

THE PROVINCE OF ALBERTA

PUBLIC UTILITIES BOARD ACT

ALBERTA ENERGY AND UTILITIES BOARD

IN THE MATTER of Northwestern Utilities Limited
(now ATCO Gas North)
Application for Approval of a Negotiated
Settlement Addressing Rates, Tolls, Charges,
and Terms and Conditions of Service for Core
Customers and Approval of Amendments
to the North Core Agreement (Application No.: 2000297)

AND

ATCO Gas Limited (North), formerly
Canadian Utilities Limited,
Northwestern Utilities Limited, and
Canadian Western Natural Gas Company Limited
Application for Approval of the Reorganization of Northwestern
Utilities Limited and Canadian Western Natural Gas Company Ltd.
(Application No.: 980415 – Cost File No.: 8000-990587)

UTILITY COST ORDER 2002-12a

Application Number: 980415
Cost File Numbers: 8000-2000297 and
8000-990587

WHEREAS the Alberta Energy and Utilities Board issued Utility Cost Orders 2002-12 and 2002-19 (UCO 2002-12 and UCO 2002-19) on March 21, 2002 and April 6, 2002, respectively; and

WHEREAS the Aboriginal Communities (AB Com) and ATCO Gas – North (AGN), upon review of their records, discovered that a duplication of cost awards had occurred.

On December 14, 1999 and December 7, 2000, AB Com submitted a cost claim to AGN with a copy to the Board for application number 990587. The Board notes that this matter was not considered a Negotiated Settlement. A summary of costs claimed was circulated to interested parties on February 11, 2002 which advised that any comments to the claims were to be submitted by no later than February 28, 2002. No comments were received and on March 21, 2002 the Board issued UCO 2002-12.

On August 2, 2001 and January 29, 2002, the Board received claims from AGN which summarized their internal and external costs as well as intervener costs for amendments to the North Core Agreement, application number 2000297. AGN advised that both claims were to be added together. The Board notes that this was a negotiated settlement and was not provided with accounting details of the interveners. The Board treated these costs as a separate file from the above (application number 990587). The total amount being claimed for AB Com also included the December 14, 1999 claim of \$32,985.75 which was placed on the previous cost file noted above. This amount now appeared on both Board files. On February 7, 2002 a summary of costs was circulated to interested parties which advised that any comments to the claims were to be submitted by no later than February 21, 2002. No comments were received and on April 6, 2002 the Board issued UCO 2002-19.

The Board has received written confirmation from Blair Miller of AGN and Board staff have confirmed over the phone with Jim Graves of AB Com that \$32,985.75 was awarded twice and both parties have requested that the Board amend UCO 2002-12.

THEREFORE, the Alberta Energy and Utilities Board, hereby amends UCO 2002-12 as to the following particulars:

1. The fees and disbursements awarded to Graves Engineering Corporation, as listed in column (e) of the Amended Schedule "A", are amended to read \$30,018.75.
2. Paragraphs 1) and 2) on page three are amended to read as follows:
 - 1) ATCO Gas – North shall pay intervener costs in the amount of \$60,825.00, as set out in column (e) of Schedule "A";
 - 2) ATCO Gas – North shall record in its Hearing Cost Reserve Account the allowed intervener costs in the amount of \$60,825.00, as set out in column (e) of Schedule "A".
3. Aboriginal Communities shall re-pay ATCO Gas Limited the overpayment of \$32,985.75 forthwith.

MADE at the City of Calgary, in the Province of Alberta, this 22nd day of August, 2002.

**ALBERTA ENERGY
AND UTILITIES BOARD**

Original Signed by B.T. McManus, Q.C.

B.T. McManus, Q.C.

ATCO Gas -North

ApplicationNo.: 980415

Summary of Total Costs Claimed and Awarded

	Total Amount Claimed (a)	Total Fees Awarded (b)	Total Disbursements Awarded (c)	Total GST Awarded (d)	Total Amount Awarded (e)
Applicant					
ATCO Gas - North	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Interveners					
Aboriginal Communities					
Graves Engineering Corp.	\$63,004.50	\$30,018.75	\$0.00	\$0.00	\$30,018.75
Consilium Enterprises Inc.	\$5,606.25	\$5,606.25	\$0.00	\$0.00	\$5,606.25
Ackroyd, Piasta, Roth & Day	\$25,200.00	\$25,200.00	\$0.00	\$0.00	\$25,200.00
Sub-Total	\$93,810.75	\$60,825.00	\$0.00	\$0.00	\$60,825.00
Total Intervener Costs	\$93,810.75	\$60,825.00	\$0.00	\$0.00	\$60,825.00
Total Costs	\$93,810.75	\$60,825.00	\$0.00	\$0.00	\$60,825.00