



AltaLink Management Ltd.

Decision on Preliminary Question

Application for Review of:

Decision 22612-D01-2018 AltaLink L.P. Transfer of Specific Transmission Assets to PiikaniLink L.P. and KainaiLink L.P. and the Associated 2017-2018 General Tariff Applications; and

Decision 23902-D01-2018 AltaLink L.P. Transfer of Specific Transmission Assets to PiikaniLink L.P. and KainaiLink L.P. and the Associated 2017-2018 General Tariff Applications Costs Award

Costs Award

July 4, 2019

Alberta Utilities Commission

Decision 24469-D01-2019

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Published by the:

Alberta Utilities Commission

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**Decision 24469-D01-2019
Proceeding 24469**

1 Introduction

1. In this decision, the Alberta Utilities Commission considers an application by the Consumers' Coalition of Alberta (CCA) for approval and payment of its costs of participation in Proceeding 24240¹ (the review 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
CCA								
Wachowich & Company	\$1,400.00	\$0.00	\$70.00	\$1,470.00	\$1,400.00	\$0.00	\$70.00	\$1,470.00
Bema Enterprises Ltd.	\$2,397.50	\$0.00	\$119.88	\$2,517.38	\$2,397.50	\$0.00	\$119.88	\$2,517.38
Total	\$3,797.50	\$0.00	\$189.88	\$3,987.38	\$3,797.50	\$0.00	\$189.88	\$3,987.38

2. The Commission has decided to approve the costs, as claimed, for the reasons provided below.

3. The review proceeding was convened by the Commission to consider whether to grant an application filed by AltaLink Management Ltd. (AltaLink), in its capacity as general partner of AltaLink, L.P., PiikaniLink L.P. and KainaiLink L.P., requesting a review and variance of specific findings in Commission Decision 22612-D01-2018: AltaLink L.P. Transfer of Specific Transmission Assets to PiikaniLink L.P. and KainaiLink L.P. and the Associated 2017-2018

¹ Proceeding 24240: AltaLink Management Ltd. Decision on application for review of Decision 22612-D01-2018: AltaLink L.P. Transfer of Specific Transmission Assets to PiikaniLink L.P. and KainaiLink L.P. and the Associated 2017-2018 General Tariff Applications; and Decision 23902-D01-2018: AltaLink L.P. Transfer of Specific Transmission Assets to PiikaniLink L.P. and KainaiLink L.P. and the Associated 2017-2018 General Tariff Applications Costs Award.

General Tariff Applications,² and Decision 23902-D01-2018: AltaLink L.P. Transfer of Specific Transmission Assets to PiikaniLink L.P. and KainaiLink L.P. and the Associated 2017-2018 General Tariff Applications Costs Award.³ The proceeding included submissions by the CCA and the Robert Crow Blood Tribe and reply submissions from AltaLink.

4. The close of record for the review proceeding was February 28, 2019, and the Commission issued Decision 24240-D01-2019 on May 29, 2019 denying the review application.⁴

5. Pursuant to subsection 5.3 of Rule 022: *Rules on Costs in Utility Rate Proceedings*, a cost claim for a review application may either be filed within 30 days after the Commission's determination of the review application or, where the Commission has granted a review application and held a hearing or other proceeding, within 30 days after the conclusion of that proceeding. As there was no further proceeding following the release of Decision 24240-D01-2019, any cost claim application was due 30 days from May 29, 2019, or June 28, 2019.

6. The CCA submitted its costs claim application on April 1, 2019, within the timelines permitted by the Commission's rules. The Commission assigned Proceeding 24469 and Application 24469-A001 to the costs claim application. No comments were filed with respect to the costs claim application and the Commission considers the close of record for this proceeding to be June 28, 2019, the deadline for filing a costs claim application.

2 Commission findings

7. The Commission's authority to award costs for participation in a proceeding to consider an application to review a decision on a utility rates matter is found in Section 21 of the *Alberta Utilities Commission Act*. The Commission has applied the provisions of Section 5 and Section 11 of Rule 022. Section 11 allows the Commission to consider, among other things, whether costs claims are reasonable and directly and necessarily related to the review proceeding, and whether the participants acted responsibly and contributed to a better understanding of the issues

² Decision 22612-D01-2018: AltaLink Management Ltd. AltaLink L.P. Transfer of Specific Transmission Assets to PiikaniLink L.P. and KainaiLink L.P. and the Associated 2017-2018 General Tariff Applications, Proceeding 22612, November 13, 2018.

³ Decision 23902-D01-2018: AltaLink Management Ltd. AltaLink L.P. Transfer of Specific Transmission Assets to PiikaniLink L.P. and KainaiLink L.P. and the Associated 2017-2018 General Tariff Applications Costs Award, Proceeding 23902, December 20, 2018.

⁴ Decision 24240-D01-2019: AltaLink Management Ltd. Decision on application for review of Decision 22612-D01-2018: AltaLink L.P. Transfer of Specific Transmission Assets to PiikaniLink L.P. and KainaiLink L.P. and the Associated 2017-2018 General Tariff Applications; and Decision 23902-D01-2018: AltaLink L.P. Transfer of Specific Transmission Assets to PiikaniLink L.P. and KainaiLink L.P. and the Associated 2017-2018 General Tariff Applications Costs Award, Proceeding 24240, May 29, 2019.

before the Commission. Appendix A of Rule 022 prescribes a Scale of Costs applicable to all costs claimed.

2.1 Consumers' Coalition of Alberta

8. The following table summarizes the CCA's costs claim.

Claimant	Hours			Fees	Disbursements	GST	Total
	Preparation	Attendance	Argument				
CCA							
Wachowich & Company	4.00	0.00	0.00	\$1,400.00	\$0.00	\$70.00	\$1,470.00
Bema Enterprises Ltd.	10.20	0.00	0.00	\$2,397.50	\$0.00	\$119.88	\$2,517.38
Total	14.20	0.00	0.00	\$3,797.50	\$0.00	\$189.88	\$3,987.38

9. The Commission finds that the CCA acted responsibly in the review proceeding and contributed to a better understanding of the relevant issues in the proceeding.

2.1.1 Wachowich & Company

10. The CCA was represented by Wachowich & Company in the review proceeding. The fees claimed by the CCA for the legal services provided by James Wachowich relate to reviewing the application, the draft submission and AltaLink's submissions.

11. The Commission finds that the services performed by Wachowich & Company were directly and necessarily related to the CCA's participation in the review proceeding, and that the fees, which were claimed in accordance with the Scale of Costs for those services, are reasonable. Accordingly, the Commission approves the CCA's claim for legal fees for Wachowich & Company in the amount of \$1,400.00 and GST of \$70.00 for a total of \$1,470.00.

2.1.2 Bema Enterprises Ltd.

12. Bema was retained by the CCA to perform consulting services in the review proceeding. The fees claimed by the CCA were for consulting services provided by Dustin Madsen, Angela Chau and Dan Levson and relate to reviewing the application, preparing and reviewing the draft submission and reviewing AltaLink's reply submission. The CCA had participated in Proceeding 22612 and also filed a cost claim in Proceeding 23902. The matters that were the subject of review in Proceeding 22612 concerned findings related to matters that the CCA had canvassed in the original proceeding. As such, the CCA was familiar with the subject matters under review and the time claimed to review AltaLink's application and to provide submissions is reflective of this past participation.

13. The Commission finds that the services performed by Bema were directly and necessarily related to the CCA's participation in the review proceeding, and that the fees, which were

claimed in accordance with the Scale of Costs for those services, are reasonable. Accordingly, the Commission approves the CCA's claim for consulting fees for Bema in the amount of \$2,397.50 and GST of \$119.88 for a total of \$2,517.38.

2.1.3 Total awarded to the CCA

14. For the reasons provided above, the Commission approves the CCA's claim for recovery of costs in the total amount of \$3,987.38. This amount is composed of legal fees of \$1,400.00, consulting fees of \$2,397.50 and GST of \$189.88.

3 Order

15. It is hereby ordered that:

- 1) AltaLink Management Ltd. shall pay intervener costs to the Consumers' Coalition of Alberta the total amount of \$3,987.38. These approved costs shall be borne by the shareholders of AltaLink Management Ltd. and may not be included in or form the basis of any forecast used to apply for rate increases in accordance with section 5.1 of Rule 022.

Dated on July 4, 2019.

Alberta Utilities Commission

(original signed by)

Anne Michaud
Vice-Chair