



PROVINCE OF BRITISH COLUMBIA

BRITISH COLUMBIA UTILITIES COMMISSION

IN THE MATTER OF the Utilities Commission
Act, S.B.C. 1980, c. 60, as amended

and

IN THE MATTER OF Applications for Costs
by Intervenors

BEFORE: M. Taylor,)
Chairman;)
N. Martin,)
Commissioner; and) February 14, 1986
P.C.M. Freeman,)
Commissioner)

O R D E R

WHEREAS pursuant to the April 27, 1984 Court of
Appeal Reasons for Judgment in respect of an appeal brought by
the Alkali Lake Indian Band the Commission issued Order
No. G-2-85, awarding costs to be paid to the Alkali Lake Indian
Band; and

WHEREAS on December 10, 1984 the British Columbia
Utilities Commission presented a Stated Case, pursuant to
Section 122 of the Utilities Commission Act, to the Court of
Appeal; and

WHEREAS the Stated Case requested the opinion of
the Court of Appeal on whether the Commission can lawfully make
any award of intervenor costs to any intervenor in a hearing
conducted by the Commission, and which concluded on May 11,
1984; and

WHEREAS the Stated Case was heard on June 25, 1985
and Oral Reasons for Judgment of the Court of Appeal stated that
the Commission may lawfully make or refuse to make, any award of

ORDER

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intervenor costs to any intervenor in this hearing, and, if an Order is made then the scale or tariff of the costs, the particular items for which costs are to be allowed, by whom, and when the costs are to be paid are all matters for the Commission in its discretion, to decide; and

WHEREAS the Commission has reviewed the intervenor cost claims received as at January 6, 1986, in response to a December 2, 1985 letter, and has made a determination as to appropriate awards of costs.

NOW THEREFORE the Commission hereby orders as follows:

1. B.C. Hydro and Power Authority and Westcoast Transmission Company, Limited will share equally in payment of intervenor cost awards totalling \$8,776.
2. The individual intervenor award amounts are now due and payable in accordance with our letter dated February 28, 1986.

DATED at the City of Vancouver, in the Province of British Columbia, this 28th day of February, 1986.

BY ORDER



Chairman