
Calgary, Alberta

**AltaLink Management Ltd.
500kV Transmission Line (Genesee to Lochend)
Negotiated Settlement**

**Order 2008-002
Application No. 1478550
Cost Application No. 1504491**

On November 2, 2006 the Alberta Energy and Utilities Board (EUB or Board) commenced the AltaLink Management Ltd. (AltaLink) 500 kV proceeding (the Proceeding). The hearing involved 37 sitting days and the filing of extensive written argument and reply. On September 30, 2007 the Board issued Decision 2007-075 in which it declared that the Proceeding, and two related proceedings, were void on the ground of reasonable apprehension of bias.

On March 12, 2008 the Alberta Energy and Utilities Board (EUB or Board) established a division of the Board consisting of Acting Board Members to consider cost claims arising from Cost Application No. 1504491 (the Hearing Costs Panel). Each member of the Hearing Costs Panel was appointed to the EUB's acting Board Members list after the issuance of EUB Decision 2007-075. No member of the Hearing Cost Panel has had any previous involvement in any EUB decisions relating to the 500 kV applications, including the Section 34 NID application.

The Hearing Costs Panel has reviewed the correspondence from Mr. Block dated February 27, 2008, on behalf of AltaLink, in which a negotiated settlement of the Local Intervener Cost Claim of Ronald Hurt, Donna Hurt, Gerald Hurt, and Grant Budgeon (the B-H Group) is proposed. This cost claim related to the legal fees, disbursements, and GST incurred by the B-H Group's counsel Mr. Henry L. Loots. The total claim was for \$88,885.79 and included \$81,487.50 in fees, \$2,409.47 in expenses, and \$4,988.82 in GST.

The Hearing Costs Panel understands that Mr. Loots has accepted AltaLink's offer of \$73,189.71 as full satisfaction of his legal fees, expenses, and GST for this matter. The amount negotiated is inclusive of Mr. Loots' advance funding awards made by the Board on March 16, 2007 and May 24, 2007 in the amounts of \$31,500.00 and \$12,500.00 respectively. The Hearing Costs Panel considers the settlement amount to be consistent with the Board's Scale of Costs and reasonable given the tasks undertaken, as described in Mr. Loots' statements of account. In addition, the Hearing Costs Panel finds that it was reasonable for Mr. Loots' clients to participate in this Proceeding, and that such participation was in the public interest.

As the Hearing Costs Panel is satisfied that the settlement amount accords with the Scale of Costs, is reasonable and prudent, and is in the public interest, it hereby approves the settlement as proposed by AltaLink.

ORDER

IT IS HEREBY ORDERED:

1. AltaLink Management Ltd. shall pay Local Intervener Costs in the amount of \$73,189.71, to Mr. Henry L. Loots in full satisfaction of the Local Intervener Cost Claim of Ronald Hurt, Donna Hurt, Gerald Hurt, and Grant Budgeon for Cost Application No. 1504491.

Dated in Calgary, Alberta on this 21st day of April, 2008.

ALBERTA ENERGY AND UTILITIES BOARD

(Original signed by)

John F. Curran, Q.C.

Acting Member (Presiding Member)

(Original signed by)

Donna Tingley

Acting Member

(Original Signed by)

Donald James Turner

Acting Member