



ATCO Gas and Pipelines Ltd.

2014-2015 Rider D Application for Unaccounted-for Gas

Costs Award

February 3, 2015

The Alberta Utilities Commission

Decision 3510-D01-2015: ATCO Gas and Pipelines Ltd.
2014-2015 Rider D Application for Unaccounted-for Gas
Costs Award
Proceeding 3510

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Contents

1	Introduction.....	1
2	Commission’s authority to award costs	2
3	Commission findings.....	2
	3.1 Consumers’ Coalition of Alberta	2
4	GST.....	2
5	Order	3

1 Introduction

1. On August 20, 2014, ATCO Gas and Pipelines Ltd. (ATCO Gas) filed an application with the Alberta Utilities Commission (Commission) requesting approval of its unaccounted-for gas rate rider (Rider D) for 2014 and 2015. In its application, ATCO Gas proposed that Rider D should be increased to 1.125 per cent from 0.954 per cent, effective November 1, 2014. The Commission assigned Application 1610790 and Proceeding 3380 to the application.
2. On August 21, 2014, the Commission issued a notice of the application and advised interested parties who wished to intervene in the proceeding to submit a statement of intent to participate (SIP) to the Commission by August 28, 2014.
3. The Commission received SIPs from Direct Energy Marketing Limited and the Consumers' Coalition of Alberta (CCA) within the deadline date for filing SIPs. Direct Energy Marketing Limited indicated that it intended to monitor the proceeding as an interested stakeholder. The CCA requested that the Commission establish a written process that includes information requests (IRs), argument and reply argument.
4. In a September 2, 2014 letter, the Commission established a minimal written process schedule for dealing with the application, which involved IRs, responses to IRs, argument, and reply argument. Reply argument was due October 6, 2014.
5. The Commission considers the close of record for the application to be October 6, 2014.
6. On October 22, 2014, the Commission issued Decision [2014-290](#),¹ approving ATCO Gas's Rider D for 2014 and 2015, as filed.
7. On November 5, 2014, the Commission received a costs claim application from the CCA with respect to costs incurred in the proceeding. The Commission assigned Application 1610984 and Proceeding 3510 to deal with the costs claim application.
8. The Commission circulated a summary of costs claimed to interested parties on November 12, 2014, and requested parties to make comments regarding the figures listed in the summary, or the merits of the costs claimed, by November 21, 2014. No comments were received with respect to the circulated summary of costs.
9. The Commission considers November 21, 2014, to be the close of record for the costs proceeding.

¹ Decision 2014-290: ATCO Gas and Pipelines Ltd., Rider D Application for Unaccounted-for Gas, Application No. 1610790, Proceeding No. 3380, October 22, 2014.

2 Commission's authority to award costs

10. When assessing costs claims pursuant to Section 21 of the *Alberta Utilities Commission Act*, SA 2007, c. A-37.2, the Commission applies AUC [Rule 022: Rules on Intervener Costs in Utility Rate Proceedings](#) (AUC Rule 022). Appendix A of AUC Rule 022 also prescribes a *Scale of Costs* applicable to all costs claimed.

11. In exercising its discretion to award costs, the Commission will, in accordance with Section 11 of AUC Rule 022, consider whether an eligible participant's costs are reasonable and directly and necessarily related to the proceeding; and whether the eligible participant acted responsibly in the proceeding and contributed to a better understanding of the issues before the Commission. The Commission will be mindful of a participant's willingness to co-operate with the Commission and other participants to promote an efficient and cost-effective proceeding.

12. As the costs of a utility proceeding are generally passed on to customers, it is the Commission's duty to ensure that the customers receive fair value for a party's contribution. The Commission only approves those costs that are reasonable and directly and necessarily related to the party's participation in the proceeding.

3 Commission findings

3.1 Consumers' Coalition of Alberta

13. The CCA submitted a costs claim for recovery of costs paid to Regulatory Services Inc. in the total amount of \$669.38 for consulting services, comprised of \$637.50 in fees and \$31.88 in GST. The claim relates to 2.50 hours for reviewing the application, drafting argument and preparing other correspondence related to the proceeding.

14. The Commission has assessed the costs claim application and finds that the hours incurred are reasonable given the tasks described and that the costs incurred are in accordance with the *Scale of Costs*. The Commission approves total recovery of consulting fees for Regulatory Services Inc. in the amount of \$637.50 in fees and GST of \$31.88.

15. Accordingly, the Commission approves recovery of the CCA's costs claim in the total amount of \$669.38.

4 GST

16. In accordance with the Commission's treatment of GST on cost awards, ATCO Gas is required to pay only that portion of GST paid by interveners that may not be recoverable through the GST credit mechanism. Accordingly, the Commission approves the eligible GST in the amount of \$31.88.

17. The Commission emphasizes that its treatment of the GST claimed in no way relieves participants or their consultants from their GST obligations pursuant to the *Excise Tax Act*, RSC 1985, c. E-15.

5 Order

18. It is hereby ordered that:

- 1) ATCO Gas and Pipelines Ltd. shall pay intervener costs to the Consumers' Coalition of Alberta in the amount of \$669.38.

Dated on February 3, 2015.

Alberta Utilities Commission

(Original signed by)

Anne Michaud
Commission Member