



ATCO Gas, a division of ATCO Gas and Pipelines Ltd.

2016 Weather Deferral Account (Rider W) Application

Costs Award

October 13, 2016

Alberta Utilities Commission

Decision 21804-D01-2016

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Proceeding 21804

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Fifth Avenue Place, Fourth Floor, 425 First Street S.W.
Calgary, Alberta
T2P 3L8

Telephone: 403-592-8845
Fax: 403-592-4406

Website: www.auc.ab.ca

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1 Introduction

1. In this decision the Alberta Utilities Commission considers an application by the Consumers' Coalition of Alberta (CCA) for approval and payment of its costs of participation in Proceeding 21584 (the costs claim application). The following table sets out the costs claimed and the amounts awarded:

Claimant	Total Fees Claimed	Total Disbursements Claimed	Total GST Claimed	Total Amount Claimed	Total Fees Awarded	Total Disbursements Awarded	Total GST Awarded	Total Amount Awarded
CCA								
Wachowich & Company Regulatory Services Inc.	\$437.50	\$0.00	\$21.88	\$459.38	\$437.50	\$0.00	\$21.88	\$459.38
	\$2,175.00	\$0.00	\$108.75	\$2,283.75	\$2,175.00	\$0.00	\$108.75	\$2,283.75
Total	\$2,612.50	\$0.00	\$130.63	\$2,743.13	\$2,612.50	\$0.00	\$130.63	\$2,743.13

2. The Commission has decided to approve the costs, as claimed, for the reasons provided below.

3. Proceeding 21584 (the original proceeding) was convened by the Commission to consider an application by ATCO Gas, a division of ATCO Gas and Pipeline Ltd. (ATCO Gas) requesting approval for the collection of ATCO Gas North's and ATCO Gas South's weather deferral account balances as of April 30, 2016. When the CCA filed its statement of intent to participate in the original proceeding, it also filed an additional document with comments on the ATCO Gas application.¹ The original proceeding included information requests (IRs) and IR responses, and reply argument from ATCO Gas. The close of record for the original proceeding was June 1, 2016, and the Commission issued Decision 21584-D01-2016² on June 21, 2016.

4. The CCA submitted its costs claim application on July 8, 2016. The costs claim application was filed 4 days outside of the required 30 day timeline permitted by the Commission's rules, specifically Rule 022: *Rules on Costs in Utility Rate Proceedings* (Rule 022). Costs not received within the specified timeframe may be rejected without further process. The Commission used its discretion to accept the late filing. The Commission assigned Proceeding 21804 and Application 21804-A001 to the costs claim application.

5. No comments were filed with respect to the costs claim application and the Commission considers the close of record for this proceeding to be July 28, 2016, the deadline for filing comments.

¹ Exhibit 21584-X0009.

² Decision 21584-D01-2016: ATCO Gas and Pipelines Ltd. 2016 Weather Deferral Account (Rider W) Application, Proceeding 21584, Application 21584-A001, June 21, 2016.

2 Commission findings

6. The Commission's authority to award costs for participation in a utility rates proceeding is found in Section 21 of the *Alberta Utilities Commission Act*. When considering a claim for costs for a utility rates proceeding, the Commission is also guided by the factors set out in Section 11 of Rule 022. Appendix A of Rule 022 prescribes a Scale of Costs applicable to all costs claimed.

2.1 Consumers' Coalition of Alberta

7. The following table summarizes the CCA's costs claim application.

Claimant	Hours			Fees	Disbursements	GST	Total
	Preparation	Attendance	Argument				
CCA							
Wachowich & Company	1.25	0.00	0.00	\$437.50	\$0.00	\$21.88	\$459.38
Regulatory Services Inc.	5.70	0.00	3.00	\$2,175.00	\$0.00	\$108.75	\$2,283.75
Total	6.95	0.00	3.00	\$2,612.50	\$0.00	\$130.63	\$2,743.13

8. The Commission finds that the CCA acted responsibly in the original proceeding and contributed to a better understanding of the relevant issues in the proceeding.

Wachowich & Company

9. The CCA was represented by Wachowich & Company in the original proceeding. The fees claimed by the CCA for the legal services provided by Mr. James Wachowich relate to reviewing the application and reviewing the CCA's finding and recommendations regarding the collection period.

10. The Commission finds that the services performed by Wachowich & Company were directly and necessarily related to the CCA's participation in the original proceeding, and that the fees, which were claimed in accordance with the Scale of Costs for those services, are reasonable. Accordingly, the Commission approves the CCA's claim for legal fees for Wachowich & Company in the amount of \$437.50 and GST of \$21.88 for a total of \$459.38.

Regulatory Services Inc.

11. Regulatory Services Inc. was retained by the CCA to perform consulting services in the original proceeding. The fees claimed by the CCA for the consulting services provided by Mr. Azad Merani relate to reviewing the application, drafting the CCA's comments regarding the collection period of weather deferral account balances, reviewing ATCO Gas' IR responses to the Commission, and reviewing ATCO Gas' reply argument.

12. The Commission finds that the services performed by Regulatory Services Inc. were directly and necessarily related to the CCA's participation in the original proceeding, and that the fees, which were claimed in accordance with the Scale of Costs for those services, are reasonable. Accordingly, the Commission approves the CCA's claim for consulting fees for Regulatory Services Inc. in the amount of \$2,175.00 and GST of \$108.75 for a total of \$2,283.75.

3 Order

13. 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 \$2,743.13.

Dated on October 13, 2016.

Alberta Utilities Commission

(original signed by)

Bill Lyttle
Commission Member