

YUKON UTILITIES BOARD

IN THE MATTER OF the *Public Utilities Act*

and

ATCO Electric Yukon 2023-2024 General Rate Application

Costs Awards

BEFORE: L. McCullough, Vice-Chair) March 17, 2025
B. King)
M. Johnson)

BOARD ORDER 2025-06

WHEREAS:

- A. Pursuant to Section 56 of the *Public Utilities Act* (Act), the Yukon Utilities Board (Board) may “order to whom or by whom any costs incidental to any proceeding before the Board are to be paid, and may set the costs to be paid”;
- B. On July 7, 2023, ATCO Electric Yukon (AEY) filed an application with the Board, pursuant to the *Public Utilities Act* (PUA) and Order-in Council (OIC) 1995/90, as amended by OIC 2018/220 and OIC 2021/16, for approval of its forecast revenue requirements of \$60.992 million for 2023 and \$68.096 million for 2024. The revenue requirement amounts were subsequently updated during the proceeding.
- C. On July 14, 2023, the Board issued Board Order 2023-13 providing notice of the Application and setting out the following process steps: intervener registration; an AEY procedural conference on the Application; two rounds of Information Requests (IRs) to AEY and AEY IR responses; filing of intervener evidence; an oral hearing; and written final and reply arguments.
- D. Ministerial approval was granted for this proceeding on July 20, 2023.
- E. In Board Order 2023-14 (and the erratum to that Order), the Board granted intervener status to Yukon Energy Corporation (YEC), the Utilities Consumers’ Group (UCG), John Maissan, Nathaniel Yee, Florian Boulais, the Yukon New Democratic Party (NDP) Caucus, and the Yukon Conservation Society (YCS).

- F. In response to requests from the applicant and interveners, the Board issued Board Order 2023-15 on August 17, 2023, amending the process schedule and then, at the request of the applicant, Board Order 2023-18 on August 29, 2023, further amending the process schedule.
- G. The Board issued Board Order 2023-22 on September 15, 2023, approving interim rates for AEY effective January 1, 2024.
- H. In Board Order 2023-24, the Board ruled on motions for further and better IR responses.
- I. The Board held an oral hearing on November 27 to 30, 2023, in Whitehorse with some virtual attendance. The parties filed written final and reply arguments in accordance with the process schedule.
- J. The record of this proceeding closed on December 20, 2023 — the date written reply argument was filed by parties.
- K. On May 31, 2024, the Board issued Board Order 2024-01 and Appendix A to Board Order 2024-01: Reasons for Decision; and
- L. The Board received costs claims within 30 days of the issuance of Board Order 2024-01 from:
 - 1. UCG;
 - 2. Nathaniel Yee; and
 - 3. AEY.
- M. The Board received comments from UCG on AEY's costs claim on July 12, 2024 within the timeline set out by the Board for comments.
- N. Costs claimed by the parties are subject to stringent scrutiny by the Board as costs awarded are charged to customers through the utility's rates; and
- O. After careful consideration, the Board has exercised its discretion and made the adjustments set out below based on the criteria set out in the *Scale of Costs*, Schedule 1 to the Board's *Rules of Practice*, as well as the principles relating to cost awards set out in previous Board Orders including 2013-08, 2014-11, 2014-12, 2017-07, 2018-08, 2018-09, 2019-03, 2020-01, 2020-02, 2021-13, 2023-02, and 2023-21;

NOW THEREFORE, based on the reasons set out in Appendix A to this Board Order, the Board orders as follows:

1. the Board awards the following hearing related costs:

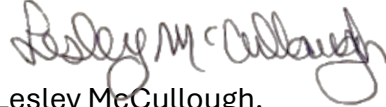
1. UCG	\$ 18,527.50
2. Nathaniel Yee	\$ 3,966.25
3. AEY	\$ 222,284.24
4. Government of Yukon (Board costs)	\$ 404,457.33

Total costs awarded: \$ 649,235.32

2. the Board directs AEY to pay the costs awarded to the interveners and to the Government of Yukon;
3. the Board finds that the total cost awarded are hearing-related costs of the Application and deemed utility regulatory costs and are to be added to the utility's rate case reserve fund.

DATED at the City of Whitehorse, Yukon, this 17th day of March 2025.

BY ORDER



Lesley McCullough,
Vice-Chair