



# AUC

Alberta Utilities Commission

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

**2012 North Weather Deferral Account Rate Rider**

**Costs Awards**

**November 19, 2012**

**The Alberta Utilities Commission**

Decision 2012-307: ATCO Gas, a division of ATCO Gas and Pipelines Ltd.

2012 North Weather Deferral Account Rate Rider

Costs Awards

Application No. 1608742

Proceeding ID No. 2081

November 14, 2012

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The Alberta Utilities Commission

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ATCO Gas, a division of  
ATCO Gas and Pipelines Ltd.  
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## 1 Introduction

1. On May 14, 2012, ATCO Gas (AG), a division of ATCO Gas and Pipelines Ltd., submitted an application to the Alberta Utilities Commission (AUC or Commission), registered as Proceeding ID No. 1887, notifying the Commission that ATCO Gas North (AGN) weather deferral account balance at April 30, 2012, was in a recovery position of approximately \$10.325 million. The application requested approval of AGN Rider “W” recovery rates established from the April 30, 2012, weather deferral account balance of AGN, to be effective August 1, 2012, to July 31, 2013.
2. On July 26, 2012, the Commission issued Decision [2012-200](#)<sup>1</sup> for this proceeding.
3. On August 10, 2012, the CCA filed its costs claim with the AUC.
4. On August 22, 2012, the Commission circulated a summary of the costs being claimed to interested parties. Parties were advised that any comments regarding the figures listed in the summary, or the merits of the total costs claimed were to be filed by September 5, 2012. The Commission did not receive any comments. Accordingly, the Commission considers that the close of record for this proceeding was September 5, 2012.

## 2 Views of the Commission – authority to award costs

5. When assessing a costs claim pursuant to Section 21 of the *Alberta Utilities Commission Act*, the Commission applies AUC Rule 022: *Rules on Intervener Costs in Utility Rate Proceedings* (Rule 022). Rule 022 also prescribes a *Scale of Costs* applicable to costs claims.
6. In exercising its discretion to award costs, the Commission will in accordance with Section 11 of Rule 022, consider whether an eligible participants 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. To the extent reasonably possible, the Commission will be mindful of participant’s willingness to co-operate with the Commission and other participants to promote an efficient and cost-effective proceeding.
7. As the costs of a utility proceeding are generally passed on to customers, it is the Commission’s duty to ensure that customers receive fair value for a party’s contribution. As

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<sup>1</sup> Decision 2012-200: ATCO Gas, a division of ATCO Gas and Pipelines Ltd. 2012 North Weather Deferral Account Rate Rider, Application No. 1608499, Proceeding ID No. 1887, Released: July 26, 2012.

such, 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

8. The CCA submitted a costs claim totalling \$4,612.76. The claim is comprised of consulting fees for Regulatory Services Inc. in the amount of \$4,370.00, disbursements of \$23.10 and GST of \$219.66.

9. The Commission has considered the costs claim submitted by the CCA bearing in mind the principles specified in the Commission's *Scale of Costs*, as set out in Appendix A to Rule 022. The Commission finds that the hours incurred are reasonable for the tasks described in the costs claim. The Commission notes that the claims for professional fees are in accordance with the *Scale of Costs*. Accordingly, the Commission approves the CCA's costs in the total amount of \$4,612.76.

### 4 GST

10. In accordance with the Commission's treatment of GST on costs awards, AG is required to pay only that portion of the GST paid by interveners that may not be recoverable through the GST credit mechanism. Eligible GST approved by the Commission amounts to \$219.66.

11. The Commission emphasizes that its treatment of the GST claimed in no way relieves participant's or their lawyers and consultants from their GST obligations pursuant to the *Excise Tax Act*, R.S.C. 1985, c. E-15.

### 5 Order

12. It is hereby ordered that:

- (1) ATCO Gas and Pipelines Ltd. shall pay the Consumers' Coalition of Alberta's intervener costs in the amount of \$4,612.76, as set out in column (h) of Appendix A.
- (2) ATCO Gas and Pipelines Ltd. shall record in its Hearing Cost Reserve Account the allowed intervener costs in the amount of \$4,612.76.

Dated on November 19, 2012.

### The Alberta Utilities Commission

*(original signed by)*

Kay Holgate  
Commission Member

**ATCO Gas and Pipelines Ltd.  
 2012 North Weather Deferral Account Rate Rider  
 App No. (1608449)1608742  
 Proc ID No. 2081**

**Total Costs Claimed/Awarded**

	Total Fees Claimed (a)	Total Expenses Claimed (b)	Total GST Claimed (c)	Total Amount Claimed (d)	Total Fees Awarded (e)	Total Expenses Awarded (f)	Total GST Awarded (g)	Total Amount Awarded (h)
<b>APPLICANTS</b>								
<b>ATCO Gas and Pipelines Ltd.</b>								
No Applicant Costs	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Sub-Total</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>INTERVENERS</b>								
<b>Consumers' Coalition of Alberta</b>								
Regulatory Services Inc.	\$4,370.00	\$23.10	\$219.66	\$4,612.76	\$4,370.00	\$23.10	\$219.66	\$4,612.76
<b>Sub-Total</b>	<b>\$4,370.00</b>	<b>\$23.10</b>	<b>\$219.66</b>	<b>\$4,612.76</b>	<b>\$4,370.00</b>	<b>\$23.10</b>	<b>\$219.66</b>	<b>\$4,612.76</b>
<b>TOTAL INTERVENER COSTS</b>	<b>\$4,370.00</b>	<b>\$23.10</b>	<b>\$219.66</b>	<b>\$4,612.76</b>	<b>\$4,370.00</b>	<b>\$23.10</b>	<b>\$219.66</b>	<b>\$4,612.76</b>
<b>TOTAL INTERVENER AND APPLICANT COSTS</b>	<b>\$4,370.00</b>	<b>\$23.10</b>	<b>\$219.66</b>	<b>\$4,612.76</b>	<b>\$4,370.00</b>	<b>\$23.10</b>	<b>\$219.66</b>	<b>\$4,612.76</b>