

# Funding options for participants

Recovery for certain costs associated with participating in an AUC proceeding are available for local interveners. If you participate in a facility project hearing or a rates hearing, you may be eligible to recover your costs for participating in the hearing, including the costs associated with hiring a lawyer and/or expert or a consultant.

## Eligibility to recover costs

To qualify as a local intervener you must own or occupy land that may be directly and adversely affected by a decision the AUC may make about a proposed project. To confirm your status as a local intervener in a facility proceeding, the AUC will issue a standing ruling that decides if you have a legal right that may be directly and adversely affected by the AUC's decision on the project application. Standing means that the AUC has recognized you as a local intervener.

In rates proceedings, the AUC may award costs to an intervener who has, or represents a group of utility customers that have a substantial interest in the subject matter of a hearing or other proceeding and who does not have the means to raise sufficient financial resources to enable the intervener to present its interest adequately in the hearing or other proceeding.

Costs which can be recovered, based upon a scale of costs which are available in Rule 009: *Rules on Local Intervener Costs* and Rule 022: *Rules on Costs in Utility Rate Proceedings*, include costs for legal representation, costs for expert witnesses and reports, as well as some reasonable personal expenditures required for participation.

It is extremely important that you understand the expectations about payment terms with your lawyer

or any other consultant prior to hiring them. Individuals with common concerns and positions should consider participating together as a group that shares the costs of participation.

## Scale of costs

The AUC awards costs in accordance with a scale of costs that prescribes the following maximum hourly rates for legal fees and the fees of consultants, analysts and experts. Rule 009: *Rules on Local Intervener Costs* outlines the process and requirements for local interveners to request reimbursement of certain costs related to participating in a facility proceeding or hearing.

Legal fees	Consultants, analysts and expert fees
Articling students \$140 per hour	
One to four years at the bar \$240 per hour	One to four years of experience \$120 per hour
Five to seven years at the bar \$280 per hour	Five to seven years of experience \$160 per hour
Eight to 12 years at the bar \$320 per hour	Eight to 12 years of experience \$230 per hour
More than 12 years at the bar \$350 per hour	More than 12 years of experience \$270 per hour

The scale of costs also sets the maximum amounts that can be claimed for travel to a hearing, secretarial and administrative work, and personal disbursements.

Costs claims must be filed within 30 days after the hearing or other proceeding is closed.