

**THE PROVINCE OF ALBERTA**

***PUBLIC UTILITIES BOARD ACT***

**ALBERTA ENERGY AND UTILITIES BOARD**

ATCO Gas South, a Division of  
ATCO Gas and Pipelines Ltd.  
Application for a Revised Franchise  
Rider and a New Linear Tax Rider in the  
Town of Bow Island and Review of Proposed  
Standard Natural Gas Franchise Agreement

**UTILITY COST ORDER 2004-07a**

Application Numbers 1281638 & 1287533  
Cost File Number 8000-1281638

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WHEREAS the Alberta Energy and Utilities Board (EUB/Board) issued Utility Cost Order 2004-07 (UCO 2004-07) on January 23, 2004; and

WHEREAS the Alberta Urban Municipalities Association (AUMA) submitted additional costs to their original cost claim which were not captured in UCO 2004-07. The additional costs consisted of legal fees in the amount of \$13,037.63, disbursements in the amount of \$1,010.79, and GST in the amount of \$983.39 for a total amount of \$15,031.81; and

WHEREAS the Board notes that this proceeding was a negotiated settlement and in the case of applications based upon a negotiated settlement process (NSP), the Board does not directly participate in the process. Rather, the Board reviews the nature of the process itself and its results to ensure that they were fair, reasonable, and in the public interest. Without the direct opportunity to review the effectiveness of participants, the Board will take into account other considerations to ensure that the costs of participation in a NSP, which are ultimately passed on to all customers, are indeed reasonable and represent fair value; and

WHEREAS the Board has now had an opportunity to consider the additional costs and finds that that they have been incurred in accordance with the principles set out in Guide 31B, Guidelines for Utility Cost Claims. The Board also notes that the professional fees are in accordance with the Board's *Scale of Costs*. The Board has found that the participation of AUMA was, for the most part, effective and of assistance in reviewing the application and the additional costs are commensurate with the scope and complexity of the issues before the Board.

THEREFORE, the Alberta Energy and Utilities Board, hereby amends UCO 2004-07 as to the following particulars:

1. The fees and disbursements awarded to the Alberta Urban Municipalities Association are amended to read \$51,547.99, as shown in the Amended Appendix "A" attached.
2. Paragraphs 1 and 3 on pages three and four respectively of UCO 2004-07 are amended to read as follows:
  1. ATCO Gas South shall pay intervener costs in the amount of \$55,426.47, as set out in column (e) of Appendix "A".
  3. ATCO Gas South shall record in its Hearing Cost Reserve Account the allowed external applicant and intervener costs in the amount of \$84,727.36, as set out in column (e) of Appendix "A".

MADE at the City of Calgary, in the Province of Alberta, this 5<sup>th</sup> day of July, 2004.

**ALBERTA ENERGY  
AND UTILITIES BOARD**

*<original signed by>*  
**Thomas McGee**