

## **Yukon Utilities Board**

Board Order 2023-21

Appendix A: Reasons for Decision

September 15, 2023

ERRATUM

[\*Erratum noted at the end of this document]

## **Introduction**

1. On January 9, 2023, ATCO Electric Yukon (AEY) and Yukon Energy Corporation (YEC) (jointly “the Utilities”) provided a submission (the Application) to the Yukon Utilities Board (Board) outlining four options and providing a recommendation that would incorporate various rate riders into existing base rates. The submission was titled “ATCO Electric Yukon and Yukon Energy Corporation Joint Submission in response to YUB Order 2022-07 Directive on Rate Rebasing”. The referenced direction from Board Order 2022-071 states:

The Board is concerned that customers may find the application of YEC’s and AEY’s riders to be confusing. Therefore, the Board directs YEC and AEY to provide, within 180 days of issuance of this Order, a proposal to the Board on incorporating these riders into existing base rates.

2. On January 20, 2023, the Board issued Board Order 2023-04, which outlined a process for the Utilities’ joint submission on rate rebasing. The process steps included Information Requests (IRs) to the Utilities, IR responses from the Utilities, final written submissions from interested parties and final written submissions from the Utilities. For regulatory efficiency, the Board did not require registration from interested parties.
3. The Minister of Justice provided approval for the proceeding on February 14, 2023.
4. Participants in the proceeding were the Utilities, John Maissan, Nathaniel Yee, and the Utilities Consumers’ Group (UCG). IRs were submitted to the Utilities by February 15, 2023, IR responses were received from the Utilities by March 1, 2023, final comments from interested parties occurred by March 9, 2023 and reply comments were received from the Utilities on March 15, 2023.
5. On April 17, 2023, the Board issued Board Order 2023-08 and Appendix A to Board Order 2023-08: Reasons for Decision.
6. The Board received a costs claim from Mr. Nathaniel Yee, an intervener, on May 12, 2023.
7. After careful consideration, the Board has exercised its discretion based on the criteria set out in the Scale of Costs, Schedule 1 to the Rules.

## **Costs of Nathaniel Yee, unrepresented intervenor**

8. Nathaniel Yee submitted a claim for 16.5 hours for preparation, argument and reply argument at the hourly rate of \$45.00. This totalled \$742.50. Mr. Yee submitted that he believed that his ideas and approach added value to the process.

9. Mr. Yee’s costs claimed are subject to section 4.3 of the Scale of Costs for his participation as an unrepresented intervener at the proceeding. In addition, the Board finds that an hourly rate of \$45.00 is reasonable because this is Mr. Yee’s third intervention in an application before the Board. Mr. Yee participated in the proceeding by making Information Requests and filing submissions. Further, the hours claimed are not excessive for the tasks undertaken in the proceeding.
10. In summary, the Board awards costs to Nathaniel Yee as follows:

Nathaniel Yee:	\$ 742.50
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**Government of Yukon costs – Yukon Utilities Board**

11. The Board costs with respect to this proceeding are costs that more appropriately belong to the utility, and ultimately the utility ratepayers than to the Yukon taxpayers. Therefore, all hearing-related costs of the Board are allowed as utility regulatory costs.
12. The Board directs an award of costs to Government of Yukon in the amount of \$31,881.87.\*

**Total costs awarded are \$32,624.37 based on the following:**

Nathaniel Yee	\$ 742.50
Government of Yukon (Board Costs)	\$31,881.87*

\*An error was made in the amount of the Government of Yukon’s hearing related costs of the Yukon Utilities Board specified in the Board Order. The amount has been corrected from \$29,181.87 to \$31,881.87 and the total costs awarded has been corrected accordingly.