

**Order No. 72/20**

**AWARD OF COSTS: COALITION OF MANITOBA MOTORCYCLE GROUPS –  
INTERVENTION IN MANITOBA PUBLIC INSURANCE CORPORATION’S SPECIAL  
REBATE APPLICATION**

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**May 26, 2020**

**BEFORE:** Irene A. Hamilton, Q.C., Panel Chair  
Robert Gabor, Q.C., PUB Chair,  
Carol Hainsworth, C.B.A., Member  
Bob Vandewater, Member

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## 1.0 Introduction

By this Order, the Public Utilities Board (Board) approves Coalition of Manitoba Motorcycle Group's (CMMG) Application for a cost award of \$4,059.59.

The award relates to CMMG's intervention in the Manitoba Public Insurance (MPI) 2020 Special Rebate Application.

## 2.0 Application

On May 8, 2020, Coalition of Manitoba Motorcycle Group, filed with the Board an Application for an Award of Costs for its intervention at the Manitoba Public Insurance 2020 Special Rate Application.

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;*

On May 8, 2020 , CMMG filed its Cost Application for its participation in Manitoba Public Insurance's 2020 Special Rebate Application. The fees and disbursements claimed in the Cost Application were set out as follows:

	<b>Cost Application Total</b>
<b>Legal Costs</b> (C. Meeks)	\$2860.00
(J. Jardine)	\$712.50
Disbursements	\$55.00
GST	\$181,41
PST	\$250.08
<b>TOTAL COSTS</b>	<b>\$4,059.59</b>

### 3.0 Manitoba Public Insurance's Comments

On May 12, 2020, Manitoba Public Insurance provided its comments regarding CMMG's Cost Application. MPI noted that the costs related to CMMG's counsel were acceptable.

### 4.0 Board Findings

The Board has reviewed the Cost Application by CMMG, as well as the comments provided by MPI. The Board finds that CMMG meets all of the requirements for a cost award. The Board further finds that the costs incurred by CMMG are reasonable and the Board is prepared to award an amount of \$4,059.59 for CMMG's intervention in the Board's review of Manitoba Public Insurance's 2020 Special Rate Application.

## 5.0 IT IS THEREFORE ORDERED THAT:

1. The Application of Coalition of Manitoba Motorcycle Groups for an award of costs BE AND IS HEREBY APPROVED in the total amount of \$4,059.59.
2. Manitoba Public Insurance to pay Oakes Jardine Kaneshi Unruh LLP within 15 days of the date of this Order.

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](http://www.pubmanitoba.ca).

THE PUBLIC UTILITIES BOARD

"Irene A. Hamilton, Q.C."

Panel Chair

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

Secretary

Certified a true copy of Order No. 72/20  
issued by The Public Utilities Board



Secretary