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VIA e-mail

Alberta Utilities Commission
Ms. Giuseppa Bentivegna
Law Branch
Fifth Avenue Place, 4th Floor
425 – 1st Street SW
Calgary, Alberta T2P 3L8

Dear Ms. Bentivegna:

BULLETIN 2008-16

Draft Revised Rule 022, *Rules on Intervener Costs in Utility Rate Matters*

Pursuant to the Commission (AUC) letter of July 31, 2008 the Alberta Sugar Beet Growers (ASBG) and the Potato Growers of Alberta (PGA) hereby provide additional comments on the referenced Draft Revised Rule 022, Rules on Intervener Costs in Utility Rate Matters.

On page 2 of Bulletin 022 the AUC indicates:

The Commission is of the opinion that the purpose of the intervener costs regime is to permit representation for customers who have a significant interest in the outcome of a rate application, but either individually, or collectively, do not have the means to raise sufficient financial resources to represent their interests adequately. This is the underlying principle for cost eligibility and is reflected in the Draft Revised Rule 022.

And

The Commission has revised the current business interest rule. Section 4 of draft Rule 022 identifies those parties that are, *prima facie*, ineligible to apply for cost recovery. These parties include business and commercial entities or associations of those entities - - .

ASBG/PGA submit that the foregoing excerpt illustrates an inconsistency in the proposed AUC approach to intervener costs. As discussed in our earlier submission on this issue (letter of April 15, 2008) ASBG/PGA represent farm and irrigation utility customers that have a significant interest in the outcome of utility electric and gas rate applications but do not have the means to raise sufficient financial resources to represent their interests adequately.

However the proposed amendments to the business interest rule render any business entity or association of those entities ineligible to apply for cost recovery. This classification of a business makes no distinction whether the business is a small farming operation or a very large corporation. ASBG/PGA submit that this lack of distinction does not provide for a level playing field amongst small and large utility customers. It is submitted that the end result will be that only the larger utility customers with financial resources will be able to participate in rate proceedings and the concerns of the small utility customer will not be heard. This is contrary to the Department of Energy's November 27, 2007 News Release on Bill 46 where Minister Knight indicated that independent consumer groups will continue to effectively represent Alberta's small utility consumers at rate hearings.

Please contact Henry Unryn at (403) 294 1351 or unrynhen@telus.net with any questions on the comments provided.

Yours truly,

UNRYN & ASSOCIATES LTD.

(e-mailed)

J. Henry Unryn

Representing
ASBG/PGA

cc: Bruce Webster, ASBG
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