

December 10, 2003

**APPLICATION NO. 1314506
ATCO GAS NORTH, ATCO GAS SOUTH
REQUEST FOR EXEMPTION FROM CERTAIN PROVISIONS OF
THE GAS UTILITIES ACT CODE OF CONDUCT REGULATION, AR 183/2003**

**APPLICATION NO. 2003-00101
ATCO ELECTRIC LTD.
REQUEST FOR EXEMPTION FROM CERTAIN PROVISIONS OF
THE ELECTRIC UTILITIES ACT CODE OF CONDUCT REGULATION, AR 160/2003**

To all interested parties:

RE: APPLICATION NO. 2003 - 00101

On November 25, 2003, the Market Surveillance Administrator (MSA) issued its Decision in relation to Application 2003 – 00101. The Decision did not address the issue of hearing costs.

The MSA takes the view that it is not in a position to award costs to any party in relation to the Application and related proceeding. The governing legislation and regulations (including the *Code of Conduct Regulation* AR 160/2003) do not provide to the MSA any powers to award costs.

The MSA does appreciate the efforts taken by parties to bring forward their views in respect of the Application. We would encourage such contributions in the event of subsequent proceedings.

Please feel free to contact the undersigned with any questions in this regard.

Yours truly,



Rob Spragins
Manager, Investigations
Market Surveillance Administrator.