



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

**2013 Transmission Service Charge (Rider T)**

**Costs Award**

**July 3, 2013**

**The Alberta Utilities Commission**

Decision 2013-423: ATCO Gas, a division of ATCO Gas and Pipelines Ltd.

2013 Transmission Service Charge (Rider T)

Costs Award

Application Nos. 1609408

Proceeding ID No. 2514

July 3, 2013

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## 1 Introduction

1. ATCO Gas, a division of ATCO Gas and Pipelines Ltd. (ATCO Gas) filed an application (Proceeding ID No. 2337) with the Alberta Utilities Commission (AUC or Commission) on January 4, 2013, requesting approval for new interim rates for ATCO Gas North and ATCO Gas South for its transmission service charge Rider T effective March 1, 2013.
2. Interim rates were previously approved in Decision [2012-107 \(Errata\)](#)<sup>1</sup> effective May 1, 2012, and included Rider T in rate schedules.
3. Both the Office of the Utilities Consumer Advocate (UCA) and the Consumers' Coalition of Alberta (CCA) actively participated in the proceeding. The CCA filed argument, but not reply argument. ATCO Gas and the UCA both filed reply argument on February 19, 2013. The Commission considered the close of record was February 19, 2013.
4. On February 22, 2013 the Commission issued Decision [2013-055](#)<sup>2</sup> approving ATCO GasNorth and ATCO Gas South's rates on an interim refundable basis effective March 1, 2013.
5. On March 21, 2013 the Commission received an application from the CCA requesting the recovery of costs related to Proceeding ID No. 2337.
6. On April 16, 2013, the Commission circulated a summary of the costs, being claimed by the CCA, 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 April 30, 2013. No comments were received from parties regarding the summary of costs.
7. The Commission considers the close of record for this proceeding to be April 30, 2013.

## 2 Assessment of Costs

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.

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<sup>1</sup> Decision 2012-107 Errata: ATCO Gas Errata to Decision 2012-107, 2012 Interim Rates, Application No. 1608226, Proceeding ID No. 1751, April 19, 2012.

<sup>2</sup> Decision 2013-055: ATCO Gas 2013 Transmission Service Charge (Rider T), Application No. 1609181, Proceeding ID No. 2337, February 22, 2013.

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 Commission findings**

#### **3.1 The Consumers' Coalition of Alberta's costs claim**

11. The CCA submitted a costs claim in the total amount of \$5,889.77. The claim is comprised of consulting fees for Regulatory Services Inc. in the amount of \$4,825.00, a disbursement for internal photocopying of \$14.30 and GST of \$241.97; and legal fees for Wachowich & Company in the amount of \$770.00 and GST of \$38.50. Regulatory Services Inc. provided invoices reflecting a total of 19.3 hours. These hours included 14.3 hours for review of the file and for preparation of information requests on the proposed transmission rate changes, the transmission allocation to irrigation customers, and the new contract demand quantity contracts. Regulatory Services Inc. billed an additional five hours for assisting with the preparation of argument. The legal fees for Wachowich & Company amounted to 2.2 hours, which included 1.4 hours for preparation of correspondence and information requests, and 0.8 hours for preparation of argument.

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 hours incurred are reasonable given the tasks described in the costs claim for reviewing the application, preparation of information requests, and preparation of argument. The Commission notes that the claim for professional fees is in accordance with the *Scale of Costs*. Accordingly, the Commission approves the CCA's claim for fees and GST in the total amount of \$5,889.77.

### **4 GST**

13. In accordance with the Commission's treatment of GST on cost awards, ATCO Gas is required to pay only that portion of GST paid by interveners that may not be recoverable through the GST credit mechanism. Eligible GST approved by the Commission amounts to \$280.47.

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) ATCO Gas and Pipelines Ltd. shall pay intervener costs to the Consumers' Coalition of Alberta in the amount of \$5,889.77.

Dated on July 3, 2013.

**The Alberta Utilities Commission**

*(original signed by)*

Kay Holgate  
Commission Member