



# AUC

Alberta Utilities Commission

## **AltaGas Utilities Inc.**

**2010-2012 General Rate Application – Phase I  
Compliance Filing Pursuant to Decision 2012-091**

**Costs Awards**

**December 17, 2012**

**The Alberta Utilities Commission**  
Decision 2012-341: AltaGas Utilities Inc.  
2010-2012 General Rate Application – Phase I  
Compliance Filing Pursuant to Decision 2012-091  
Costs Awards  
Application No. 1608881  
Proceeding ID No. 2163

December 17, 2012

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## **1 Introduction**

1. On June 4, 2012, AltaGas Utilities Inc. (AUI) filed its 2010-2012 General Rate Application – Phase I compliance filing (compliance filing) with the Alberta Utilities Commission (AUC or Commission). The compliance filing was prepared by AUI pursuant to directions set out in Decision [2012-091](#).<sup>1</sup> This application was registered as Proceeding ID No. 1921.
2. On June 6, 2012, the Commission issued a notice of application for this proceeding. Any party who wished to intervene in the proceeding was requested to submit a statement of intent to participate (SIP) to the Commission by June 20, 2012.
3. The Commission received SIPs from:
  - the Consumers’ Coalition of Alberta (CCA)
  - the Office of the Utilities Consumer Advocate (UCA)
  - ATCO Gas, a division of ATCO Gas and Pipelines Ltd. (ATCO Gas).
4. In its SIP, the CCA requested the opportunity to test the application with a process of written information requests and stated that it intended to file argument and reply argument. The UCA considered that a written proceeding, including information requests, was necessary to clarify the record and to assist it in determining whether it had any objections to AUI’s compliance filing. ATCO Gas indicated that it would be monitoring the proceeding.
5. By letter dated June 25, 2012, the Commission established a written process. Subsequently, AUI requested an extension to the original deadlines for the submission of argument and reply argument to August 10, 2012, and August 27, 2012, respectively, which the Commission granted. Consequently, the Commission considers the record for Proceeding ID No. 1921 to have closed on August 27, 2012.
6. On November 23, 2012, the Commission issued Decision [2012-311](#)<sup>2</sup> with respect to Proceeding ID No. 1921, followed by an errata issued on December 5, 2012.

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<sup>1</sup> Decision 2012-091: AltaGas Utilities Inc. 2010-2012 General Rate Application – Phase I, Application No. 1606694, Proceeding ID No. 904, Released: April 9, 2012.

<sup>2</sup> Decision 2012-311(Errata): AltaGas Utilities Inc. 2010-2012 General Rate Application – Phase I Compliance Filing Pursuant to Decision 2012-091, Application No. 1608512, Proceeding ID No. 1921, Released: December 5, 2012.

7. The CCA filed its costs claim on October 2, 2012, after the costs submission deadline of September 26, 2012. On October 3, 2012, the Commission circulated a summary of the costs being claimed to interested parties. Parties were advised that any comments regarding figures listed in the summary, or the merits of the total costs claimed were to be filed by October 17, 2012. No comments were received from parties regarding the summary of costs. Accordingly, the Commission considers the close of record for costs to have closed on October 17, 2012.

## 2 Views of the Commission

8. When assessing costs claims 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 all costs claimed.

9. In exercising its discretion to award costs, the Commission will in accordance with Section 11 of 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. To the extent reasonably possible, 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.

10. 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 CCA costs claim - Commission findings

11. The Commission will accept the late costs filing by the CCA totalling \$4,087.13. The claim is comprised of legal fees for Wachowich & Company in the amount of \$560.00 and GST of \$28.00; and consulting fees for Regulatory Services Inc. in the amount of \$3,332.50 with GST of \$166.63.

12. 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 costs claimed are reasonable given the extensive level of participation by the CCA in the proceeding. The Commission notes that the claims for professional fees are in accordance with the *Scale of Costs*. Accordingly, the Commission approves the CCA's claim for fees and GST in the total amount of \$4,087.13.

## 4 GST

13. In accordance with the Commission's treatment of GST on costs awards, AUI is required to pay only the portion of GST paid by interveners that may not be recoverable through the GST credit mechanism. Eligible GST approved by the Commission amounts to \$194.63.

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

## **5 Order**

15. It is hereby ordered that:

- (1) AltaGas Utilities Inc. shall pay intervener costs to the Consumers' Coalition of Alberta in the amount of \$4,087.13, as set out in column (h) of Appendix A.

Dated on December 17, 2012.

### **The Alberta Utilities Commission**

*(original signed by)*

Mark Kolesar  
Vice-Chair

*(original signed by)*

Kay Holgate  
Commission Member

**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>APPLICANT</b>								
<b>AltaGas Utilities Inc.</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>INTERVENER</b>								
<b>Consumers' Coalition of Alberta</b>								
Wachowich & Company	\$560.00	\$0.00	\$28.00	\$588.00	\$560.00	\$0.00	\$28.00	\$588.00
Regulatory Services Inc.	\$3,332.50	\$0.00	\$166.63	\$3,499.13	\$3,332.50	\$0.00	\$166.63	\$3,499.13
<b>Sub-Total</b>	<b>\$3,892.50</b>	<b>\$0.00</b>	<b>\$194.63</b>	<b>\$4,087.13</b>	<b>\$3,892.50</b>	<b>\$0.00</b>	<b>\$194.63</b>	<b>\$4,087.13</b>
<b>TOTAL INTERVENER COSTS</b>	<b>\$3,892.50</b>	<b>\$0.00</b>	<b>\$194.63</b>	<b>\$4,087.13</b>	<b>\$3,892.50</b>	<b>\$0.00</b>	<b>\$194.63</b>	<b>\$4,087.13</b>
<b>TOTAL INTERVENER AND APPLICANT COSTS</b>	<b>\$3,892.50</b>	<b>\$0.00</b>	<b>\$194.63</b>	<b>\$4,087.13</b>	<b>\$3,892.50</b>	<b>\$0.00</b>	<b>\$194.63</b>	<b>\$4,087.13</b>