



**Department of Justice
PO Box 2703, Whitehorse, Yukon Y1A 2C6**

June 4, 2020

TO: Yukon Utilities Board

FROM: Luda Ayzenberg
Director of Finance, Systems, Administration and Records

RE: REVIEW AND VARIANCE OF BOARD ORDER 2019-03

Board Order 2019-03 states:

The Board costs with respect to the GRA are costs that more appropriately belong to the utility, and ultimately the utility ratepayer, than to the Yukon taxpayer. Therefore, all hearing-related costs of the Board are allowed as utility regulatory costs.

The Board directs an award of costs to the Government of Yukon in the amount of \$244,025.32.

It has recently come to our attention that the amount claimed and awarded (\$244,025.32) in respect of Board costs in Board Order 2019-03 did not include the amount spent in fiscal year 2017-18 on this matter.

The additional amount spent in 2017-18 on this matter was \$124,199.89.

Accordingly, Government of Yukon's claim and award on account of Board costs in this matter should have been \$368,225.21.

The failure to identify and claim the additional amount occurred because the amounts spent by Government of Yukon on this matter in fiscal year 2017-18 were not included due to inadvertence.

In Board Order 2019-03, the Board made it clear that Government of Yukon should recover all hearing-related costs of the Board from the ratepayer, rather than the taxpayer. Due to an error in the information provided to it, the Board made a factual error in the amount awarded to Government of Yukon.

On that basis, and per s. 31 of the YUB Rules of Practice, we ask that the Board review and vary the award of costs to Government of Yukon by adding the additional amount of \$124,199.89 to the award.

Yours truly,

A handwritten signature in purple ink, appearing to be 'Luda Aizenberg', written in a cursive style. The signature is positioned below the text 'Yours truly,' and above the printed name and title.

Luda Aizenberg,
Director of Finance, Systems, Administration and Records