Costs Order 2022-01



# Whitecap Resources Inc.

# **Regulatory Appeal of Reclamation Certificate 382273**

**Costs Awards** 



#### Alberta Energy Regulator

Costs Order 2022-01: Whitecap Resources Inc., Regulatory Appeal of Reclamation Certificate 382273

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## Whitecap Resources Inc. Reclamation Certificate 382273

## Costs Order 2022-01 Application1938585

## Introduction

[1] In March 2022, the Alberta Energy Regulator (AER) held a hearing to consider the regulatory appeal of the AER's decision to issue reclamation certificate 382273 (the reclamation certificate) to Whitecap Resources Inc. (Whitecap). The appeal was requested by Mr. Herman Dorin, Mrs. Shirley Dorin, and Mr. Mark Dorin (the Dorins). The reclamation certificate certified land owned by Mr. Herman and Mrs. Shirley Dorin in the Town of Didsbury, Alberta.

[2] The Dorins filed a claim for costs incurred in the regulatory appeal proceeding that culminated in the March 2022 hearing. Because the claim was filed after the 30-day deadline for costs claims, we, the AER hearing panel assigned to the Dorins' regulatory appeal, had to decide whether to exercise our discretion to consider the claim. We decided to consider the claim and established a process for submissions about the costs claim. A copy of our letter setting out that decision and the process is attached as appendix 1. The final submissions in the process were filed on June 30, 2022. On July 7, 2022, we advised the parties in writing that we considered the costs claim process closed.

[3] These are our reasons for exercising our discretion to order Whitecap to pay \$2800 in costs to the Dorins.

## Background

## **Regulatory Appeal**

[4] On July 17, 2020, the Dorins filed a request for regulatory appeal of the AER's decision to grant the reclamation certificate to Whitecap without first holding a hearing.

[5] On May 14, 2021, the AER granted the Dorins' request for a regulatory appeal on the question of whether the reclamation certificate was properly issued.

[6] On June 14, 2021, notice of hearing was published on the AER's website and in the *Mountainview Albertan* on June 15, 2021. The Dorins, Whitecap, and the AER Enterprise Reclamation Group (ERG) were identified as parties to the regulatory appeal.

[7] On July 13, 2021, in a letter to ERG, the Dorins, and Whitecap, we confirmed full participation rights in the proceeding to the Dorins and Whitecap. We directed ERG to participate fully in the hearing. In addition, we directed the parties to file written submissions on a preliminary issue.

[8] On September 17, 2021, we issued our decision on the preliminary issue.

[9] On October 21, 2021, after considering comments from the parties, we confirmed four issues for the hearing.

[10] From November 25, 2021, through to February 3, 2022, the parties filed their written submissions.

[11] On December 13, 2021, we issued a notice of scheduling of hearing.

[12] On December 15, 2021, after considering comments from the other parties, we approved a request for adjournment and new filing dates made by ERG.

[13] On January 14, 2022, we issued a notice of rescheduling of hearing.

[14] On January 20, 2022, after considering comments from the other parties, we approved ERG's request for a further deadline extension for filing of its submission.

[15] On February 17, 2022, the Dorins filed their reply submission.

[16] On March 1, 2022, the Dorins filed two motions. The first motion asked the panel to amend the first of the four issues identified by the AER for the hearing and add a new issue. The second motion asked the panel to consider as evidence in the hearing the fact that the Dorins had filed, or would be filing, an application with the Land and Property Rights Tribunal (LPRT) related to matters in the hearing.

[17] Also, on March 1, 2022, the Dorins filed a request that we exercise our authority under section 42 of the *Responsible Energy Development Act (REDA)* to reconsider the implementation of a communications protocol by the AER Engagement and Communication group (formerly Stakeholder and Government Engagement) and two previous decisions: a decision by the AER prior to the regulatory appeal proceeding; and the panel's decision of September 17, 2021, on the preliminary issue.

[18] On March 2, 2022, ERG submitted a late filing in response to the Dorins' reply submission. All parties stated it would be helpful to have the information on the record, so we allowed the late filing.

[19] On March 2, 2022, we issued our decision on the Dorins' first motion. We decided it was not necessary to amend or add an issue as requested by the Dorins because the proposed issue was within the scope of the existing issues identified in our letter of October 21, 2021.

[20] On March 4, 2022, we issued our decision denying the Dorins' requests for reconsideration. We also confirmed that the communication protocol applicable to Mr. Mark Dorin did not apply to the hearing process. In a separate letter with the same date, we informed the Dorins that we would not grant the second motion, which was to consider Mr. Mark Dorin's filing of an application to the LPRT as evidence in this proceeding.

[21] The Dorins were represented throughout the regulatory appeal proceeding by Mr. Mark Dorin. Mr. Mark Dorin also appeared as the witness for the Dorins. Mr. Herman and Mrs. Shirley Dorin were unable to participate as witnesses in the hearing for age- and health-related reasons.

[22] Whitecap and ERG were represented by counsel throughout the regulatory appeal proceeding.

[23] The oral hearing took place electronically via Zoom on the 8th, 9th, and the afternoon of the 10th of March 2022 before hearing commissioners C.A. Low (presiding), C. McKinnon, and E. McNaughtan.

[24] On March 10, 2022, the hearing record was closed after the presentation of the final and reply arguments.

[25] On April 19, 2022, Mr. Mark Dorin notified the AER hearing coordinator for the regulatory appeal and Whitecap that his father had passed away on April 7, 2022. That information was communicated to the hearing panel the same day.

[26] On June 6, 2022, we issued our decision on the regulatory appeal <u>2022 ABAER 002</u>.

#### Costs Claim

[27] On May 26, 2022, Mr. Mark Dorin filed a claim for costs relating to the regulatory appeal proceeding on behalf of himself, his mother, and his late father's estate (the costs claim). The costs claim in the amount of \$61 703.25 (includes GST) was filed 47 days after the 30-day deadline for costs claims established through the *Alberta Energy Regulator Rules of Practice (Rules of Practice)* and *Directive 031: REDA Energy Cost Claims*. As previously stated, we decided to exercise our discretion to consider the costs claim even though it was late.

[28] The Dorins said their claim for costs is limited to the professional fees for time reasonably spent by Mr. Mark Dorin—representing himself and his parents in "certain, but not all" matters associated with the regulatory appeal. The claim includes the costs for preparation of their appeal, attending the virtual hearing, and making argument and reply, including effort for the preliminary issue. It does not include any expenses, disbursements, or honoraria.

[29] The professional fees claimed for Mr. Mark Dorin's time were calculated using an hourly rate of \$230. The Dorins said that Mr. Mark Dorin has been representing landowners since 2011, and his normal hourly rate is \$250.

[30] The Dorins' costs claim is broken into categories for preparation, attendance, and argument and reply on Form E2: Summary of Professional Fees Claimed. The Dorins also submitted a document titled "Table D Breakdown of Participant Costs Claimed, Regulatory Appeal Proceeding ID No.[sic] 411 Herman, Shirley, Mark Dorin." Table D provides a detailed description of time spent by Mr. Mark Dorin itemized by activity, for example, review record and application documents (exhibits 04.01, 04.04, and 04.05) and time spent on that work.

[31] The Dorins did not include in their costs claim filing an invoice or statement of account issued by either Mr. Mark Dorin or Dorin Land and Oilfield Management Inc. (the company name listed on Form E2) for services rendered to the Dorins. They did not file any other documentation, such as *Directive 031*, Form E5: Affidavit of Fees and Disbursements to show that the Dorins were actually charged fees for Mr. Mark Dorin's services or that any of the Dorins paid or are obliged to pay Mr. Mark Dorin's fees.

## The AER's Authority to Award Costs

[32] The AER's jurisdiction to award costs arises from section 61(r) of *REDA*, which gives it the authority to make rules governing the awarding of costs. The key sections of the *Rules of Practice* governing the award of costs in this matter are 58.1, 62, and 64.

[33] Section 62 of the *Rules of Practice* states a participant may apply for an award of costs incurred in a proceeding by filing a costs claim in accordance with *Directive 031*. *Directive 031* sets out what information must be included in the costs claim.

[34] Section 6 of *Directive 031* is relevant to the Dorins' costs claim. It identifies what costs may be claimed by participants for lawyers, consultants, and experts. Section 6 also describes the circumstances when a participant may receive an honorarium and the range in amounts that may be awarded.

[35] The AER has broad discretion in deciding whether to award costs. Section 64 of the *Rules of Practice* states, "The Regulator may award costs to a participant if it finds it appropriate to do so in the circumstances of the case, taking into account the factors listed in section 58.1." The relevant factors for this decision are:

(a) whether there is a compelling reason why the participant should not bear its own costs;

(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; [and]

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

[36] Where relevant, additional considerations are found in AER *Bulletin 2014-07: Considerations for Awarding Energy Cost Claims and Changes* to the AER's *Process for Reviewing Energy Costs Claims*. The bulletin is not relevant here because Whitecap is contesting all aspects of the Dorins' costs claim.

## **Submissions and Analysis**

[37] The Dorins and Whitecap made submissions in this costs claim process. We have read and thoroughly considered all the submissions made. The absence in this decision of a reference to a particular submission or aspect of a submission in no way indicates that we failed to consider the entire submission. Furthermore, as the AER cannot be ordered to pay an award of costs, no provision was made for ERG to make submissions about the Dorins' costs claim.

[38] The Dorins asserted there is an overriding principle governing costs in circumstances where landowners are forced to incur costs to remedy uncertainty caused by an unclear AER decision. They said, in such cases, the affected participants may recover from the operator (in this case, Whitecap) all reasonably incurred costs related to matters in the application. The Dorins did not identify any statute, regulation, or decision of a regulator or the courts to support their assertion. We are not persuaded such an overarching principle exists.

[39] The following general principles rooted in the *Rules of Practice*, *Directive 031*, and previous cost decisions of the AER do apply here:

- Cost awards are not intended to fully indemnify a participant, nor are they intended to fully relieve a participant of the financial burden of participation.
- Cost awards are not awarded or withheld based on success or failure.
- Cost awards are a means of encouraging participants to advance legitimate points of view in a manner that is responsible and respectful of the hearing process.

## Alternative Outcomes Advocated by Whitecap

- [40] Whitecap submitted in its response to the Dorins' costs claim that we should:
- Dismiss the Dorins' costs claim, or, in the alternative,
- Award the Dorins a \$2100 honorarium as hearing participants, or in the further alternative,
- Award the Dorins \$5000 in costs based on an hourly fee of \$50 for 100 hours of Mr. Mark Dorin's time to prepare for and attend the hearing.

We deal with each alternative below.

#### Dismiss the Dorins' Costs Claim

[41] Whitecap argued we should dismiss the Dorins' costs claim because the issues in the regulatory appeal were the direct result of the landowners' conduct or directions, including their refusal to "reasonably permit" Whitecap's reclamation efforts. Whitecap said that the fact that the landowners were unsuccessful in the regulatory appeal supports dismissal of the costs claim.

[42] The Dorins replied to the effect that our decision to exercise our discretion to consider their costs claim is a response to this point. They also said the regulatory appeal proceeding was made necessary by a series of actions, none of which they had control over, starting with the drilling of the well (giving rise to the reclamation requirement) and extending through the AER's use of the OneStop system for reclamation certificate applications. The Dorins pointed out that they raised legitimate issues that were considered in the regulatory appeal proceeding, so dismissing their claim for costs arising from that proceeding would not be appropriate.

[43] Our decision to exercise our discretion to consider the Dorins' costs claim, even though it was filed late, was limited to a decision to consider the claim. It was in no way a decision on the merits of the claim.

[44] For the AER to establish the regulatory appeal proceeding, the Dorins had to file a request for a regulatory appeal setting out the matters they wanted to raise. We find that the decision of the AER to grant the regulatory appeal request on the question of whether the reclamation certificate was properly issued negates Whitecap's argument that the appeal was frivolous. This is because the AER did dismiss certain matters the Dorins raised in their request for regulatory appeal pursuant to section 39(4)(a) of *REDA*. That section gives the AER the discretion to dismiss a request for a regulatory appeal if it considers the request to be frivolous, vexatious, or without merit.

[45] Furthermore, because costs are not awarded or withheld based on a participant's perceived success or failure, Whitecap's submission to that effect is not relevant.

[46] Finally, the regulatory appeal proceeding uncovered irregularities in the reclamation certificate issued through OneStop and highlighted issues with the OneStop system that the AER acknowledged need to be addressed. The regulatory appeal process enabled the reclamation certificate irregularities to be resolved.

[47] Therefore, for the preceding reasons, we find it would not be appropriate to dismiss the Dorins' costs claim.

#### Award Costs Based on a Participant Honorarium

[48] Whitecap submitted that if we decide not to dismiss the Dorins' costs claim, an award of \$2100 would be appropriate and consistent with honoraria prescribed for hearing participants in accordance with section 6 of *Directive 031*.

[49] Whitecap noted that Mr. Mark Dorin's role was unclear. He represented both his parents as landowners and himself as a person with an interest in the relevant lands and an occupant of adjacent lands. On that basis, Whitecap argued that Mr. Mark Dorin should be treated as a participant for costs purposes. Whitecap submitted an honorarium should be calculated based on section 6.1 of *Directive 031*. Referring to section 6.1, Whitecap said many of the complexities in the hearing resulted from issues

raised by Mr. Mark Dorin, so a preparation honorarium of \$1500, and not the maximum \$2500 under section 6.1, would be appropriate. Whitecap added an attendance honorarium of \$200 for each day of the three-day hearing (\$600) for a total of \$2100.

[50] The Dorins did not explicitly address the question of whether Mr. Mark Dorin should be treated as a participant or as a representative for the purposes of assessing their costs claim. Their claim was made for professional fees for Mr. Mark Dorin acting as the representative of Mr. Herman and Mrs. Shirley Dorin and himself.

[51] Although it may be preferable for hearing participants to employ an unrelated professional representative with no connections to the matters in issue, it is their choice. The senior Dorins regarded their son, Mr. Mark Dorin, as their representative, as evidenced by the affidavits of the late Mr. Herman Dorin and Mrs. Shirley Dorin filed in the regulatory appeal proceeding.

[52] In considering whether to award costs based on the participant honorarium provisions of *Directive 031*, we needed to decide whether Mr. Mark Dorin should be considered a self-represented participant. The relevant facts are as follows:

- Mr. Mark Dorin claimed and was recognized as having an interest in the land covered by the reclamation certificate.
- He described his role in the regulatory appeal proceeding as representing his parents and himself.
- He claimed that since 2011 he has been representing other landowners in proceedings, although not AER proceedings.
- He was the only witness for the Dorins.
- No statement of account, invoice, or proof of payment of the amount claimed as professional fees was provided in support of the Dorins' costs claim.

[53] There is no specific guidance in the *Rules of Practice* or *Directive 031* about when a participant, who has experience as a representative in regulatory proceedings, and who represents themselves and others, should be considered a self-represented participant for the purposes of a claim for costs. Section 6.1.2 of *Directive 031* states the following:

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.

[54] The issues in this hearing were straightforward and Mr. Mark Dorin was clearly comfortable in personally presenting the Dorins' concerns throughout the hearing process. Although Mr. Mark Dorin did carry out many of the functions that a lay representative or professional representative would perform, such as preparing and filing written submissions, responding to process-related questions,

cross-examining witnesses, and presenting final argument, self-represented participants also must do those things.

- [55] We also considered the following additional factors:
- Mr. Mark Dorin was not a disinterested third party (as lay representatives and professional representatives typically are) because our decision could directly affect him. We found this to be a significant factor.
- Mr. Mark Dorin presented himself as the Dorins' only witness at the oral portion of the hearing. Typically, lay and professional representatives do not give evidence—or at least they are not supposed to. This factor weighed less in our decision in these circumstances as Mr. Herman and Mrs. Shirley Dorin were unable to participate in the oral portion of the hearing.
- Mr. Mark Dorin defended his own interests as well as those of his parents in the regulatory appeal proceeding. We found this to be a significant factor.

[56] Finally, we would expect a lay or professional representative to provide a statement of account, invoice, or evidence that fees for their services have been or will be paid by the participants making the costs claim. As previously noted, we have no evidence that the costs claimed, or any portion thereof, have been paid or must be paid by Mr. Mark Dorin, Mrs. Shirley Dorin or Mr. Herman Dorin's estate or any of them.

[57] For the preceding reasons, we find Mr. Mark Dorin should be considered a self-represented participant and not a lay representative for the purposes of the Dorins' costs claim. Consequently, we have decided to award costs based on a participant honorarium in the circumstances of this regulatory proceeding. For that reason, we need not deal with Whitecap's third alternative—awarding \$5000 to Mr. Mark Dorin acting as a lay representative.

## **Costs Awarded**

[58] The individual cost components we have awarded are preparation of submissions and attendance at the hearing.

## Preparation of Submissions

[59] Section 6.1.2 of the *Rules of Practice* provides that a participant who personally prepares a submission may receive an honorarium in an amount ranging from \$300 to \$2500, depending on the complexity of the submission. Whitecap said a \$1500 honorarium is appropriate for preparing the Dorins' submissions because they themselves introduced many complexities to the hearing.

[60] Nothing about the regulatory appeal proceeding made it especially complex or technically difficult (e.g., a federal-provincial joint review process or questions of constitutional law). The Dorins did

not submit expert evidence. However, Mr. Mark Dorin did prepare submissions to deal with extensive technical submissions filed by Whitecap on the issue of salt contamination. That debate substantially contributed to our better understanding that issue. Mr. Mark Dorin also prepared relevant video evidence that was helpful to the panel. In addition, the parts of the Dorins' submissions that were focussed on the issues identified for the regulatory appeal proceeding were helpful and contributed to a better understanding of the issues, especially the submissions about OneStop and the reclamation certificate.

[61] Finally, Mr. Mark Dorin also prepared submissions on the preliminary issue we identified, and those submissions were necessarily separate from and in addition to the Dorins' submissions on the four issues identified for the hearing.

[62] For the preceding reasons, we find it appropriate to exercise our discretion to award a \$2200 honorarium for submission preparation.

#### Attendance at the Hearing

[63] Section 6.1.3 of *Directive 031* states:

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.

[64] Mr. Mark Dorin appeared at the hearing (hosted on the Zoom platform) and gave evidence, made submissions, was cross-examined, conducted cross-examination, and presented final argument. We find it appropriate to exercise our discretion to award an attendance honorarium of \$600 calculated as follows:

• Attendance honorarium = 6 half days of attendance (4 half days of evidence and 1 full day for final argument) x \$100

#### **Total Honorarium Awarded**

[65] The total honorarium awarded is \$2800 (\$2200 submission preparation plus \$600 attendance).

## Order

[66] The AER hereby orders Whitecap to pay the Dorins' costs in the amount of \$2800 as shown in appendix 2.

[67] This amount must be paid within 30 days from issuance of this order.

Dated in Calgary, Alberta, on August 17, 2022.

## Alberta Energy Regulator

Cecilia Low, BSc., LL.B., LL.M. Presiding Hearing Commissioner

Claire McKinnon, LL.B. Hearing Commissioner

Elizabeth McNaughtan, MBA, P.Ag. Hearing Commissioner

## Appendix 1 Letter on Late Filing of Costs Claim



Calgary Head Office Suite 1000, 250 - 5 Street SW Calgary, Alberta T2P 0R4 Canada

www.aer.ca

June 17, 2022

By email only

Bennett Jones LLPDorin Land and Oilfield Management Inc.AER Enterprise Reclamation GroupAttn: Daron Naffin<br/>Tim MyersAttn: Mark DorinAttn: Barbara Kapel Holden<br/>Scott Poitras

# **RE:** Late Filing of the Dorins' Claim for Costs for Proceeding 411 (Regulatory Appeal 1933054)

Dear Parties:

I am writing on behalf of the Alberta Energy Regulator (AER) panel of hearing commissioners presiding over this proceeding (the panel). For the reasons below the panel has decided it will consider the Dorins' costs claim filed on May 26, 2022.

## The Regulatory Appeal

Key steps and dates in the regulatory appeal process relevant to the Dorins filing a claim for costs are:

- July 17, 2020, the AER granted Mr. Herman, Mrs. Shirley and Mr. Mark Dorin's request for a regulatory appeal of the AER's decision to issue a reclamation certificate to Whitecap Resources Inc. (Whitecap) covering lands owned by Mr. Herman and Mrs. Shirley Dorin in Didsbury, Alberta.
- The parties in the regulatory appeal were the Dorins, Whitecap and the AER Enterprise Reclamation Group (ERG).
- Notice of hearing was issued June 14, 2021.
- An oral hearing, hosted on the Zoom (electronic) platform, was held March 8, 9<sup>th</sup>, and part of the day March 10<sup>th</sup>, 2022.
- The hearing record was closed on March 10, 2022, after all parties had presented final argument.

Mr. Herman and Mrs. Shirley Dorin were, at all relevant times, the owners of the land covered by the reclamation certificate that was the subject of the regulatory appeal. Their son, Mr. Mark Dorin, has an interest in the lands and represented his parents and himself throughout the regulatory appeal. Herman and Shirley Dorin were unable to participate as witnesses in the hearing for age and health-related reasons.

On April 19, 2022, Mr. Mark Dorin notified the undersigned and Whitecap that his father had passed away on April 7, 2022. That information was communicated to the hearing panel the same day.

#### The Costs Claim

The Alberta Energy Regulator Rules of Practice (Rules) and AER Directive 031: REDA Energy Cost Claims (Directive 031) require that hearing participants file their costs claims within 30 days after the hearing record is complete unless otherwise directed by the AER. Directive 031 states that hearing records are "generally considered complete once final argument has been presented and the hearing has been closed".

Thirty days from the close of the hearing was April 9, 2022. The Dorins' costs claim was filed on May 26, 2022. It was filed by Mr. Mark Dorin on behalf of Shirley Dorin, the estate of Herman Dorin, and himself – as participants in the regulatory appeal. Section 6.5 of *Directive 031* states that "costs claims not received within 30 days will not be considered and may be dismissed unless extraordinary circumstances prevented timely filing". The Dorins' costs claim was filed 47 days after the 30-day deadline, 77 days after the hearing record was complete.

#### Submissions on Lateness

The final section of the Dorins' cost claim set out the reasons for missing the filing deadline. Mr. Mark Dorin explained that the costs claim was filed late because he had overlooked the filing requirements set out in *Directive 031*. Mr. Dorin stated he had been under the impression that costs claims are filed after the decision is published. Mr. Dorin also stated that contributing factors to the late filing of the Dorins' cost claim were his father's illness and passing, and that his elderly mother, who is the executor of his father's estate, is also ill. He further explained his time was mostly taken up dealing with those matters.

The panel gave Whitecap and ERG an opportunity to comment on the lateness of the Dorins' cost claim.

ERG responded that it took no position.

Whitecap filed submissions dated May 31, 2022. Whitecap said the reasons given by Mark Dorin for the late filing – referring specifically to the misapprehension about when the 30-day period begins to run - do

not amount to extraordinary circumstances. Whitecap also referred to that part of the Dorins' cost claim where it is stated that "Mark Dorin has been representing landowners on a regular basis since 2011" and said Mr. Dorin's previous experience and familiarity with the AER's processes and timelines weigh against the panel exercising the discretion to extend the 30-day cost claim deadline. Whitecap did not identify any prejudice it would suffer if the panel were to extend the cost claim deadline in this case.

The Dorins were given the opportunity to reply and did so on June 6, 2022. In the reply on behalf of the Dorins Mr. Mark Dorin pointed out that he has not previously represented anyone in an AER proceeding who would have been entitled to file a costs claim.

#### Panel Decision and Process Schedule

The panel finds that a mistaken impression of the requirements of the *Rules* and *Directive 031* does not amount to extraordinary circumstances. However, the panel has decided that the senior Dorins' health issues, Mr. Herman Dorin's passing within 2 days of the deadline for filing a costs claim, and Mr. Mark Dorin having to assist his mother with her late husband's estate - amount to extraordinary circumstances in this case that justify an extension of the costs claim deadline. To arrive at its decision, the panel also considered the fact that Whitecap did not identify any prejudice it would suffer if the panel were to extend the cost claim deadline.

The panel has established the following process and schedule for assessing the Dorins' costs claim.

Whitecap Comments on Dorin Costs Claim	Due June 27, 2022			
Dorin Reply Comments	Due July 5, 2022			

All comments should be filed to energycost@aer.ca by noon on the stated date.

For questions about the above, please contact me by email at energycost@aer.ca.

Sincerely,

Tammy Turner

Hearing Coordinator, Hearing Services

cc: M. LaCasse, AER

L. Mosher, AER

Appendix 2 Summary of Costs Claimed and Awarded											
M Dorin	Total Fees / Honorarium Claimed	Total Expenses Claimed	Total GST Claimed	Total Amount Claimed	Total Fees / Honorarium Awarded	Total Expenses Awarded	Total GST Awarded	Total Amount Awarded	Reduction		
M. Dorin	(participant)										
Total	\$58765.00	\$0.00	\$2938.25	\$61703.25	\$2800.00	\$0.00	\$0.00	\$2800.00	\$58903.25		

## Appendix 2 Summary of Costs Claimed and Awarded