



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

Rider D Application for Unaccounted for Gas

Costs Award

February 11, 2014

The Alberta Utilities Commission

Decision 2014-033: ATCO Gas, a division of ATCO Gas and Pipelines Ltd.

Rider D Application for Unaccounted for Gas

Costs Award

Application No. 1610037

Proceeding ID No. 2898

February 11, 2014

Published by

The Alberta Utilities Commission

Fifth Avenue Place, Fourth Floor, 425 First Street S.W.

Calgary, Alberta

T2P 3L8

Telephone: 403-592-8845

Fax: 403-592-4406

Web site: www.auc.ab.ca

Contents

1	Introduction	1
2	Views of the Commission	1
3	Commission findings	2
	3.1 The Consumers' Coalition of Alberta	2
4	GST	2
5	Order	3

1 Introduction

1. On August 21, 2013, ATCO Gas (AG), a division of ATCO Gas and Pipelines Ltd., filed an application with the Alberta Utilities Commission (Commission) requesting approval of its ATCO Gas South (AGS) and ATCO Gas North (AGN) unaccounted for gas (UFG) rate riders (Rider D) for the period November 1, 2013, to October 31, 2014, inclusive (Proceeding ID No. 2796).
2. The Commission issued a notice of application on August 22, 2013, wherein interested parties were requested to file a statement of intent to participate (SIP) by September 5, 2013. SIPs were received from the Office of the Utilities Consumer Advocate (UCA) and the Consumers' Coalition of Alberta (CCA).
3. The Commission established a written process schedule for Proceeding ID No. 2796. The CCA submitted information requests and argument. The Commission considered close of record to be October 4, 2013.
4. The Rider D rates were calculated in a manner consistent with previous applications, which used the average UFG based on measurement data from the prior three calendar years. The Commission approved the application for Rider D rates of 0.966 per cent for AGN and 0.942 per cent for AGS along with corresponding rate schedules in Decision [2013-380¹](#) issued October 16, 2013.
5. On November 4, 2013, the CCA submitted its cost application in relation to Proceeding ID No. 2796 within the required time period.
6. On November 5, 2013, the Commission circulated a summary of the costs being claimed by the CCA to interested parties. Parties were advised that any comments regarding the figures listed in the summary, or the merits of the total costs claimed, were to be filed by November 19, 2013. No comments were received from parties.
7. The Commission considers the close of record for this costs proceeding to be November 19, 2013.

2 Views of the Commission

8. When assessing costs claims pursuant to Section 21 of the *Alberta Utilities Commission Act*, S.A. 2007 c. A-37.2, the Commission applies AUC [Rule 022: Rules on Intervener Costs in](#)

¹ Decision 2013-380: ATCO Gas, Rider D Application for Unaccounted for Gas, Application No. 1609860, Proceeding ID No. 2796, October 16, 2013.

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. 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

11. The total amount of the cost claim submitted by the CCA was \$10,019.73. The claim is comprised of consulting fees for Regulatory Services Inc. in the amount of \$9,500.00, disbursements of \$42.60, and GST of \$477.13.

12. The Commission notes that there is disagreement between the information contained on the Form U2 submitted in respect of Mr. Jodoin of Regulatory Services Inc. and the actual invoice for services rendered, as issued by the consultancy firm. Whereas the Form U2 indicates that 38.00 hours of work were completed by Mr. Jodoin, the invoice demonstrates that a total of 36.00 hours of work were actually billed. Consequently, the Commission has adjusted the costs claimed for Regulatory Services Inc. to reflect the actual hours included in the invoices. The Commission considers the resulting costs to be reasonable given the nature of matters considered in Proceeding ID No. 2796 and the scope of the work described in the claim for costs. Accordingly, the Commission approves the costs for consulting fees of \$9,000.00, disbursements of \$42.60 and GST of \$452.13 for a total amount of \$9,494.73.

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 that may not be recoverable through the GST credit mechanism. Accordingly, the Commission approves the eligible GST in the amount of \$452.13.

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 shall pay intervener costs to the Consumers' Coalition of Alberta in the amount of \$9,494.73, inclusive of fees, disbursements and applicable GST.

Dated on February 11, 2014.

The Alberta Utilities Commission

(Original signed by)

Mark Kolesar
Vice Chair