more than

15% above original budget allocations to accommodate changes in the scope of work in the Cost of Service review process.

In Board Order 26/16 (Cost of Service Procedural Order) the Board approved interim invoicing from interveners for the duration of the Cost of Service Hearing. All interim invoices were subject to a 25% holdback. Based on a statement of accounts, the total holdback amount owing to the CoW is \$15,655.31.

CoW's request for reimbursement of costs was supported by statements of accounts as summarized below:

	<b>TOTALS</b>
<b>Consultants</b>	
Todd / Elenchus	\$52,559.29
<b>Sub Total</b>	\$52,559.29
<b>Taxes</b>	
GST	\$2,627.96
<b>TOTAL COSTS</b>	\$55,187.25

### 3.0 Manitoba Hydro's Comments

On June 9, 2017 Manitoba Hydro provided its comments on CoW's Cost Application. Manitoba Hydro has no objection with the application for costs.

### 4.0 Board Findings

The Board has reviewed the cost application by CoW, as well as the comments provided by Manitoba Hydro. The Board finds that the CoW meets all of the requirements for a cost award. The Board further finds that the costs incurred by CoW are reasonable and the Board is prepared to accept them as filed CoW's Application for Costs.

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 Board's website at [www.pubmanitoba.ca](http://www.pubmanitoba.ca).

**5.0 IT IS THEREFORE ORDERED THAT:**

1. The Application of the CoW for an award of costs BE AND IS HEREBY APPROVED in the total amount of \$55,187.27.
2. Manitoba Hydro is to pay to the City of Winnipeg the holdback amount of \$15,655.31.
3. Costs be payable by Manitoba Hydro to the City of Winnipeg within 15 days of the date of this Order.

THE PUBLIC UTILITIES BOARD

"Marilyn Kapitany, B.Sc., (Hon), M.Sc."  
Panel Chair

"Darren Christle, MPA, B.A., CCLP, P.Log., MCIT"  
Secretary

Certified a true copy of Order No. 90/17  
issued by The Public Utilities Board

\_\_\_\_\_  
Secretary