Directive 031

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REDA Energy Cost Claims

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1 Introduction

1.1 Purpose of This Directive

Directive 031: REDA Energy Cost Claims is intended to direct **participants** who wish to apply to the Alberta Energy Regulator (AER) for an advance of funds or an award of costs in relation to their participation in a proceeding. This directive addresses such issues as the following:

- Who is eligible to claim costs?
- Is advance funding available?
- What are interim awards?
- What are the considerations for awarding costs?
- What costs may be claimed by a participant, lawyer, consultant, or expert?
- How and when should a costs claim be filed?
- What happens if an **applicant** or **approval holder** fails to pay costs?
- Can a **costs order** be appealed?

In this directive, defined terms are set in boldface at first use, and the definitions are provided in appendix 1.

1.2 What's New in This Directive

The directive was revised to reflect changes in the *Alberta Energy Regulator Rules of Practice* (*Rules of Practice*) regarding eligibility to claim costs and administrative changes.

2 Who Is Eligible to Claim Costs?

Only those persons determined to be "participants" by the AER will be eligible to recover the costs associated with participating in an AER proceeding. Section 58(1)(c) of the *Rules of Practice* defines the term "participant" as follows:

> **58(1)** In this division
>
> (c) "participant" means, subject to subsection (1.1), a person or a group or association of persons who is permitted to participate in a hearing for which a notice of hearing is issued or any other proceeding for which the Regulator has decided to conduct binding dispute resolution, but unless otherwise authorized by the Regulator, does not include a person or group or association of persons whose business or activities include the following:
>
> (i) trading in or transportation or recovery of any energy resources;
>
> (ii) in the case of a person or group or association of persons organized as a non-profit organization, soliciting or receiving contributions for the purpose of carrying out the non-profit organization's objects or purposes;

3 Advance Funding

The rules regarding an advance of funds are set out in section 59 of the *Rules of Practice*.

The decision to award an advance of funds is entirely discretionary. The factors that the AER may take into account in deciding whether or not to award an advance of funds are listed in section 58.1 of the *Rules of Practice*.

A participant may make a request to the AER for an advance of funds by submitting a completed "Advance of Funds Request" form (see appendix 2) to the AER within the time limit indicated in the notice of hearing.

Requests for an advance of funds must include the following information:

- the name of the participant;
- the contact information of the participant, including address in Alberta and email address, or, if the participant does not have an email address, a fax number;
- the name and contact information of the participant's solicitor, if he or she is represented by counsel;
- the application number and name of the proceeding in question;
- a detailed and itemized budget that clearly outlines the direct expenses that the participant

reasonably and necessarily expects to incur in the preparation and presentation of his or her participation;

- if a lawyer, expert, or consultant is a necessary component of the participation, a summary of the lawyer's, expert's, or consultant's expertise and a detailed description of the work they propose to do in support of their client's participation; and
- information addressing the factors listed in section 58.1 of the *Rules of Practice*, as applicable (see section 7).

Following the receipt of the above information, the AER will consider the participant's request and provide its decision in a timely fashion. If the AER decides to award an advance of funds, the AER will direct who will advance the funds to the participant and will set out the terms for the repayment of the advance.

A participant may still be eligible for an award of costs following a proceeding even if his or her request for advance funding is denied.

The AER emphasizes that an award of advance funding in no way represents final approval of the costs claimed. Costs claims are reviewed and assessed by the AER following the proceeding. If the actual amount of costs awarded is less than the advance funding received, the AER can direct that the difference be reimbursed by the participant.

4 Interim Awards

The rules regarding interim awards are set out in section 61 of the *Rules of Practice*.

The decision to award interim costs is entirely discretionary. The factors that the AER may take into account in deciding whether or not to award interim costs are listed in section 58.1 of the *Rules of Practice*.

A participant may apply to the AER for an award of interim costs incurred in a proceeding in accordance with the scale of costs (see appendix 4) by completing an "Application for an Award of Interim Costs" form (see appendix 3).

Applications for an award of interim costs must include the following information:

- the name of the participant;
- the contact information of the participant, including address in Alberta and email address, or, if the participant does not have an email address, a fax number;
- the name and contact information of the participant's solicitor, if he or she is represented by counsel;

- the application number and name of the proceeding in question;
- the date that the proceeding commenced;
- a detailed accounting of reasonable, necessary, and direct costs incurred as a result of the participants participation;
- if a lawyer, expert, or consultant was a necessary component of the participation, a summary of the lawyer's, expert's, or consultant's expertise and a detailed description of the work they did in support of their client's participation; and
- information addressing the factors listed in section 58.1 of the *Rules of Practice*, as applicable (see section 7).

Following the receipt of the above information, the AER will consider the participant's application and provide its decision in a timely fashion.

Note that the length of the proceeding will be considered in making a determination on the application. If the AER awards interim costs, the AER will direct who will pay the interim costs to the participant and will set out the terms for repayment.

If the AER denies an application for interim costs, a participant may still be eligible for an award of costs following the proceeding.

The AER emphasizes that an award of interim costs in no way represents final approval of the costs claimed. Costs claims are reviewed and assessed by the AER following the proceeding. In the event that the AER varies or denies a costs claim, the AER will set out the terms of repayment by the participant.

5 How and When to File a Costs Claim

5.1 Costs Forms and Required Information

The rules regarding filing costs claims are set out in sections 62 and 63 of the *Rules of Practice*.

Every costs claim must include the following costs forms (see appendix 5) and required information:

- E1: "Summary of Total Costs Claimed";
- E2: "Summary of Professional Fees Claimed";
- E3: "Summary of Participant Honoraria Claimed";
- E4: "Summary of Disbursements Claimed";
- E5: "Affidavit of Fees and Disbursements";

- statements of account in support of professional fees;
- legible receipts for expenses—if an expense is not self-explanatory, an explanation should be provided. See appendix 4 for a list of expense claims that must be accompanied by a receipt; and
- information addressing the factors listed in section 58.1 of the *Rules of Practice*, as applicable (see section 7).

Forms E1 through E5 are in appendix 5 and on the AER website, www.aer.ca.

Participants must keep a record of all expenses, including receipts, related to their participation. A record of expenses must be maintained whether the participant is acting on his or her own behalf or in a group, and regardless of whether the participant has a lawyer, experts, or consultants. The lawyer's, consultant's, or expert's account must include a detailed list of what services were performed, their hourly rate, as well as the amount of time spent carrying out each component of work. Participants must submit enough information to allow the AER to consider each claim.

Failure to file information or documents in the form and manner requested may result in a dismissal of the participant's claim for costs.

A submission for costs will not include arguments about things not being considered or not related to the application, arguments about matters already decided, or arguments about government policy or legislative changes, which should be made to the government or a member of the Legislative Assembly of Alberta.

5.2 The Scale of Costs

The scale of costs (see appendix 4) details what fees and disbursements may be eligible for reimbursement in relation to a participant's participation in a proceeding before the AER. The scale of costs represents what is a fair and reasonable tariff to provide a participant with adequate, competent, and professional assistance in making an effective submission before the AER.

If a participant makes a persuasive argument that the level of the tariff is inadequate given the complexity of the case, the AER may make an exception to the scale of costs to address such unique circumstances.

5.2.1 Professional Fees

The scale of costs provides a sliding scale for professionals on the basis that a professional's fees increase as he or she gains expertise. The AER emphasizes that the maximum allowable hourly rates are not awarded as a matter of course. Rather, the AER assesses each claim on its individual merits and only approves the maximum fee when the participant has demonstrated that such a fee is warranted by the work performed.

5.2.2 Disbursements

The scale of costs details what disbursements may be eligible for reimbursement. The scale of costs also states what disbursements require receipts in order to be considered for reimbursement.

6 What Costs May Be Claimed by Participants, Lawyers, Consultants, and Experts?

6.1 Participants

6.1.1 Honorarium for Forming a Group

The AER encourages participants with similar issues to consider participating as a group rather than as individuals. The formation of a group often results in a more balanced and complete participation and reduces duplication of the information presented at the hearing. Avoidance of duplication is also important because the AER may reduce the costs awarded to individual participants if it finds that they had similar concerns and shared a common purpose but did not form a group.

The AER recognizes that organizing a group of participants requires considerable time, effort, and expense. Depending upon the size of the group and the efforts required to organize it, organizers may receive honoraria in recognition of their efforts. While such awards are generally $300 to $500, in exceptional cases, where the necessary preparation time is substantial, honoraria in excess of $500 may be considered. The AER will also consider claims for reasonable expenses related to the organization of a group. GST cannot be claimed on honorariums.

6.1.2 Preparation Honorarium

A participant may personally participate in a proceeding without outside help. This approach may be appropriate if the issues at a hearing are straightforward and the participant is comfortable in presenting his or her concerns directly to the AER.

A participant who personally prepares a submission without expert help may receive an honorarium in the range of $300 to $2500, depending upon the complexity of the submission.

When a submission is prepared on behalf of a group of participants without expert help, up to four people may be entitled to preparation honoraria at the same rates described above.

The AER will not normally provide a preparation honorarium to a participant if a lawyer is primarily responsible for preparing a submission. If both the lawyer and the participant prepare a submission, the AER may consider an honorarium in recognition of the participant’s efforts.

Reasonable expenses incurred by a participant and related to the preparation of a submission may be allowed (see section 6.1.4).

6.1.3 Attendance Honorarium

Appearing at an AER hearing may include giving evidence, being cross-examined, assisting counsel and consultants, and presenting closing arguments. Participants who participate in a hearing in this manner can claim an honorarium of $100 for each half day of attendance at a hearing. The noon break separates the two halves of the day of a public hearing.

For large participant groups, the AER generally awards attendance honoraria to no more than six individuals but may consider additional attendance honoraria in exceptional circumstances.

Alternatively, the AER may also consider a claim for lost wages on a claim-by-claim basis.

Reasonable expenses incurred by a participant for attendance at a hearing may be allowed (see section 6.1.4).

6.1.4 Participant Expenses/Disbursements

The scale of costs (appendix 4) provides for a number of different expenses that a participant may incur for preparation and attending a hearing. In addition to those expenses, the AER may also award costs for

- stationery,
- postage,
- long-distance telephone calls,
- photocopying, and
- meeting room rental.

Form E4 (see appendix 5) provides a detailed list of common expenses. Participants claiming expenses not shown on the form should record the expense under the miscellaneous row on the form and provide an explanation of the expense.

6.2 Lawyers, Consultants, and Experts

As discussed earlier, the AER has a scale of costs for legal, consulting, and expert fees. The maximum allowable hourly rates are not awarded as a matter of course. Rather, the AER assesses each claim upon its individual merits.

6.2.1 Costs for a Lawyer

It is important for participants to ensure they take steps to clarify how their lawyer expects to be paid for his or her services before they choose to retain a particular lawyer. Some lawyers who appear before the AER accept the costs awarded to them by the AER as full payment for their services. Other lawyers require participants to pay them their full fees regardless of the fees

awarded to them by the AER. The AER cannot decide disputes between a lawyer and a client over legal fees. Such disputes may be resolved through the taxing officer at the Court of King's Bench.

All claims for legal fees must be supported by a copy of the lawyer's statement of account, which must include sufficient detail to demonstrate that all items billed were necessary and related to the application or proceeding. The AER considers a lawyer's hourly rate to include all overhead expenses, such as secretarial work.

6.2.2 Costs for Experts and Consultants

A participant may hire one or more experts or consultants to assist in preparing for and presenting at a hearing. Those experts may be registered professionals, may carry on a consulting business, or may be expert in a certain field due to practical experience or specialized training. An expert's assistance with a submission must be related to that person's expertise.

It is important that participants finalize their fee arrangements with their experts and consultants before they agree to use their services. If the participant's lawyer considers that the assistance of an expert or consultant is necessary, the lawyer must consult with the participant before hiring such assistance and explain how the expert or consultant wants to be paid.

Actual costs for services, such as typing, may qualify for a costs award if properly documented with a copy of the expert's account and sufficient detail to demonstrate that all items billed were necessary and related to the application or proceeding.

6.2.3 Disbursements

The scale of costs details what disbursements may be eligible for reimbursement. The scale of costs also states what disbursements require receipts in order to be considered for reimbursement.

6.3 Non-Expert Witnesses

A participant may find it necessary to present non-expert witnesses as part of his or her participation. For example, a participant may ask a neighbour to appear as a witness to provide evidence on local wind conditions. Such a witness may claim a daily fee of $200 for each day that he or she provides evidence at the hearing.

6.4 Alternative Dispute Resolution

With the exception of binding dispute resolution by a hearing commissioner, the AER does not award compensation for participation in the AER's alternative dispute resolution (ADR) program. In all other cases, costs for ADR are to be dealt with in the context of the negotiations themselves and not through the AER's costs recovery process.

6.5 Filing the Costs Claim

Participants must file their costs claims within 30 days after the hearing record is complete unless otherwise directed by the AER. A hearing record is generally considered complete once final argument has been presented and the hearing has been closed. Costs claims not received within 30 days will not be considered and may be dismissed unless extraordinary circumstances prevented timely filing.

Completed claims should be sent to the AER by one of the following ways:

- by email to energycost@aer.ca or
- by courier or mail to

  Alberta Energy Regulator
  Hearing Services
  Suite 1000, 250 – 5 Street SW
  Calgary AB T2P 0R4

Participants must provide a copy of their completed costs claim to the applicant or approval holder and other participants unless otherwise directed by the AER.

6.6 Costs Claims When No Hearing Is Held

Claims for participant costs if no hearing is held should be filed with the AER as soon as possible. If such a claim is being made regarding an application that was withdrawn, the claim must be filed within 30 days of the date upon which the AER accepts the withdrawal of the application.

7 Considerations for Awarding Costs

The decision to award costs is entirely discretionary. Section 58.1 of the *Rules of Practice* sets out the considerations for awarding costs:

> **58.1** The Regulator shall consider one or more of the following factors when making a decision in respect of an application by a participant for an advance of funds request, an interim award of costs or a final award of costs:
>
> (a) whether there is a compelling reason why the participant should not bear its own costs;
>
> (b) the shared responsibility of all Alberta citizens for ensuring the protection, enhancement and wise use of the environment through individual actions;
>
> (c) in the case of an advance of funds, whether the submission of the participant will contribute to the binding dispute resolution meeting or hearing;
>
> (d) in the case of interim costs, whether the participant,
>
> (i) has a clear proposal for the interim costs, and
>
> (ii) has demonstrated a need for the interim costs;

(e) whether the participant has made an adequate attempt to use other funding sources;

(f) whether the participant has attempted to consolidate common issues or resources with other parties;

(g) in the case of final costs, whether an advance of funds or interim costs were awarded;

(h) whether the application for an advance of funds or for interim or final costs was filed with the appropriate information;

(i) whether the participant required financial resources to make an adequate submission;

(j) whether the submission of the participant made a substantial contribution to the binding resolution meeting, hearing or regulatory appeal;

(k) whether the costs were reasonable and directly and necessarily related to matters contained in the notice of hearing on an application or regulatory appeal and the preparation and presentation of the participant's submission;

(l) whether the participant acted responsibly in the proceeding and contributed to a better understanding of the issues before the Regulator;

(m) the conduct of any participant that tended to shorten or to unnecessarily lengthen the proceeding;

(n) a participant's denial of or refusal to admit anything that should have been admitted;

(o) whether any step or stage in the proceedings was

(i) improper, vexatious or unnecessary, or

(ii) taken through negligence, mistake or excessive caution;

(p) whether the participant refused to attend a dispute resolution meeting when required by the Regulator to do so;

(q) the participant's efforts, if any, to resolve issues associated with the proceeding directly with the applicant through a dispute resolution meeting or otherwise;

(r) any other factor that the Regulator considers appropriate.

The AER does not award costs for the completion of a costs application.

7.1 How Long Does It Take for the AER to Issue a Costs Order?

Once the AER receives a costs claim, the applicant or approval holder will have 14 days from the participant's deadline to file and serve any questions or comments on the costs claimed. If the applicant or approval holder submits any questions or comments, the AER will then provide the costs claimant 14 days to file and serve a response.

Once parties have had an opportunity to comment and respond, the AER will consider the costs process closed and will proceed with assessing the costs claim. Parties can expect to receive a final decision on the costs claim following the issuance of a final decision in the proceeding within 90 days of the costs process closing.

8 May a Costs Order of the AER Be Appealed?

Participants or applicants who are dissatisfied with a costs order may appeal the costs decision to the Alberta Court of Appeal. A participant or applicant or approval holder wishing to appeal a costs decision must do so within one month of the date upon which the decision was made.

Section 45 of the *Responsible Energy Development Act* allows appeals of AER decisions to the Alberta Court of Appeal. In order to successfully appeal a costs order of the AER, the participant or applicant or approval holder must demonstrate that the AER's decision contains an error of jurisdiction or an error of law.

9 How May Costs Awards Be Enforced?

Where the AER has awarded costs, it will issue a costs order setting out the amount awarded and to whom and by whom the payment must be made. An applicant or approval holder named in a costs order must pay the amount awarded within 30 days of being served with a copy of the costs order. If an applicant or approval holder fails to pay a costs order within 30 days, both the AER and the participant may take steps to enforce the costs order.

9.1 Registering the Judgement at the Court of King's Bench

Section 67 of the *Rules of Practice* states:

> **67** A certified copy of a costs order made under section 66 may be filed in the office of the clerk of the Court of King's Bench, and on filing and on payment of any fees prescribed by law, the order shall be entered as a judgment of the Court and may be enforced according to the ordinary procedure for the enforcement of a judgment of the Court.

Once registered as a judgement, the order may then be enforced under the *Civil Enforcement Act*. A participant who has registered the judgement pursuant to the *Civil Enforcement Act* then has several options for collecting the costs ordered:

- seizure and sale of the applicant's or approval holder's property, including equipment
- seizure and sale of the applicant's or approval holder's land
- garnishing the applicant's or approval holder's bank accounts
- garnishing the applicant's or approval holder's accounts receivable (i.e., oil and gas revenues)

Alberta Justice publishes a booklet *Getting and Enforcing Your Judgment in Alberta*, which is available free of charge from the Court of King's Bench. It provides step-by-step instructions on how to enforce a judgement in Alberta.

Appendix 1 Definitions

applicant	A person who files an application to the AER.
approval holder	A person who holds an approval (as defined in *REDA*) issued by the AER.
costs order	An order issued by the AER awarding costs on a claim for costs.
participant	Subject to subsection 58(1.1) of the *Alberta Energy Regulator Rules of Practice*, a person or a group or association of persons who is permitted to participate in a hearing for which notice of hearing is issued or any other proceeding for which the Regulator has decided to conduct binding dispute resolution, but unless otherwise authorized by the Regulator, does not include a person or group or association of persons whose business or activities include the following: (i) trading in or transportation or recovery of any energy resource; (ii) in the case of a person or group or association of persons organized as a non-profit organization, soliciting or receiving contributions for the purpose of carrying out the non-profit organization's objects or purposes;

Appendix 2 Advance of Funds

Name of applicant or approval holder and brief description of hearing	Application number
Name of participant	Mailing and email address of participant
Why is advance funding required? *(Address factors listed in section 58.1 of the Rules of Practice*, as applicable.)	
Personal expenses that the participant expects to incur for preparing and attending hearing Amount Description of expense (e.g., airfare, hotel, photocopying) $_____ _____ $_____ _____ $_____ _____ $_____ _____ $_____ _____	
Name of lawyer _____ Anticipated fees $_____ Anticipated expenses $_____	Name of consultant/expert _____ Anticipated fees $_____ Anticipated expenses $_____
Description of proposed legal work and anticipated expenses	
Description of proposed consultant/expert work and anticipated expenses	

Appendix 3 Application for an Award of Interim Costs

Name of applicant or approval holder and brief description of hearing (including hearing commencement date)	Application number
Name of participant	Mailing and email address of participant
Why is interim funding required? *(Address factors listed in section 58.1 of the Rules of Practice, as applicable)*	
Personal expenses that the participant incurred for preparing and attending hearing Amount Description of expense (e.g., airfare, hotel, photocopying) $_____ _____ $_____ _____ $_____ _____ $_____ _____ $_____ _____	
Name of lawyer _____ Incurred fees $_____ Incurred expenses $_____	Name of consultant/expert _____ Incurred fees $_____ Incurred expenses $_____
Description of legal work and expenses	
Description of consultant/expert work and expenses	

Appendix 4 Scale of Costs

The scale of costs represents a fair and reasonable tariff to provide participants with adequate, competent, and professional assistance in making an effective submission before the AER. In a case where a party can advance persuasive arguments that the scale of consumer or applicant contribution is inadequate given the complexity of the case, the AER may award an amount greater than stated in the scale of costs to address such unique circumstances.

Professional Fees

The scale of costs provides a sliding scale for professional fees on the basis that as the professional's experience increases, so will his or her value and wage. The AER emphasizes that the maximum allowable hourly rates will not be awarded as a matter of course. Rather, the AER will assess each claim upon its individual merits. The AER allows professionals only half of their hourly rate for travel time.

Legal Fees

Articling students	$140/hour
1–4 years at the bar	$240/hour
5–7 years at the bar	$280/hour
8–12 years at the bar	$320/hour
More than 12 years at the bar	$350/hour

Legal fees are deemed to include and cover all overhead charges implicit in the normal operation of a law firm. While the AER will not consider fees for secretarial work, in certain situations, it may also be appropriate for a paralegal to work on the application or intervention. The AER will consider such claims for paralegal fees only if it can be demonstrated that the work performed required the expertise of a paralegal and could not have been performed by a legal assistant.

Consultant, Analyst, and Expert Fees

Secretarial/support staff	$45/hour
1–4 years' experience	$120/hour
5–7 years' experience	$160/hour
8–12 years' experience	$230/hour
More than 12 years' experience	$270/hour

The AER recognizes that the above professionals may not include the costs of secretarial work in their fees and thus may recognize a claim for secretarial or clerical services. However, the AER will not recognize claims for overhead based upon percentages of the fees or disbursements claimed.

Disbursements

Office Disbursements

The AER may consider claims for the following office disbursements incurred throughout the participant's involvement in the proceeding:

- courier charges
- long-distance telephone calls
- photocopies ($0.10/page)
- fax ($1/page)
- computer charges
- postage
- transcripts (must be accompanied by a receipt)

The AER does not require claimants to submit receipts for the above disbursements (other than transcripts) with their initial costs claims. However, claimants should retain receipts for such disbursements, as the AER will require their submission if the claim is selected for audit. Office disbursements other than those listed above may be listed as miscellaneous, with a short explanation of the expenses claimed attached.

Personal Disbursements

The AER may consider claims for the following personal disbursements that are incurred during the hearing phase of the proceeding.

Meals: The maximum allowable claim for meals is $40/day ($10 for breakfast, $15 for lunch and dinner). Claims for meals are restricted to the hearing phase of a proceeding. Tips are not claimable. No receipt is necessary for meal expenses.

Accommodation: The maximum allowable claim for accommodation is $140/day. Receipts must accompany all claims for accommodation. Claims for accommodation are restricted to the hearing phase of a proceeding.

Travel: The AER's mileage rate for automobile travel is $0.505/kilometre (km). This portion of a claim is restricted to intercity travel distances of 50 km or more.

The AER may recognize claims for airfare at economy rates or less. Claims for airfare must be accompanied by a receipt supporting the claim. Claims for airfare are restricted to the hearing phase of the proceeding.

Taxi: Such claims are restricted to the hearing phase of the proceeding. They need not be accompanied by a receipt. Claimants should, however, retain such receipts in the event that the AER directs an audit of the claim. Tips are not claimable.

Parking: Such charges are restricted to the hearing phase of the proceeding. They need not be accompanied by a receipt. Claimants should, however, retain such receipts in the event that the AER directs an audit of the claim. Tips are not claimable.

Appendix 5 Costs Forms

E1: “Summary of Total Costs Claimed”

E2: “Summary of Professional Fees Claimed”

E3: “Summary of Participant Honoraria Claimed”

E4: “Summary of Disbursements Claimed”

E5: “Affidavit of Fees and Disbursements”

Summary of Total Costs Claimed
Form E1

Alberta Energy Regulator

Date _____

Participant/Lawyer/Expert	Total Fees/Honoraria Claimed	Total Disbursements and Expenses Claimed	Total GST Claimed	Total Claimed
TOTAL				

Claimant _____ **Applicant(s)** _____

Agent/Representative _____ **Application(s) No.** _____

Address _____ **Hearing** _____

Phone _____ **Fax** _____

E-mail _____

Summary of Professional Fees Claimed
Form E2

Alberta Energy Regulator

Date _____

	PROFESSIONAL FEES										GST	Total
	Years of Experience	Hourly Wage	Preparation		Attendance		Argument and Reply		Total Fees		Total GST on Professional Fees	Fees and GST
			Hours	Fees	Hours	Fees	Hours	Fees	Hours	Fees		
FIRM/COMPANY NAME												
Individual Name												
Individual Name												
Individual Name												
Individual Name												
Individual Name												
Total This Company												
FIRM/COMPANY NAME												
Individual Name												
Individual Name												
Individual Name												
Individual Name												
Individual Name												
Total This Company												

Claimant _____ **Applicant(s)** _____

Hearing _____ **Application(s) No.** _____

(continued)

Alberta Energy Regulator

	PROFESSIONAL FEES										GST	Total
	Years of Experience	Hourly Wage	Preparation		Attendance		Argument and Reply		Total Fees		Total GST on Professional Fees	Fees and GST
			Hours	Fees	Hours	Fees	Hours	Fees	Hours	Fees		
FIRM/COMPANY NAME												
Individual Name												
Individual Name												
Individual Name												
Individual Name												
Individual Name												
Total This Company												
FIRM/COMPANY NAME												
Individual Name												
Individual Name												
Individual Name												
Individual Name												
Individual Name												
Total This Company												
TOTAL PROFESSIONAL FEES CLAIMED												

Claimant _____ **Applicant(s)** _____

Hearing _____ **Application(s) No.** _____

Summary of Participant Honoraria Claimed
Form E3

Alberta Energy Regulator

Date _____

Participant/Group Name	Preparation Honoraria	Attendance Honoraria	Forming a Group	Total Honoraria Claimed
TOTAL				

Claimant _____ **Applicant(s)** _____

Hearing _____ **Application(s) No.** _____

Summary of Disbursements Claimed
Form E4

Alberta Energy Regulator

Date _____

Disbursements Claimed (exclusive of GST)	Name of Claimant	Name of Claimant	Name of Claimant	Name of Claimant	Total Disbursements
Airfare					
Accommodation (maximum $140/day + provincial hotel tax)					
Meals (maximum $40/day)					
Mileage ($.505/km)					
Taxi					
Parking					
Car rental					
Transcripts					
Postage					
Courier/delivery					
Telephone/long distance					
Fax ($1.00/page)					
Internal photocopying ($.10/copy)					
External printing					
Miscellaneous (please attach details)					
Miscellaneous (please attach details)					
Miscellaneous (please attach details)					
Miscellaneous (please attach details)					
TOTAL DISBURSEMENTS					
Total GST on Disbursements					

Claimant _____ **Applicant(s)** _____

Hearing _____ **Application(s) No.** _____

(continued)

Alberta Energy Regulator

Disbursements Claimed (exclusive of GST)	Name of Claimant	Name of Claimant	Name of Claimant	Name of Claimant	Total Disbursements
Airfare					
Accommodation (maximum $140/day + provincial hotel tax)					
Meals (maximum $40/day)					
Mileage ($.505/km)					
Taxi					
Parking					
Car rental					
Transcripts					
Postage					
Courier/delivery					
Telephone/long distance					
Fax ($1.00/page)					
Internal photocopying ($.10/copy)					
External printing					
Miscellaneous (please attach details)					
Miscellaneous (please attach details)					
Miscellaneous (please attach details)					
Miscellaneous (please attach details)					
TOTAL DISBURSEMENTS					
Total GST on Disbursements					

Claimant _____ **Applicant(s)** _____

Hearing _____ **Application(s) No.** _____

Affidavit of Fees and Disbursements
Form E5

AFFIDAVIT OF FEES AND DISBURSEMENTS CLAIMED IN THE MATTER OF A CLAIM FOR COSTS MADE BY _____ FOR PARTICIPATION IN A PROCEEDING BEFORE THE ALBERTA ENERGY REGULATOR WITH RESPECT TO APPLICATION(S) NO._____

I, _____, of the (city/town) of _____ and the Province of _____, MAKE OATH (OR AFFIRM) AND SAY THAT

1) I am the_____ of the costs claimant _____ (the Claimant) and as such have personal knowledge of the matters hereinafter deposed to, except where stated to be based on information and belief, and where so stated, I do verily believe to be true.

2) The Claimant was a participant in a proceeding (the Proceeding) before the regulator with respect to the above application(s).

3) The Claimant incurred fees and disbursements (exclusive of GST) in the amount of $_____ as a result of its participation in the Proceeding. Additionally, the Claimant incurred GST on the above fees and disbursements in the amount of $_____.

4) I have personally reviewed the accounts of the Claimant's (lawyer[s], consultant[s], witness[s]), including the supporting documentation as required by the scale of costs, and confirm that these accounts represent work performed at the specific request of the Claimant.

5) I have personally reviewed all receipts, invoices, and accounts for transcripts, airfare, and accommodation and confirm that they represent disbursements incurred at the specific request of the Claimant.

6) I confirm that the fees and disbursements claimed on behalf of the Claimant's lawyer(s), expert(s), and consultant(s) are reasonable and in accordance with the AER's scale of costs.

7) (if necessary) The fees claimed on behalf of _____ are in excess of the AER's scale of costs. However, I believe that the Claimant should be entitled to recover such costs because _____
_____
_____

8) To the best of my knowledge and belief, the fees and disbursements claimed by the Claimant represent fees and disbursements incurred necessarily and reasonably for the purpose of the Proceeding.

SWORN (OR AFFIRMED) before me at the (City/Town, etc.) of _____ in the Province of _____ on (date) _____.

Commissioner of Oaths

_____

Signature of Affiant

_____