



**AltaLink Management Ltd.**

**Chestermere 419S Substation and Interconnection  
Facility Applications**

**Costs Award**

**September 29, 2017**

**Alberta Utilities Commission**

Decision 22480-D01-2017

AltaLink Management Ltd.

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Proceeding 22480

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Published by

Alberta Utilities Commission

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**Alberta Utilities Commission**  
**Calgary, Alberta**

**AltaLink Management Ltd.**  
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**Facility Applications**  
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**Proceeding 22480**

**1 Introduction**

1. In this decision the Alberta Utilities Commission considers applications by six interveners or intervener groups (the costs claim applications) for approval and payment of their costs of participation in Proceeding 21973<sup>1</sup> (the original proceeding). The costs claimed and costs awarded are provided in the following table:

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
Ms. Anna Kardash								
<b>Honorarium</b>	\$3,300.00	\$0.00	\$0.00	\$3,300.00	\$1,300.00	\$0.00	\$0.00	\$1,300.00
<b>Total</b>	\$3,300.00	\$0.00	\$0.00	\$3,300.00	\$1,300.00	\$0.00	\$0.00	\$1,300.00
The Forster Group								
<b>Wilson Laycraft</b>	\$17,473.00	\$158.34	\$1,527.37	\$19,158.71	\$17,473.00	\$158.34	\$1,527.37	\$19,158.71
<b>Honorarium</b>	\$1,750.00	\$0.00	\$0.00	\$1,750.00	\$250.00	\$0.00	\$0.00	\$250.00
<b>Total</b>	\$19,223.00	\$158.34	\$1,527.37	\$20,908.71	\$17,723.00	\$158.34	\$1,527.37	\$19,408.71
South Chestermere Group								
<b>McLennan Ross LLP</b>	\$33,040.00	\$4,112.37	\$1,857.62	\$39,009.99	\$33,040.00	\$4,112.37	\$1,857.62	\$39,009.99
<b>Cottonwood Consultants Ltd.</b>	\$10,597.50	\$57.83	\$532.77	\$11,188.10	\$10,597.50	\$57.83	\$529.88	\$11,185.21
<b>Urban Systems Ltd.</b>	\$5,780.00	\$1,626.74	\$366.14	\$7,772.88	\$5,780.00	\$1,470.14	\$364.58	\$7,613.16
<b>Honorarium</b>	\$250.00	\$0.00	\$0.00	\$250.00	\$250.00	\$0.00	\$0.00	\$250.00
<b>Total</b>	\$49,667.50	\$5,796.94	\$2,756.53	\$58,220.97	\$49,667.50	\$5,640.34	\$2,752.08	\$58,059.92
City of Chestermere								
<b>Brownlee LLP</b>	\$20,236.50	\$4,272.55	\$1,224.83	\$25,733.88	\$19,075.00	\$4,272.55	\$1,152.73	\$24,500.28
<b>Total</b>	\$20,236.50	\$4,272.55	\$1,224.83	\$25,733.88	\$19,075.00	\$4,272.55	\$1,152.73	\$24,500.28
John and Doreen Knight								
<b>Municipal Counsellors</b>	\$14,367.50	\$435.34	\$739.15	\$15,541.99	\$14,367.50	\$435.34	\$739.15	\$15,541.99
<b>Total</b>	\$14,367.50	\$435.34	\$739.15	\$15,541.99	\$14,367.50	\$435.34	\$739.15	\$15,541.99
Western Irrigation District								
<b>McMillan LLP</b>	\$1,738.50	\$57.31	\$0.00	\$1,795.81	\$1,738.50	\$57.31	\$0.00	\$1,795.81
<b>Total</b>	\$1,738.50	\$57.31	\$0.00	\$1,795.81	\$1,738.50	\$57.31	\$0.00	\$1,795.81
<b>Total amount claimed and awarded</b>				<b>\$125,501.36</b>				<b>\$120,606.71</b>

<sup>1</sup> Proceeding 21973: Alberta Electric System Operator and AltaLink Management Ltd. Chestermere 419S Substation and Interconnection Facility Applications.

2. The Commission has decided to award reduced costs for certain of the costs claims for the reasons set out below.

3. The original proceeding was convened by the Commission to consider facility applications from AltaLink Management Ltd. (AltaLink) to construct and operate a new Chestermere 419S Substation, connect the substation to the Alberta Interconnected Electric System via two single-circuit 138-kilovolt transmission lines, and alter the Balzac 391S Substation. The original proceeding involved information requests (IRs), IR responses, evidence and an oral hearing. The close of record for the original proceeding was May 15, 2017 and the Commission issued Decision 21973-D01-2017<sup>2</sup> on May 26, 2017.

4. Ms. Anna Kardash, the South Chestermere Group, the City of Chestermere (the City), Mr. Monte Forster, Ms. Vicki Worthen and Ms. Leslie Bateman (the Forster Group) and John and Doreen Knight (the Knights) submitted their costs claim applications within the 30 day timeline permitted by the Commission's rules. The Commission assigned Proceeding 22480 and Application 22480-A001 to the claims. AltaLink submitted comments on the costs claims of Ms. Kardash, the Forster Group and the Knights. The Knights subsequently filed updated cost claim documentation, and no other reply comments were received.

5. In response to a Commission direction to file new or supplemental claims for costs incurred as a result of further process required in the original proceeding, the Western Irrigation District (WID) filed a costs claim and the City subsequently filed a supplemental costs claim. No further comments were received on these additional costs claims and the Commission considers the close of record to be July 4, 2017.

## 2 Commission findings

6. Only "local interveners" are eligible to claim costs in facility related applications. The Commission's authority to award costs for the participation of a local intervener in a hearing or other proceeding on an application to construct or operate a hydro development, power plant or transmission line under the *Hydro and Electric Energy Act* or a gas utility pipeline under the *Gas Utilities Act* is found in sections 21 and 22 of the *Alberta Utilities Commission Act*. When considering a claim for costs for a facilities proceeding, the Commission is also guided by the factors set out in Section 7 of Rule 009: *Rules on Local Intervener Costs* (Rule 009) and the Scale of Costs found in Appendix A of Rule 009.

7. Section 22 of the *Alberta Utilities Commission Act* defines what a "local intervener" is and states:

22(1) For purposes of this section, "local intervener" means a person or group or association of persons who, in the opinion of the Commission,

- (a) has an interest in, and
- (b) is in actual occupation of or is entitled to occupy

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<sup>2</sup> Decision 21973-D01-2017: Alberta Electric System Operator Chestermere 419S Substation and Balzac 391S Substation Modification Needs Identification Document Application and AltaLink Management Ltd. Chestermere 419S Substation and Interconnection Facility Applications, Proceeding 21973, May 26, 2017.

land that is or may be directly and adversely affected by a decision or order of the Commission in or as a result of a hearing or other proceeding of the Commission on an application to construct or operate a hydro development, power plant or transmission line under the Hydro and Electric Energy Act or a gas utility pipeline under the Gas Utilities Act, but unless otherwise authorized by the Commission does not include a person or group or association of persons whose business interest may include a hydro development, power plant or transmission line or a gas utility pipeline.

8. The cost claimants all own or reside on property located in close proximity to the project, and the Commission is satisfied that they have an interest in, and are entitled to occupy, land that may have been directly and adversely affected by the Commission’s decision on AltaLink’s application. Accordingly, the Commission finds that Ms. Kardash, the Forster Group, the South Chestermere Group, the City, the Knights and the WID are all local interveners.

**2.1 Ms. Anna Kardash**

9. The following table summarizes Ms. Kardash’s cost claim for the original proceeding:

Claimant	Hours			Fees	Disbursements	GST	Total
	Preparation	Attendance	Argument				
Ms. Kardash							
Honorarium	0.00	0.00	0.00	\$3,300.00	\$0.00	\$0.00	\$3,300.00
Total	0.00	0.00	0.00	\$3,300.00	\$0.00	\$0.00	\$3,300.00

10. Ms. Kardash requested a preparation honorarium of \$1,000.00, an attendance honorarium of \$300.00 and an honorarium for forming a group of \$2,000.00, totalling \$3,300.00. Ms. Kardash represented herself and participated in the hearing process. She raised relevant issues regarding the potential impacts of the proposed project being located on Site E including visual impacts, property value and safety, as well as concerns with AltaLink’s participant involvement program. The Commission considers that the preparation honorarium and attendance honorarium claimed are reasonable and within the Scale of Costs, and accordingly awards Ms. Kardash preparation honorarium of \$1,000.00 and an attendance honorarium of \$300.00.

11. Ms. Kardash also claimed an honorarium of \$2,000.00 for forming a group. In her statement of intent to participate, Ms. Kardash submitted a petition that had been made to AltaLink with approximately 160 signatures from Kinniburgh residents opposing Site E. Ms. Kardash stated that she was speaking on behalf of the Kinniburgh residents who signed the petition. However, there was no indication on the record of the original proceeding or this proceeding that the signatories to the petition appointed Ms. Kardash to represent them in the hearing process, and no other signatories participated in the hearing in collaboration with Ms. Kardash. With respect to forming a group, the Commission’s Rule 009 provides:

As organizing a group of local interveners may require time, effort, or expense, organizers may claim an honorarium of up to \$500. In exceptional cases when the necessary preparation time is substantial, honoraria in excess of \$500 may be claimed.

12. The honorarium of \$2,000.00 for forming a group is outside the Scale of Costs except in exceptional cases. No submissions were made in relation to why the necessary preparation time would have been substantial in this case. Further, the purpose of an honorarium for a group is to allow local interveners to recover the costs associated with the time, effort and expense of

organizing a group. The Commission does not consider the present circumstances to fall within the purpose of Rule 009 in respect of awarding an honorarium for forming a group. It is not apparent that any of the other signatories participated or provided input beyond signing the petition, and as such the time, effort or expense required for organization does not appear to warrant awarding an honorarium in these circumstances. The Commission accordingly denies Ms. Kardash’s claim for an honorarium of \$2,000.00 for forming a group.

13. For these reasons, the Commission approves Ms. Kardash’s claim for recovery of costs in the total amount of \$1,300.00, which is composed of a preparation honorarium of \$1,000.00 and an attendance honorarium of \$300.00.

## 2.2 The Forster Group

14. The following table summarizes the Forster Group’s cost claim for Proceeding 21973:

Claimant	Hours			Fees	Disbursements	GST	Total
	Preparation	Attendance	Argument				
The Forster Group							
Wilson Laycraft	27.00	29.20	0.00	\$17,473.00	\$158.34	\$1,527.37	\$19,158.71
Honorarium	0.00	0.00	0.00	\$1,750.00	\$0.00	\$0.00	\$1,750.00
<b>Total</b>	27.00	29.20	0.00	\$19,223.00	\$158.34	\$1,527.37	\$20,908.71

15. Mr. Monte Forster, Ms. Vicki Worthen and Ms. Leslie Bateman jointly own land, with their parents, that is directly south of Site E. Ms. Bateman appeared at the hearing and Ms. Worthen participated through teleconference on behalf of the group. The Forster Group submitted evidence and engaged in cross-examination and argument. The Forster Group was represented by Ms. Aimee Louie of Wilson Laycraft.

16. The Commission finds that the Forster Group acted responsibly in the original proceeding and contributed to a better understanding of the issues in the proceeding, and the services performed by Wilson Laycraft were directly and necessarily related to the Forster Group’s participation in the original proceeding.

### Wilson Laycraft

17. The Forster Group engaged in cross examination, provided direct evidence and gave argument. The cross-examination by the Forster Group and general participation in the oral hearing process was limited in comparison to other intervener groups such as the South Chestermere Group. This was at least in part, as acknowledged by the Forster Group’s counsel, due to a number of overlapping areas of cross-examination questions with the South Chestermere Group.<sup>3</sup>

18. As noted in Rule 009, local interveners with similar issues should consider intervening as a group rather than as individuals. The Forster Group, like the South Chestermere Group, was opposed to Site E for the proposed substation. However, the Forster Group was in closer proximity to Site E than the South Chestermere Group and was located south of the proposed site. The Forster Group raised distinct issues relating to their development plans for their land as

<sup>3</sup> Proceeding 21973, Transcript Volume 1, pages 226-227.

a long-term care facility and senior living centre. The Commission considers that the Forster Group's issues were distinct from those of the South Chestermere Group and that their participation as a separate group did not create unnecessary duplication of work in the proceeding. However, the Commission emphasizes the importance of coordination between groups of interveners with similar interests in order to reduce duplication of work and necessary preparation time for interveners and counsel to the greatest extent possible.

19. Considering the utility of the issues raised by the Forster Group to the Commission's determination of the issues in the original proceeding, the Commission finds that the legal fees claimed in respect of Wilson Laycraft's services were reasonable. Accordingly, the Commission approves the legal fees claimed for Wilson Laycraft in the amount of \$17,473.00, disbursements for meals, mileage and photocopying of \$158.34 and GST of \$1,527.37 for a total of \$19,158.71.

### Honorarium

20. The costs claim application also included a claim for preparation honorarium of \$1,500.00 for Ms. Bateman, for the preparation of evidence submissions by Ms. Worthen and Ms. Bateman which were prepared and submitted by them on behalf of the Forster Group before Wilson Laycraft was engaged. Appendix A of Rule 009 states that a preparation honorarium may not be awarded if a lawyer is primarily responsible for the preparation of an intervention. As the Forster Group was represented by Wilson Laycraft and bore the primary responsibility for the overall intervention, Ms. Bateman's claim for preparation honorarium is denied.

21. Based on a review of the statement of account prepared on behalf of the interveners, the Commission finds that Ms. Bateman was in attendance at the hearing for a total of two full days and one half day. Accordingly, the Commission awards attendance honorarium of \$250.00 for Ms. Bateman.

### Total amount awarded

22. For these reasons, the Commission approves the Forster Group's claim for recovery of costs in the total amount of \$19,408.71. This amount is composed of legal fees of \$17,473.00, honorarium of \$250.00, disbursements of \$158.34 and GST of \$1,527.37.

## 2.3 South Chestermere Group

23. The following table summarizes the South Chestermere Group's cost claim for the original proceeding:

Claimant	Hours			Fees	Disbursements	GST	Total
	Preparation	Attendance	Argument				
South Chestermere Group							
McLennan Ross LLP	94.40	0.00	0.00	\$33,040.00	\$4,112.37	\$1,857.62	\$39,009.99
Cottonwood Consultants Ltd.	39.25	0.00	0.00	\$10,597.50	\$57.83	\$532.77	\$11,188.10
Urban Systems Ltd.	20.00	14.00	0.00	\$5,780.00	\$1,626.74	\$366.14	\$7,772.88
Honorarium	0.00	0.00	0.00	\$250.00	\$0.00	\$0.00	\$250.00
<b>Total</b>	153.65	14.00	0.00	\$49,667.50	\$5,796.94	\$2,756.53	\$58,220.97

24. The Commission finds that the South Chestermere Group acted responsibly in the original proceeding and contributed to a better understanding of the issues in the proceeding. The South Chestermere Group submitted environmental evidence prepared by Cottonwood Consultants Ltd. (Cottonwood) and evidence prepared by Urban Systems Ltd. (Urban Systems) on property development in the area. The South Chestermere Group was represented by Mr. Gavin Fitch of MacLennan Ross LLP.

25. The Commission considers that the South Chestermere Group intervention was a thorough one and required more preparation than other interventions in the proceedings, due to the preparation of expert evidence from Cottonwood and Urban Systems in addition to the direct evidence provided on the record by Ms. Celina Cole Fiedler. The South Chestermere Group also engaged extensively in cross-examination of the applicant. The Commission considers that the South Chestermere Group's intervention contributed significantly to its understanding of the issues.

### **McLennan Ross LLP**

26. The fees claimed by the South Chestermere Group for the legal services provided by Mr. Fitch of McLennan Ross LLP related to reviewing the application and preparing for and attending the hearing.

27. The Commission finds that the fees and disbursements claimed in respect of the services rendered by MacLennan Ross LLP, which were claimed in accordance with the Scale of Costs for those services, were reasonable. Accordingly, the Commission approves the legal fees claimed for McLennan Ross LLP by the South Chestermere Group in the amount of \$33,040.00, disbursements for meals, transcripts, postage and photocopying of \$4,112.37 and GST of \$1,857.62 for a total of \$39,009.99.

### **Cottonwood Consultants Ltd.**

28. The South Chestermere Group retained Mr. Cliff Wallis of Cottonwood to provide evidence on the comparative environmental impacts of Site A, Site C and Site E. Mr. Wallis reviewed the environmental evaluation report prepared by AltaLink's consultant, CH2M Hill Energy Canada Ltd. and conducted his own evaluation and comparison of the biophysical impacts of the three sites using a number of different metrics focusing on wetlands and wildlife at the potential sites.

29. The Commission considers that Mr. Wallis provided knowledgeable testimony which was useful in contributing to its understanding of the comparative effects on the environment at each of the three sites, including the potential effects on wetlands, wildlife habitat, and bird mortality risk. Mr. Wallis also contributed to the Commission's understanding of potential mitigation measures and required or suggested setbacks from environmental features at the sites. Overall, the Commission finds that Cottonwood's work contributed to a better understanding of the comparative environmental impacts of the proposed project on Sites A, C and E.

30. The South Chestermere Group claimed total fees of \$10,597.50 representing 26.25 hours for preparation and 13 hours for Mr. Wallis's attendance at the hearing for a total of 39.25 hours. With respect to Mr. Wallis's attendance at the hearing, the Commission finds it reasonable for Mr. Wallis to have attended the hearing for two days in order to hear AltaLink's evidence and

assist counsel for the South Chestermere Group in cross-examination on the first day, and to provide direct evidence on the second day.

31. The Commission has noted that Cottonwood claimed GST associated with their claim for mileage. Appendix A of Rule 009 states that the Commission's mileage rate for automobile travel is 46 cents per km including GST. The GST of \$2.92 claimed for mileage has been disallowed.

32. For these reasons, the Commission approves the South Chestermere Group's claim for consulting fees for Cottonwood in the amount of \$10,597.50, disbursements for mileage of \$57.83 and GST of \$529.88 for a total of \$11,185.21.

### **Urban Systems Ltd.**

33. Mr. David Bell and Mr. Justin Barer of Urban Systems were retained by the South Chestermere Group to give evidence on the likely timing of light industrial development on the parcel where Site E is located. Urban Systems prepared a report detailing its assessment of the current and near-term industrial lands market in the Chestermere area in order to determine the likelihood of substantial market transactions and development activity occurring within the next few years. The South Chestermere Group submitted, based on Urban Systems' report, that the likelihood of a full build-out surrounding the proposed Site E would not occur within 10 years, thus reducing the mitigative effect of that development on the proposed project's impacts to nearby residences.

34. The South Chestermere Group claimed total fees of \$5,780.00 for Urban Systems representing 20 hours for preparation and 14 hours for Mr. Barer and Mr. Bell's attendance at the hearing for a total of 34 hours.

35. The Urban Systems report and the testimony from Mr. Barer and Mr. Bell contributed to the Commission's understanding of the issues in the proceeding, and in particular provided information on the potential impacts to surrounding areas that may occur from the proposed project being located on Site E. The Commission considers that Mr. Barer and Mr. Bell gave knowledgeable testimony on the potential and timing for development surrounding Site E and as such contributed to the Commission's understanding of the comparative impacts of the projects at Site E versus Site A or Site C. The Commission considers that the fees claimed in respect of the services rendered by Urban Systems, which were claimed in accordance with the Scale of Costs for those services, were reasonable. Accordingly, the Commission approves the consulting fees claimed for Urban Systems by the South Chestermere Group in the amount of \$5,780.00.

36. The Commission has reviewed the disbursements claimed for Urban Systems and finds that the claims for accommodation exceed the approved rate in the Scale of Costs. As a consequence, the Commission reduces the applied for daily rate from \$293.00 to \$140.00.

37. The Commission also notes that the claim for mileage has been claimed at 52 cents per km. Appendix A of Rule 009 states that the Commission's mileage rate for automobile travel is 46 cents per km, including GST. The adjustment brings the amount recoverable for mileage during the hearing to \$27.60. Further, the Commission has noted that Urban Systems claimed GST associated with their claim for mileage. The GST of \$1.56 claimed for mileage has been disallowed.

38. The Commission approves the remaining claims for disbursements for Urban Systems in the amount of \$1,302.54. Consequently, the Commission approves total disbursements in the amount of \$1,470.14 inclusive of the accommodation and mileage approved.

39. For these reasons, the Commission approves the South Chestermere Group’s claim for consulting fees for Urban Systems in the amount of \$5,780.00, disbursements of \$1,470.14 and GST of \$364.58 for a total of \$7,613.16.

**Honoraria**

40. The costs claim application also included a claim for attendance honorarium of \$250.00 for Ms. Fiedler, for two full hearing days and one half day at \$50.00 for each half day in accordance with the Scale of Costs. The Commission approves Ms. Fiedler’s claim for an attendance honorarium of \$250.00.

**Total amount awarded**

41. For these reasons, the Commission approves the South Chestermere Group’s claim for recovery of costs in the total amount of \$58,059.92. This amount is composed of legal fees of \$33,040.00, consulting fees of \$16,377.50, honorarium of \$250.00, disbursements of \$5,640.34 and GST of \$2,752.08.

**2.4 City of Chestermere**

42. The following table summarizes the City’s cost claim for the original proceeding:

Claimant	Hours			Fees	Disbursements	GST	Total
	Preparation	Attendance	Argument				
City of Chestermere							
Brownlee LLP	22.90	29.55	10.88	\$20,236.50	\$4,272.55	\$1,224.83	\$25,733.88
<b>Total</b>	22.90	29.55	10.88	\$20,236.50	\$4,272.55	\$1,224.83	\$25,733.88

43. The City owns the parcel on which Site E would be located. The City was in favour of Site E as the preferred site due to plans that it has to develop that quarter section of land and had entered into an option-to-purchase agreement with AltaLink. Mr. Jean-Marc Lacasse is the Manager – Economic Development at the City and appeared on its behalf. The City was represented by Mr. Thomas Marriott of Brownlee LLP. In accordance with the Commission’s correspondence dated May 12, 2017 respecting additional costs for the WID’s request for confidential treatment of the dam safety report, the City submitted an additional costs claim on June 6, 2017.

44. The Commission finds that the City acted responsibly in the original proceeding and contributed to a better understanding of the issues in the proceeding, and that the services performed by Brownlee LLP were directly and necessarily related to the City’s participation in the original proceeding. The Commission finds that the fees charged in respect of the services performed by Brownlee LLP were generally reasonable. However, the Commission considers that the additional fees claimed for the purpose of addressing the WID’s confidentiality request are excessive.

45. On May 15, 2017, the City filed submissions on the draft dam safety study on the record of Proceeding 21973. The City stated that it had compared the study provided by the WID

through the confidentiality process with the study the City received from the WID prior to the hearing. The City confirmed that no changes were made to the study, other than the pages previously marked “draft” were replaced with “confidential”, and submitted that its evidence and information responses pertaining to the inundation area and the study remain accurate. The City’s additional costs claim for legal fees pertained to the comparison of the two versions of the study and the preparation of its May 15, 2017 submissions. The legal fees claimed were comprised of 4.7 hours for Mr. Marriott and 6.1 hours for Mr. Adam Ferris.

46. The 6.1 hours incurred by Mr. Ferris were for the purpose of summarizing the hearing transcripts. It is not clear to the Commission why summaries of the hearing transcripts were directly necessary to facilitate the City’s participation in the proceeding, particularly for the limited purpose of assessing whether any changes had been made to the study and/or whether further submissions on that study were needed. Accordingly, the Commission denies the costs claimed for the purpose of summarizing the hearing transcripts, and reduces the City’s additional cost claim by \$549.00.

47. The City’s costs claim also includes 1.75 hours for Mr. Marriott to review the Commission’s decision approving Site E. The Commission does not consider the costs of reviewing its decisions on a proceeding to be recoverable under Rule 009. Accordingly, the Commission reduces the City’s additional costs claim by \$612.50

48. The Commission has noted that the City claimed GST associated with their claim for mileage. Appendix A of Rule 009 states that the Commission’s mileage rate for automobile travel is 46 cents per km including GST. The GST of \$14.02 claimed for mileage has been disallowed.

49. Accordingly, the Commission approves the legal fees claimed for Brownlee LLP by the City in the amount of \$19,075.00, disbursements for accommodation, meals, mileage, transcripts, photocopying, printing and scanning of \$4,272.55 and GST of \$1,152.73 for a total of \$24,500.28.

## 2.5 John and Doreen Knight

50. The following table summarizes the Knights’ cost claim for the original proceeding:

Claimant	Hours			Fees	Disbursements	GST	Total
	Preparation	Attendance	Argument				
John and Doreen Knight							
<b>Municipal Counsellors</b>	13.75	25.00	2.30	\$14,367.50	\$435.34	\$739.15	\$15,541.99
<b>Total</b>	13.75	25.00	2.30	\$14,367.50	\$435.34	\$739.15	\$15,541.99

51. The Knights own and farm the land where the proposed alternate Site C was located. The Commission finds that the Knights acted responsibly in the original proceeding and contributed to a better understanding of the issues in the proceeding. The Knights provided relevant information to the Commission dealing with the potential impacts of the proposed project being located on Site C, including agricultural impacts and relevant land use considerations.

52. In their updated costs claim filed on June 14, 2017, the fees claimed in respect of the legal services provided by Mr. Hugh Ham of Municipal Counsellors were \$14,367.50, disbursements of \$435.34 and GST of \$739.15 for a total of \$15,541.99. The fees claimed were

in accordance with the Scale of Costs. Given the Knights' contribution to the information provided to the Commission on the relative impacts of Sites A, C and E, as well as the general efficiency and cost-consciousness of their intervention, the Commission finds that the fees claimed for Municipal Counsellors' services were reasonable.

53. For these reasons, the Commission approves the Knights' claim for legal fees for Municipal Counsellors in the amount of \$14,367.50, disbursements for photocopying and land title searches of \$435.34 and GST of \$739.15 for a total of \$15,541.99.

## 2.6 Western Irrigation District

54. The following table summarizes the WID's cost claim for Proceeding 21973:

Claimant	Hours			Fees	Disbursements	GST	Total
	Preparation	Attendance	Argument				
Western Irrigation District							
McMillan LLP	0.00	0.00	4.80	\$1,738.50	\$57.31	\$0.00	\$1,795.81
<b>Total</b>	0.00	0.00	1.30	\$1,738.50	\$57.31	\$0.00	\$1,795.81

55. The WID participated in the original proceeding for the limited purpose of addressing issues relevant to the proximity of the project to Lake Chestermere, which it owns and operates as a storage reservoir, and for dealing with an issue of confidentiality surrounding its dam safety report. The Commission finds that the WID acted responsibly in the original proceeding and was useful in contributing to its understanding of the issues surrounding the project's proximity to the reservoir and related inundation area.

56. The WID was represented by McMillan LLP in the original proceeding. The fees claimed for the legal services provided by Mr. Richard Jones relate to providing legal advice regarding confidentiality and drafting a letter to the Commission regarding confidentiality. WID also claimed 1.30 hours for secretarial services provided by Mr. David Tsumagari.

57. The WID's participation was efficient and limited to the issue of the reservoir and inundation area's proximity to the proposed Site E. The Commission considers that the legal fees incurred for McMillan LLP's services were reasonable for the purposes of dealing with this issue and the associated confidentiality process. The fees claimed were within the Scale of Costs.

58. Accordingly, the Commission approves the WID's claim for legal fees for McMillan LLP in the amount of \$1,738.50 and disbursements for courier fees of \$57.31 for a total of \$1,795.81

## 3 Order

59. It is hereby ordered that:

- 1) AltaLink Management Ltd. shall pay intervener costs to Ms. Anna Kardash in the amount of \$1,300.00.
- 2) AltaLink Management Ltd. shall pay intervener costs to the Forster Group in the amount of \$19,408.71. Payment shall be made to Wilson Laycraft, attention: Mr. James Laycraft at 1601, 333-11 Avenue SW, Calgary, Alberta, T2R 1L9.

- 3) AltaLink Management Ltd. shall pay intervener costs to the South Chestermere Group in the amount of \$58,059.92. Payment shall be made to McLennan Ross LLP, attention: Mr. Gavin Fitch at 1000 First Canadian Centre, 350-7<sup>th</sup> Avenue SW, Calgary, Alberta, T2P 3N9.
- 4) AltaLink Management Ltd. shall pay intervener costs to the City of Chestermere in the amount of \$24,500.28. Payment shall be made to Brownlee LLP, attention: Mr. Thomas Marriott at 2200 Commerce Place 10155-102 Street, Edmonton, AB, T5J 4G8.
- 5) AltaLink Management Ltd. shall pay intervener costs to Mr. John Knight and Ms. Doreen Knight in the amount of \$15,541.99. Payment shall be made to Municipal Counsellors Barristers and Solicitors, attention: Mr. Hugh Ham at 5838 Burbank Road SE, Calgary, Alberta T2H 1Z3.
- 6) AltaLink Management Ltd. shall pay intervener costs to the Western Irrigation District in the amount of \$1,795.81. Payment shall be made to McMillan LLP, attention: Mr. Richard Jones at Suite 1700, 421-7 Avenue SW, Calgary, Alberta T2P 4K9.

Dated on September 29, 2017.

**Alberta Utilities Commission**

*(original signed by)*

Neil Jamieson  
Panel Chair

*(original signed by)*

Kate Coolidge  
Acting Commission Member