

Order No. 20/21

**AWARD OF COSTS: OF THE TAXI COALITION – INTERVENTION IN MANITOBA
PUBLIC INSURANCE CORPORATION'S SPECIAL RATE APPLICATION II**

January 29, 2021

BEFORE: Irene A. Hamilton, Q.C., Panel Chair
Robert Gabor, Q.C., Board Chair
Carol Hainsworth, Member

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1.0 Introduction

By this Order the Public Utilities Board (Board) approves The Taxi Coalition (TC) Application for a cost award of \$5,091.86.

The award relates to TC's intervention in the Special Rate Application II of Manitoba Public Insurance (MPI).

2.0 Application

On January 26, 2021, TC, filed with the Board an Application for an Award of Costs for its intervention at the Manitoba Public Insurance Special Rate Application II.

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 interim 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 describe 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;*

The expedited public hearing occurred in November 2020. Projected budgets were not requested from interveners for this hearing.

The Cost Application was supported by statements of accounts as summarized below:

		Cost Application Total
Legal Costs	(A. Hacault)	\$2760.00
Consultant Costs	(J. Crozier)	\$1,998.75
	PST	\$333.11
TOTAL COSTS		\$5,091.86

TC's Cost Application was supported by detailed invoices and a written submission describing TC's participation in the Board's review of Manitoba Public Insurance's Special Rate Application.

3.0 Manitoba Public Insurance's Comments

On January 27, 2021, Manitoba Public Insurance consented to the costs related to TC's intervention.

4.0 Board Findings

The Board has reviewed the Cost Application by TC, as well as the comments provided by MPI. The Board finds that TC meets all of the requirements for a cost award. The Board further finds that the costs incurred by TC are reasonable and the Board is prepared to award an amount of \$5,091.86 for TC's intervention in the Board's review of Manitoba Public Insurance's Special Rate Application II.

5.0 IT IS THEREFORE ORDERED THAT:

1. The Application of the Taxi Coalition for an award of costs BE AND IS HEREBY APPROVED in the total amount of \$5,091.86
2. Manitoba Public Insurance pay TDS Law 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

THE PUBLIC UTILITIES BOARD

"Irene Hamilton, Q.C."

Panel Chair

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

Secretary

Certified a true copy of Order No. 20/21
issued by The Public Utilities Board



Secretary