



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

**Compliance Application II to Decision 22986-D01-2018,
2017-2018 General Rate Application**

Costs Award

November 2, 2018

Alberta Utilities Commission

Decision 23908-D01-2018

ATCO Pipelines

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1 Introduction

1. In this decision, the Alberta Utilities Commission considers an application by ATCO Pipelines, a division of ATCO Gas and Pipelines Ltd. (ATCO Pipelines) for approval and payment of its costs of participation in Proceeding 23537¹ (the original proceeding). 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
ATCO Pipelines								
Bennett Jones LLP	\$11,046.00	\$36.75	\$0.00	\$11,082.75	\$11,046.00	\$36.75	\$0.00	\$11,082.75
Total	\$11,046.00	\$36.75	\$0.00	\$11,082.75	\$11,046.00	\$36.75	\$0.00	\$11,082.75

2. The Commission has awarded ATCO Pipelines the full amount claimed, for the reasons set out below.

3. The original proceeding was convened by the Commission to consider ATCO Pipelines' compliance application in response to the Commission directions set out in Decision 22986-D01-2017 regarding the ATCO Pipelines' 2017-2018 General Rate Application.² The original proceeding included a request for additional information from ATCO Pipelines on its Weld Integrity Assessment and Replacements Program, and two rounds of information requests (IRs) and responses to IRs. The close of record for the original proceeding was August 17, 2018 and the Commission issued Decision 23537-D01-2018 (Errata)³ on August 29, 2018.

4. ATCO Pipelines submitted its costs claim application on September 17, 2018, within the 30 day timeline permitted by the Commission's rules. The Commission assigned Proceeding 23908 and Application 23908-A001 to the costs claim application.

5. The Commission considers the close of record for this proceeding to be September 17, 2018, the date the costs claim application was filed.

¹ Proceeding 23537: ATCO Pipelines, Compliance Application II to Decision 22986-D01-2018, 2017-2018 General Rate Application Compliance Application.

² Decision 22986-D01-2018: ATCO Pipelines Compliance Application to Decision 22011-D01-2017, 2017-2018 General Rate Application, Proceeding 22986, March 13, 2018.

³ Decision 23537-D01-2018 (Errata): ATCO Pipelines Compliance Application II to Decision 22986-D01-2018, 2017-2018 General Rate Application Compliance Application, Proceeding 23537, August 29, 2018.

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: *Rules on Costs in Utility Rate Proceedings* (Rule 022) which allows the Commission to consider, among other things, whether costs claims are reasonable and directly and necessarily related to the original proceeding, and whether the participants acted responsibly and contributed to a better understanding of the issues before the Commission. Appendix A of Rule 022 prescribes a Scale of Costs applicable to all costs claimed.

2.1 ATCO Pipelines

7. The following table summarizes ATCO Pipeline’s costs claim:

Claimant	Hours			Fees	Disbursements	GST	Total
	Preparation	Attendance	Argument				
ATCO Pipelines							
Bennett Jones LLP	31.70	0.00	0.00	\$11,046.00	\$36.75	\$0.00	\$11,082.75
Total	31.70	0.00	0.00	\$11,046.00	\$36.75	\$0.00	\$11,082.75

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

Bennett Jones LLP

9. ATCO Pipelines was represented by Bennett Jones LLP in the original proceeding. The fees claimed by ATCO Pipelines for the legal services provided by Mr. Nicholas Gretener, Mr. Laurie Smith, Ms. Marie Buchinski and Mr. Tim Myers relate to reviewing Decision 22986-D01-2018 and compliance issues, reviewing the draft compliance filing and supplemental compliance II filing submissions and draft IR responses.

10. The Commission is satisfied that the services performed by Bennett Jones LLP were directly and necessarily related to ATCO Pipelines’ participation in the original proceeding, and that the fees and disbursements, which were claimed in accordance with the Scale of Costs for those services, are reasonable. Accordingly, the Commission approves ATCO Pipelines’ claim for legal fees for Bennett Jones LLP in the amount of \$11,046.00 and disbursements for printing of \$36.75 for a total of \$11,082.75.

3 Order

11. It is hereby ordered that:

- 1) ATCO Pipelines shall pay external costs in the amount of \$11,082.75.
- 2) ATCO Pipelines shall record in its Reserve for Hearing Costs account, approved external costs in the amount of \$11,082.75.

Dated on November 2, 2018.

Alberta Utilities Commission

(original signed by)

Neil Jamieson
Panel Chair