

YUKON UTILITIES CONSUMERS' GROUP (UCG)

242 Squanga Ave.
Whitehorse, Yukon Y1A 3Y6
email: rondeau@northwestel.net

June 29, 2024

Yukon Utilities Board
Box 31728
Whitehorse, Yukon Y1A 6L3
Attention: Chair and Board Members

Re: UCG Cost Claim ATCO Electric Yukon 2023/24 General Rate Application

Dear Mr. Buchan:

Enclosed for review of the Board are the costs claimed by the Yukon Utilities Consumers' Group (UCG) resulting from the regulatory review of ATCO Electric Yukon (AEY) 2023/24 General Rate Application.

Accompanying this letter to UCG's cost claim is the following attachments:

- a) a services agreement with time rendered;
- b) an invoice summary; and
- c) a detailed schedule for the time claimed for Mr. Rondeau.

A separate attachment with the following:

- Form 1 - Summary of total costs claimed;
- Form 2 - Summary of professional fees claimed by Mr. Rondeau;
- Form 3 - Summary of disbursements claimed; and
- Form 4 - Affidavit of fees and expenses claimed.

UCG notified the YUB that we would be acquiring the services of Mr. Roger Rondeau as our regulatory consultant in this proceeding. This was outlined in UCG's letter of our intention to intervene in all aspects of this process, dated August 4, 2023. To our knowledge, no party raised any issue with respect to this proposal throughout the course of the proceedings.

UCG submits that Mr. Rondeau provided his services in a professional manner and with the proficiency that assisted in the quality and efficiency of the proceedings. He assisted the UCG in making valuable and comprehensive submissions from the perspective of the residential and small business ratepayer group we represent. Mr. Rondeau has intervened and/or participated, on behalf of the UCG, in most Yukon Energy Corporation and ATCO Electric Yukon/Yukon Electrical Corporation proceedings before the Yukon Utilities Board since 1993. He has also represented Yukon ratepayers in several CRTC hearings deliberating Northwestel rate proceedings, hearings on universal service for telephone/internet held in Ottawa, hearings on

the necessity for northern subsidies for telecommunications services, as well as other regulatory procedures.

With respect to Mr. Rondeau's claimed hourly fee of \$100 per hour, UCG submits that this rate is well below the rates charged by professionals for the applicant, Yukon Energy, for similar categories of work performed. This included his cross examination of the ATCO panels. UCG notes that interveners are scheduled to only receive set recoveries for hearings, we reiterate that this is an unfair method of interpreting the costs to be recovered referred to as attendance. It is not attendance per se as Mr. Rondeau was tasked with cross-examination of witness panels as well as taking notes and gleaning information during the whole hearing to document our intervention and final argument. UCG considers this hourly rate for all portions of the process as justified based on the complexity of this proceeding, taking on this significant role without the assistance of legal counsel.

UCG understands that the YUB has the authority to use its discretion when determining the rates charged and costs allowed by all parties in this process.

UCG submits that the scope of issues in this proceeding were extensive and the amount of evidence (i.e. from the filed application to interrogatories answered by AEY through various avenues, as well as four days of cross examination hearings), required numerous hours of work to ensure that arguments put forward to the YUB were comprehensive and relevant.

UCG concludes that these costs incurred by UCG were reasonable and necessary to provide effective participation in this regulatory review. UCG proposes it acted responsibly and contributed to a better understanding of the issues to be decided by the Board. While the Board did not accept all the arguments made by UCG nor did it address all the issues raised by UCG, the submissions on behalf of UCG throughout this process contributed to a professional discussion on all matters that needed to be addressed through the eyes of a consumer advocate perspective. UCG was referenced several times in the final Board decision YUB Order 2024-01, May 30, 2024 on this application.

We ask that all cost claim amounts approved for the UCG be made payable to be and sent to:
Utilities Consumers' Group
242 Squanga Ave.
Whitehorse, Yukon Y1A 3Y6

If there are any questions concerning the contents of this submission, I would ask that they be directed by email to rroudeau@northwestel.net or by phone at 633-5210.

Regards,

William Polonsky, Vice President

Yukon Utilities Consumers' Group (UCG)

Roger Rondeau
242 Squanga Ave.
Whitehorse, Yukon Y1A 3Y6
email: rrondeau@northwestel.net

**SERVICES AGREEMENT AND
SERVICES PROVIDED**

Consultant Services rendered to Yukon Utilities Consumers' Group(UCG) by Roger Rondeau for the: **Yukon Utilities Board Proceeding regarding ATCO Electric Yukon 2023/24 General Rates Application**

- Review of the application of AEY, July 7, 2023;
- Preliminary discussions with UCG executive and members;
- Identify UCG issues, consultation on procedural issues; including requested interim rates; and
- Preparation of intervention letter request and response to interim rate application, to the YUB, Aug.4/23
(Rondeau – 6.0 hours)

- Detailed review of application of AEY;
- Preparation for and attendance at AEY Procedural Conference, July 27, 2023;
- Consultation with UCG on IR-related, as well as procedural issues;
- Research and development of all information requests related to the issues to be addressed; presented to Board and applicant August 24, 2023;
- Review AEY depreciation parameter information and prepare IRs;
- Detailed review of responses of AEY for information requests presented by the YUB, John Maissan, Nathaniel Yee and UCG, September 14, 2023;
- Preparation of motion on inadequate IR responses; September 21,2023;
- Preparation of UCG response to AEY reply on Notice of Motion;
- Further review of YEC responses to first IRs and revised IRs, in order to prepare for hearing; and
- Review of Concentric report on rate of return and prepare questions for hearing.
(Rondeau-84hours)

- Research for and preparation of cross-examination questions and related materials for public hearing.
(Rondeau 17 hours)

- 4-day Hearing attendance December 4-7, cross examination by Mr. Rondeau during hearing (Dec. 4 and 5th.),
- preparation each evening for question development time as well as daily transcript review
(Rondeau – 40 hours)

- Review all evidence provided during the process, review and analyze transcripts of 4 days hearing, necessary for development, preparation and presentation of UCG final arguments.

(Rondeau – 39 hours)

- Processing all final arguments of the parties and preparation of UCG's reply argument.
- Processing UCG Cost Claim

(Rondeau – 29.5 hours)

Total Hours

Claimed: 215.5

Hourly Rate

\$100.00

Total Fees Claimed:

\$21,550

GST (5%): N/a

Total Claim: **\$21,550.00**

Summary of Work Performed by Mr. Rondeau on behalf

of the Yukon Utilities Consumers' Group

(A more detailed description of the time logged by Mr. Rondeau in this proceeding is outlined in: Schedule A on pages following this summary)

1. Preparation for discussion with UCG administration and members for intervention and issues. Mr. Rondeau provided the UCG with background research on issues raised within the application that could be specifically identified by UCG and by Mr. Rondeau based on his experience. These discussions helped explain how issues should be addressed in the proceeding of this rate application 2023/24 AEY GRA.
2. Prepared UCG's intervention application for intervenor status. At the same time, prepared and presented a submission regarding *AEY interim rate request*.
3. In-depth review of July 27, 2023 YEC application and all evidence for preparation of information requests.
4. Preparation and attendance at Procedural Conference provided by the AEY.
5. On September 6, 2023 UCG submitted multi-part information requests covering the full range of issues raised by the UCG. In preparation for these IR requests, Mr. Rondeau reviewed the application and all filed evidence, reviewed material put on record at previous Board reviews of AEY operations and conducted research on specific issue treatment from past proceedings in the Yukon. Mr. Rondeau identified requests for information in numerous issue areas including customer bill impact and mitigation, business cases for major capital projects and initiatives, O&M expenses, depreciation/amortization/working capital expenses, cost of capital and capital structure, and demand side management costs. Mr. Rondeau drafted, edited, and finalized the information requests submitted on behalf of UCG.
6. Detailed review of IR responses and motion for more complete responses and more detail on some critical issues. AEY filed over 1500 pages of responses to information requests submitted to it by the Board and intervenors. Reviewing this material in conjunction with all the evidence on record to this date required sufficient time to ensure that responses were complete and adequately responded to by the YEC. Mr. Rondeau also used this review to formulate issues that still needed to be addressed (requiring a Motion for more complete responses) as well as preparing for the cross-examination at the oral hearing.
7. Detailed review of AEY evidence on Parameters of Depreciation Study and prepared UCG IRs on this information.
8. Preparation of cross-examination materials / questions for hearing. Besides a thorough review of the application and all the evidence on record, preparation of cross-examination materials for the hearing required extensive discussion and exchanges between UCG

executive/members and Mr. Rondeau.

Research and preparation/attendance during hearing process. During the oral hearing, Mr. Rondeau was available prior to and after each hearing day to clarify positions on various issues discussed at the hearing and to provide UCG with clarification of the history behind many of the issues being discussed to assist with the formulation of final arguments. Mr. Rondeau was required to research specific statements and issues that arose during the hearing cross examination. He provided material related to past YUB decisions as well as his experience in the utility industry and the Yukon energy arena.

6. Preparation of final argument. Development of UCG's final argument required the reading of over 700 pages of transcript from the hearing as well as the thousands of pages of evidence put on the record by AEY, the City of Whitehorse and Nathaniel Yee through filed evidence and responses to information requests and undertakings. Mr. Rondeau developed a draft final argument. The process for developing the final argument was an iterative one over several days involving Mr. Rondeau and UCG group discussions with individuals offering suggestions on positions and possible edits to make. Mr. Rondeau was then responsible for developing UCG final argument positions to then submit to the YUB.

7. Added time spent by Mr. Rondeau on preparing for final argument was necessary for the research and review of past, present and future costs for all major capital projects in aid to understanding timelines and *the accumulated costs* of these projects to help determine if they were cost effective, transparent and prudent.

8. Preparation of reply argument. Like the development of final argument, UCG's reply argument to the final arguments submitted by other parties was a collaborative process involving Mr. Rondeau and UCG. Mr. Rondeau first developed a draft reply argument that primarily focused on the arguments submitted by AEY. Discussion with UCG to develop reply argument based on specific comments of argument to determine conclusions. These were attempted to keep in the same order as they appeared within the final arguments. Mr. Rondeau was then responsible for developing the final reply argument which was then submitted to the YUB.

9. Preparation and filing of UCG Cost Claim

Schedule A

July 7 - Aug. 4th, 2023

(6.0 hours)

- Consultation with UCG regarding UCG expectations for proceeding, preliminary review of AEY application and previous GRA regulatory proceedings, research on issues identified by UCG, preparation and finalization of intervention status and discussion on proposed interim rates requested by AEY (subtotal 3.5 hours)
- Preparation and presentation of UCG application for intervenor status to the YUB, August 4, 2023 (subtotal 1 hour)
- Preparation and presentation of UCG submission regarding AEY request for interim rates (subtotal 1.5 hours)

July 26-27, 2023

(7.0 hours)

- Preparation for and attendance of AEY Procedural Conference July 27, 2023

August 5- Sept.6, 2023

(39 hours)

- Complete a review of application, correspondence / discussion with UCG re: issues to address in IRs, identify potential evidence on specific issues for argument (subtotal 8.0 hours)
- Complete research, preparation of draft IRs on AEY evidence (subtotal 10.5hrs.)
- Correspondence / discussion with UCG, more in-depth preparation and revisions of draft IRs on AEY evidence and cross-reference documentation; preparation of final IRs and cover letter for submission; identification of corrections required to submitted IRs (subtotal 20.5 hours)
- UCG IRs submitted September 6, 2023

September 11-October 10,2023

(13.0 hours)

- Review and discussion with UCG on the AEY Depreciation Parameters study and information. (subtotal 5 hours)
- Preparation of IRs on Depreciation parameters (subtotal 5 hours)
- Development and presentation to YUB for UCG IRs Oct.10/23 (subtotal 1 hr.)
- Review all the AEY responses to depreciation IRs referenced Oct.24/23 (subtotal 2 hours)

September 28-October 20, 2023

(17 hours)

- Preliminary review of all AEY responses to IRs submitted by YUB, UCG, NDP, JM, and NY; discussion with UCG members on issues arising from these various responses; (subtotal 3 hours)
- In-depth Review IR responses from AEY for completeness and identification of issues for further information needed; (subtotal 8.0 hours);
- preparation of draft Notice of Motion regarding inadequacy of IR responses, submitted October 5, 2023; (subtotal 2.0 hour)
- Review of AEY response to Notice of motions and YUB directions on responses to Motions; Oct.10/23 (subtotal 2 hours)
- Prepare reply to AEY response, Oc.12/23 (subtotal 1 hour)
- Review all AEY and YUB correspondence and responses for more information on IRs; (subtotal 1 hour)

November 20-22,2023

(8 hours)

- Review AEY letter and Concentric business risk report and added related documents;
(subtotal 4 hours)
- Prepare cross examination questions for AEY specialist consultant from Concentric.
(subtotal 4 hrs.)

November 23-26, 2023

(17 hours)

- Preparation for hearing including review of all evidence including AEY updated and revised evidence.
(subtotal 7.5 hrs)
- correspondence /discussion with UCG re: cross-examination strategy; prepare cross-examination questions.
(subtotal 7.5 hours)
- Complete cross-examination questions and organize for issues.
(subtotal 2 hours)

November 27-30, 2023

(40 hours)

- Attend all hearing days (subtotal 32 hrs.)
- Prepare for hearing days each prior evening, review day before transcripts, review undertakings, prepare for cross-examination of panel;
(subtotal 6 hours)
- November 29, 2023 and December 4, 2023 Review all correspondence and AEY undertakings
(subtotal 2 hrs.)

December 1-December 13, 2023

(39 hours)

- Review in-depth, the 4 days of hearing transcripts (nearly 800 pages), research on issues raised during hearing; review and analysis of AEY undertaking responses;
(subtotal 8 hrs.)
- Correspondence with UCG on draft strategy for final argument;
(subtotal 1 hr.)
- Review of all evidentiary record, preparation of initial draft of final argument;
(subtotal 14 hrs.)
- Review and research present, past and future costs for various major capital project costs applied for by AEY, concentrating on intangibles (computer upgrades), ;
(subtotal 10 hrs.)
- Revisions and preparation to finalize UCG argument for submission to YUB on December 13, 2023.
(subtotal 6 hrs.)

December 14-20, 2023

(21.5 hours)

- review and analysis of all final arguments;
(subtotal 8 hrs)
- development of draft UCG Reply argument including correspondence;
(subtotal 7 hrs.)
- presentation and discussion of draft with UCG;
(subtotal 1 hr.)
- editing and finalization of UCG reply argument; and
(subtotal 4.5 hours)
- presentation and filing reply argument.
(subtotal 1 hr.)

June 15-20,2024 (8 hours)

- Prepare and file Cost application

Disbursements

UCG submits that the disbursements in Form 3 are self-explanatory. Mr. Rondeau required lunch for each of the hearing days. Also, he needed to travel to and from the hearing venue as well as to the UCG headquarters at CJUC radio building to meet with members. These costs are equal to or under the Yukon government rates. The Internet was required for this process as all information and submissions were filed through email service. There are no receipts nor invoices to add to this form.

Breakdown of UCG Disbursements

1. Affidavit Sworn Statement (UPS Store) = \$15.00
2. Copies made for Yukon Energy Application and other necessary copies; necessity to purchase ink for printer and copy paper Staples Canada