

**IN THE MATTER OF
the *Public Utilities Act*
Revised Statutes of Yukon, 2002, c. 186, as amended**

**An Application by Utilities Consumers' Group to
Review and Vary
Yukon Utilities Board Cost Orders 2007-07 and 2007-08**

BEFORE: **W. Shanks, Chair) February 13, 2008**
 R. Hancock)
 J. Woodland)

BOARD ORDER 2008-1

WHEREAS:

- A. On September 25, 2007, the Yukon Utilities Board (Board) issued Board Order 2007-07 respecting costs claimed in the application by Yukon Energy Corporation (YEC) for review of its 20-Year Resource Plan, 2006-2025 (Resource Plan Application) and the application by YEC for approval of the Power Purchase Agreement (PPA) between YEC and Minto Exploration Ltd. (PPA Application);
- B. On September 25, 2007, the Board issued Board Order 2007-08 respecting costs claimed in the application by YEC for an Energy Project Certificate and an Energy Operation Certificate regarding the proposed Carmacks-Stewart Transmission Project (CSTP Application);
- C. On October 2, 2007, the Board issued Board Order 2007-09, amending Board Order 2007-07 in certain limited respects, so that all references in this Order to Order 2007-07 shall be to Board Order 2007-07 as amended by Board Order 2007-09, unless otherwise distinguished;
- D. Board Orders 2007-07 and 2007-08 are referred to collectively in the present Board Order as "the Cost Orders", unless otherwise distinguished;
- E. By way of letter and attachments dated October 26, 2007, from the Public Interest Advocacy Centre (PIAC) on behalf of the Utilities Consumer Group (UCG), the UCG requested that the Board review and vary the Cost Orders in the following respects:
 - fees for arm's-length consultants
 - reduction of fees for apparent duplication
 - reduction of fees related to case management
 - attendance fees for intervenors

- UCG claims for reductions to the costs claimed by YEC

pursuant to Section 62 of the *Public Utilities Act* (Act) and according to 7 specific enumerated requests for relief (Review Application);

- F. In the course of considering the Review Application, the Board discovered a clerical omission with respect to YEC's Hearing Reserve Account (HRA) in Board Order 2007-08 and finds that the Board Order 2007-08 should be amended to correct the omission;

NOW THEREFORE, and for reasons that will be issued separately as soon as possible, the Board orders as follows:

1. The Application for Review is granted in respect of the following:
 - a. The fees awarded to YEC in Board Order 2007-08;
 - b. Photocopying costs awarded to YEC in the Cost Orders; and
 - c. Miscellaneous service and supply costs awarded to YEC in the Cost Orders

and the Board shall review the Cost Orders in these respects.
2. In all other respects, the Application is denied.
3. With respect to the request for review granted in paragraph 1(a) of this Order, Board Order 2007-08 is hereby varied by reducing the fees awarded to YEC by \$17,705.
4. Board Order 2007-08 is hereby varied by substituting the text on page 6 of the Order reading "Yukon Energy Corporation shall pay the following amounts to parties identified:" with the following text:

"Yukon Energy Corporation shall pay the following amounts to parties identified and that such payments shall be forthcoming within 30 days of the issuance of this Order. All hearing costs shall be recorded in a Hearing Reserve Account. YEC shall include in its next GRA a proposal as to the appropriate dispensation of the Hearing Reserve Account and a proper allocation of the costs in the account to the different rate classes."
5. Following the issuance of its reasons for this Order, the Board will establish a process to review the Cost Orders according to paragraph 1(b) and (c) of the Order.

DATED at the City of Whitehorse, in the Yukon Territory, the 14th day of February 2008.

BY ORDER

A handwritten signature in black ink, appearing to read 'Wendy Shanks', written over a horizontal line.

Wendy Shanks
Chair