

YUKON UTILITIES CONSUMERS' GROUP (UCG)

242 Squanga Ave.

Whitehorse, Yukon Y1A 3Y6

email: rrondeau@northwestel.net

April 13, 2022

Yukon Utilities Board

Box 31728

Whitehorse, Yukon Y1A 6L3

Attention: Chair and Board Members

Re: UCG Cost Claim Yukon Energy Corporation 2021 General Rate Application

Dear Mr. Buchan:

Enclosed for the review of the Board are the costs claimed by the Yukon Utilities Consumers' Group (UCG) resulting from the regulatory review of Yukon Energy Corporation 2021 General Rate Application.

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

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

A separate attachment with the following:

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

UCG's intentions to use the services of Mr. Rondeau as their regulatory consultant in this proceeding were outlined in UCG's letter dated December 28,2020. To our knowledge, no party raised any issue with respect to this proposal throughout the course of the proceeding.

Mr. Rondeau supported the intervention of a legitimate ratepayer group by providing extensive consulting services without the assistance of legal counsel.

UCG respectfully submits that Mr. Rondeau provided his services in a manner and with the expertise that assisted in the quality and efficiency of the proceeding as a whole, and assisted UCG in making valuable and comprehensive submissions from the perspective of the residential and small business ratepayer group it represents. Mr. Rondeau has intervened and 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 concerning Northwestel rate proceedings, universal service for telephone/internet, and the necessity for northern subsidies.

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, as well as the other intervener, the City of Whitehorse, for the same work performed. UCG sees this rate as justified based on the complexity and longevity of this particular 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

UCG ads that the scope of issues in this proceeding were extensive and the amount of evidence; from the application and interrogatories provided by YEC through various means, including three days of cross examination hearings; required numerous hours of work to ensure that arguments forwarded to the YUB were comprehensive and relevant.

UCG submits 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 of the arguments made by UCG nor did it address all of the issues raised by UCG, the submissions on behalf of UCG throughout this long 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 2022-03, on this application.

We ask that all cost claim amounts approved for Mr. Rondeau be made payable to him and sent to his attention at: Roger Rondeau
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 rrondeau@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 Yukon Energy Corporation 2021 General Rates Application**

- Preliminary discussions with UCG staff and members;
- Review of the application of YEC;
- Identify UCG issues, consultation on procedural issues; including requested interim rates;
- Preparation of intervention letter request to the YUB
(Rondeau – 6.5 hours)

- Detailed review of application of YEC;
- Preparation for and attendance WebEx to YEC information session/workshop of Jan.8, 2021
- Research and development of 2 rounds of information requests related to the issues to be addressed;
- Detailed review of responses of the YEC to information requests by the YUB, City of Whitehorse, Nathaniel Lee and UCG
- Preparation of motion on inadequate IR responses;
- Preparation of UCG response to YEC reply on Notice of Motion
- Further review of YEC responses to first IRs and revised IRs, in order to prepare and present 2nd set of IRs;
- Consultation with UCG on IR-related, as well as procedural issues.
(Rondeau-80.5hours)

- Research for and preparation of cross-examination questions and related materials for public hearing.
(Rondeau 40 hours)

- 3 day attendance and cross examination during hearing, preparation each evening research time as well as daily transcript review
(Rondeau – 30 hours)

- Review all evidence provided during the process, review and analyze transcripts of three day hearing for development, preparation and presentation of UCG's

final argument. (Rondeau – 40 hours)

- Processing all final arguments of the parties and preparation of UCG's reply argument. (Rondeau – 25 hours)

Total Hours: 222.00

Hourly Rate: \$100.00

Total Fees Claimed: \$22,200.00

GST (5%): N/a

Total Claim: **\$22,200.00**

**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 staff and members for intervention and issues Mr. Rondeau provided to UCG with background research on issues raised within the application that could be specifically identified by UCG and identified by Mr. Rondeau based on his experience. These discussions helped explain how issues should be addressed in the proceeding of this rate application 2021 YEC GRA.
2. Prepared UCG's intervention application for intervenor status.
3. In-depth review of November 15, 2020 YEC 2021 application evidence and preparation of information requests.
4. Preparation and attendance at Web-x information session provided by the YEC.
5. On January 21, 2021 UCG submitted 202 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 filed evidence, reviewed material put on record at previous Board reviews of YEC 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, demand side management costs and LWRF. 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. YEC 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. 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.
8. 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 YEC, 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.

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 time lines and full costs of these projects to help determine if they were cost effective, transparent and prudent.

7. 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 YEC. Discussion with UCG to develop reply argument based on specific comments of argument in order 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.

Schedule A

Nov.15 - 20, 2020

(6.5 hours)

- Consultation with UCG regarding UCG expectations for proceeding, preliminary review of YEC 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 the YEC..
- Preparation and presentation of UCG application for intervenor status to the YUB, December 28,2020

Nov. 20- Dec.15, 2020 January 9-Jan.28 (39 hours)

- Complete 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, correspondence / discussion with UCG; preparation of draft IRs on YEC evidence (subtotal 10.5hrs.)
- Correspondence / discussion with UCG,more in-depth preparation and revisions of draft IRs on YEC 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 Jan.29, 2021

January 5-8 , 2021

(7.0 hours)

- Preparation for workshop and WebEx attendance information session January 8, 2021

March 4-29, 2021

(24.5 hours)

- Preliminary review of all YEC responses to IRs previously submitted by YUB, CoW, UCG, NY; discussion with UCG on issues arising from these various responses. (subtotal 5 hours)
- Review IR responses from YEC for completeness and identification of hearing issues (subtotal 6.5 hours);
- Discussions with UCG on practicality for submission of evidence, Decision not to provide any further evidence. (subtotal 1 hour)
- further research and preparation of draft Notice of Motion regarding inadequacy of YEC IR responses; (subtotal 10.0 hours)
- revisions and finalization for Notice of Motion regarding YEC IR responses, submitted March 29,2021. (sub total 2 hours)

March 30 to April 26,2021

(5 hours)

- Review YEC Application for Rate Schedule 39
- Prepare Notice of Motion regarding above; submitted April 17, 2021
- response letter on Rate Schedule 39 to submit on April 26,2021

July 12- 20,2021

(4 hours)

- Review YEC reply to UCG Notice for further info on certain IRs (sub total 2hrs.)
- Prepare UCG reply to YEC responses to UCG on further information (sub total 2 hours)

August 1-26, 2021

(11 hours)

- Research and prepare draft UCG Round 2 IRs (sub total 6 hrs)
- Discuss with UCG draft 2nd. IRs (1 hr.)
- Finalizing and sending in of Round 2 UCG IRs to YEC August 10, 2021 (2 hrs.)
- Review YEC response to 2nd IRS from all parties. Aug. 24-26 (sub total 2 hrs.)

September 9-24, 2021 (10 hours)

- Sept. 9, 2021 Review NY Evidence (sub total 1hr.)
- Sept. 10, 2021 Review City of Whitehorse evidence (sub total 2hr.)
- Sept. 17, 2021 Review YEC rebuttal of NY and CoW evidence (sub total 3 hr.)
- Review YEC revised Round 2 IR responses, Sept 22 (sub total 1 hr.)
- Sept.15 Review John Maissan Presentation (sub total 1 hr.)
- Sept. 24, 2021 review Florian Boulais Presentation (sub total 1 hr.)
- Sept.22, 2021 Review YEC Revised Round 2 IR responses (sub total 1 hr.)

September 15-28, 2021 (23.5 hours)

- Preparation for hearing including review of all evidence including YEC updated and revised evidence, (sub total 7.5 hrs)
- Review evidence on record, prepare cross-examination questions; correspondence / discussion with UCG re: cross-examination strategy (7.5 hours)
- Complete research and assembly of cross-examination reference material and questions (7.5 hours)
- Correspondence / discussion with UCG re: adjustments to cross-examination questions during hearing, follow up on issues raised at oral hearing(sub total 1 hour)

September 27-29,2021 (31 hours)

- Attend all hearing days via video conference (sub total 24 hrs.)
- Prepare for hearing days each prior evening, review day before transcripts, review undertakings, discuss strategy with UCG (sub total 6 hours)
- October 5, 2021 Review YEC Undertakings (sub total 1 hr.)

October 1-12, 2021 (40 hours)

- Review in-depth the 3 days of hearing transcripts, research on issues raised during hearing; review and analysis of YEC undertaking responses; (8 hrs.)
- Correspondence with UCG on draft strategy for final argument; (1 hr.)
- Review of all evidentiary record, preparation of initial draft of final argument; (15 hrs.)
- Review and research present, past and future costs for various major capital project costs applied for by YEC; (sub-total 10 hrs.)
- Revisions and preparation to finalize UCG argument for submission to YUB on October 12, 2021 (6 hrs.)

October 13-19, 2021 (20.5 hours)

- review and analysis of filed final arguments; (sub total 5 hrs.)
- development of draft UCG Reply argument including correspondence; (sub total 10 hrs.)
- presentation and discussion of draft with UCG (sub total 1 hr.)
- editing and finalization of UCG Reply Argument October 19, 2021 (sub total 4.5 hours)

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
*see Staples sales slip attached = \$136.48