



Telecom Costs Order CRTC 2006-13

Ottawa, 2 November 2006

Utilities Consumers' Group – Application for costs – Review of regulatory framework for Northwestel Inc., Telecom Public Notice CRTC 2006-1

Reference: 8663-C12-200600066 and 4754-276

1. By letter dated 23 July 2006, the Utilities Consumers' Group (UCG) applied for costs with respect to its participation in the proceeding initiated by *Review of regulatory framework for Northwestel Inc.*, Telecom Public Notice CRTC 2006-1, 17 January 2006 (Public Notice 2006-1).
2. By letter dated 6 September 2006, Northwestel Inc. (Northwestel) stated that it had no comments on this application.

The application

3. UCG submitted that it met the criteria for an award of costs set out in subsection 44(1) of the *CRTC Telecommunications Rules of Procedure* (the Rules), as it represented a group of subscribers that had an interest in the outcome of the proceeding, had participated responsibly and had contributed to a better understanding of the issues.
4. UCG submitted a bill of costs with its application, claiming a total amount of \$9,275.00. This amount represents \$8,904.00 in analyst/consultant fees and \$371.00 in disbursements. UCG's claim included the Federal Goods and Services Tax (GST) on fees and disbursements less the rebate to which UCG is entitled in connection with GST.

Commission analysis and determination

5. The Commission finds that UCG has satisfied the criteria for an award of costs set out in subsection 44(1) of the Rules. Specifically, the Commission finds that UCG represents a group or class of subscribers that has an interest in the outcome of the proceeding, has participated in a responsible way, and has contributed to a better understanding of the issues by the Commission.
6. The Commission finds that the fees and disbursements claimed are in accordance with the rates set out in the Legal Directorate's *Guidelines for the Taxation of Costs*, revised as of 15 May 1998.
7. The Commission notes, however, upon review of the file, an error in the calculation of the total amount owing. In particular, the Commission notes that while UCG claimed \$9,275.00 in fees, including GST, it failed to deduct the GST rebate although the availability of this rebate was indicated elsewhere in its application. The Commission, therefore, finds that the total amount of the claim should be adjusted to \$9,012.50 in order to reflect the GST rebate.

8. The Commission finds that the adjusted total amount claimed was necessarily and reasonably incurred and should be allowed.
9. The Commission is of the view that this is an appropriate case in which to fix the costs and dispense with taxation, in accordance with the streamlined procedure set out in *New procedure for Telecom costs awards*, Telecom Public Notice CRTC 2002-5, 7 November 2002.
10. The Commission names Northwestel as the respondent to the application.

Direction as to costs

11. The Commission **approves** the application by UCG for costs with respect to its participation in the Public Notice 2006-1 proceeding.
12. Pursuant to subsection 56(1) of the *Telecommunications Act*, the Commission fixes the costs to be paid to UCG at \$9,012.50.
13. The Commission directs that the award of costs to UCG be paid forthwith by Northwestel.

Secretary General

This document is available in alternative format upon request, and may also be examined in PDF format or in HTML at the following Internet site: <http://www.crtc.gc.ca>