



FortisAlberta Inc.

2010 Quarterly Transmission Adjustment Rider – Quarter 2

Cost Awards



ALBERTA UTILITIES COMMISSION

Decision 2010-371: FortisAlberta Inc.

2010 Quarterly Transmission Adjustment Rider – Quarter 2

Application No. 1605955

Cost Application No. 1606182

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1 INTRODUCTION

1. In Decision [2009-260](#)¹ the Alberta Utilities Commission (AUC or Commission) authorized FortisAlberta Inc. (FAI) to adjust the Transmission Adjustment Rider quarterly and directed FAI to file the supporting information to the adjustment on a quarterly basis for information purposes.
2. On March 3, 2010, FAI filed the supporting information for the 2010 Quarterly Transmission Adjustment Rider (QTAR) – Quarter 2 (Application).
3. The Commission dealt with this Application by way of a written proceeding. On March 26, 2010, the Commission issued Decision [2010-129](#)² with respect to the Application.
4. On May 5, 2010, a summary of the costs being claimed was circulated 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 May 19, 2010. The Commission did not receive any comments. Accordingly, the Commission considers, for the purposes of this Cost Order, the cost process to have closed on May 19, 2010.

2 VIEWS OF THE COMMISSION – AUTHORITY TO AWARD COSTS

5. When assessing a cost claim pursuant to Section 21 of the *Alberta Utilities Commission Act* (AUC Act), the Commission applies Rule 022, *Rules on Intervener Costs in Utility Rate Proceedings* (Rule 022).
6. In exercising its discretion to award costs, the Commission will, in accordance with section 11 of Rule 022, consider whether an eligible participant acted responsibly and contributed to a better understanding of the issues before the Commission, and whether the costs claimed are reasonable and directly and necessarily related to the proceeding. The Commission considers these factors in light of the scope and nature of the issues in question.
7. In the Commission’s view, the responsibility to contribute positively to the process is inherent in the choice to intervene in a proceeding. The Commission expects that those who choose to participate will prepare and present a position that is reasonable in light of the issues arising in the proceeding and necessary for the determination of those issues. To the extent

¹ Decision 2009-260: FortisAlberta Inc., 2008 AESO Charges Deferral Account and 2010 Quarterly Transmission Adjustment Rider Application (Application No. 1605537; Proceeding ID 339) (Released: December 17, 2009).

² Decision 2010-129: FortisAlberta Inc., 2010 Quarterly Transmission Adjustment Rider – Quarter 2 (Application No. 1605955; Proceeding ID 524) (Released: March 26, 2010).

reasonably possible, the Commission will be mindful of participants' willingness to co-operate with the Commission and other participants to promote an efficient and cost-effective proceeding.

8. As the costs of a utility proceeding are generally passed on to customers, it is the Commission's duty to ensure that customers receive fair value for a party's contribution. As such, the Commission only approves those costs that are reasonable and directly and necessarily related to the party's participation in the proceeding.

3 VIEWS OF THE COMMISSION – ASSESSMENT

9. The Consumers' Coalition of Alberta (CCA) submitted a cost claim totaling \$1,008.00. The claim is comprised of consulting fees incurred by Regulatory Services Inc. in the amount of \$960.00, together with GST of \$48.00.

10. The Commission has considered the costs submitted by the CCA. The Commission finds that the participation of the CCA was effective and of assistance in reviewing the Application. The Commission also notes that the claims for professional fees and other claims were in accordance with the *Scale of Costs*. Accordingly, the Commission considers the CCA's claims for fees and GST in the total amount of \$1,008.00 to be reasonable.

4 GST

11. In accordance with the Commission's treatment of the GST on cost awards, FAI is required to pay only that portion of the GST paid by interveners that may not be recoverable through the GST credit mechanism. Accordingly where parties are eligible for a GST credit the Commission has reduced this particular portion of their claim. Eligible GST approved by the Commission amounts to \$48.00. The GST allowed by the Commission may also be charged against FAI's Hearing Cost Reserve Account.

12. The Commission emphasizes that its treatment of the GST claimed in no way relieves participants or their lawyers and consultants from their GST obligations pursuant to the *Excise Tax Act*, R.S.C. 1985, c. E-15.

5 ORDER

IT IS HEREBY ORDERED:

1. FortisAlberta Inc. shall pay intervener costs in the amount of \$1,008.00.
2. FortisAlberta Inc. shall record in its Hearing Cost Reserve Account the allowed intervener costs in the amount of \$1,008.00.

Dated on July 30, 2010.

ALBERTA UTILITIES COMMISSION

(Original signed by)

Anne Michaud
Commissioner