AUC
Alberta Utilities Commission

Synapse Real Estate Corp.
Synapse Data Center Project
Costs Award

April 24, 2026

Alberta Utilities Commission
Decision 30722-D01-2026
Synapse Real Estate Corp.
Synapse Data Center Project
Costs Award
Proceeding 30722

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1 Introduction

1. In this decision, the Alberta Utilities Commission considers an application by the Olds Residents for Responsible Development group (ORRD) for an award of costs for their participation in Proceeding 30625[1] (the original proceeding). For the reasons below, the Commission approves $7,059.13 in costs for ORRD.

2. The following table sets out the costs claimed and the amounts awarded:

Claimant	Fees Claimed	Disbursements Claimed	GST Claimed	Total Claimed	Fees Awarded	Disbursements Awarded	GST Awarded	Total Awarded
ORRD								
Ackroyd LLP	$6,032.50	$100.00	$306.63	$6,439.13	$6,032.50	$100.00	$306.63	$6,439.13
Intervener honoraria and disbursements	$0.00	$620.00	$0.00	$620.00	$0.00	$620.00	$0.00	$620.00
Total	**$6,032.50**	**$720.00**	**$306.63**	**$7,059.13**	**$6,032.50**	**$720.00**	**$306.63**	**$7,059.13**
			Total amount claimed	**$7,059.13**			**Total amount awarded to parties**	**$7,059.13**

3. The original proceeding was convened by the Commission to consider an application from Synapse Real Estate Corp. for approval to construct and operate the Synapse Data Centre, a 1.4 gigawatt natural-gas fired power plant. The Commission's Rule 009: *Rules on Local Intervener Costs* effective July 1, 2025, applies to the costs of participation in the original proceeding. ORRD submitted their costs claim within the 30-day timeline permitted by the rule, and notice of the costs application was issued.[2] The record for this costs proceeding closed on April 20, 2026, the date ORRD filed reply costs submissions.

2 Olds Residents for Responsible Development group's claim

4. At the time the original proceeding was closed, ORRD had 20 registered members who are individuals who own and occupy lands in close proximity to the power plant project. The group raised concerns on topics including noise impacts, environmental impacts, property impacts, compatibility with municipal requirements, stress on municipal infrastructure and services, and on-site chemical storage.

[1] Proceeding 30625, Synapse Real Estate Corp, is seeking approval to construct and operate the Synapse Data Center, a 1.4GW (nominal capacity) natural gas-fired power plant with an attached 1GW Data Center.

[2] Exhibit 30722-X0007, AUC – Notice of costs application; and AUC – Notice of costs application (no exhibit number), issued on April 7, 2026, in Proceeding 30625.

5. Before issuing a standing ruling, the Commission closed the application in the original proceeding without prejudice to Synapse reapplying in the future.

6. The following is a breakdown of the costs claimed by ORRD:

Claimant	Hours			Fees	Disbursements	GST	Total
	Preparation	Attendance	Argument				
ORRD							
Ackroyd LLP	12.70	0.00	0.00	$6,032.50	$100.00	$306.63	$6,439.13
Intervener honoraria and disbursements	0.00	0.00	0.00	$0.00	$620.00	$0.00	$620.00
Total	**12.70**	**0.00**	**0.00**	**$6,032.50**	**$720.00**	**$306.63**	**$7,059.13**

7. Synapse filed late submissions objecting to the cost claim. Synapse submits that ORRD does not meet the definition of a local intervener in the *Alberta Utilities Commission Act* because the Commission did not grant standing, and ORRD is therefore not eligible to submit a cost claim. Synapse also submits that Rule 009 does not allow costs for pre-application process. Since no notice was issued before the application was closed, Synapse submits that ORRD acted prematurely.[3]

8. In reply, ORRD notes that the Commission has previously granted cost recovery to landowner groups where there was no standing ruling in the original proceeding, for example Decision 30019-D01-2025.[4] ORRD also notes that the definition of local intervener in the *Alberta Utilities Commission Act* is not dependent on issuing a formal standing ruling, and the Commission has broad discretion to award costs where there was no standing ruling issued.[5] ORRD also states that all costs relate to activities after the original application was filed, and that it is reasonable to meet early in the proceeding, and filing early statements of intent to participate may be able to assist the Commission in drafting information requests.[6]

9. ORRD did not object to the late filing and did not raise any possible prejudice. The Commission is prepared to accept Synapse's late statement of intent to participate and consider its submissions.

10. As noted by ORRD, the Commission can and has awarded costs to groups under Rule 009 where there was no standing ruling, including Decision 30019-D01-2025. The definition of local intervener in Section 22(1) of the *Alberta Utilities Commission Act* is:

> **22(1)** For purposes of this section, "local intervener" means a person or group or association of persons who, in the opinion of the Commission,
>
> (a) has an interest in, and
>
> (b) is in actual occupation of or is entitled to occupy

[3] Exhibit 30722-X0009, Letter to AUC re Request for Time Extension and Comments on Cost Claim, PDF page 2.
[4] Decision 30019-D01-2025: Neoen Renewables Canada Inc. Jumbo Solar with Storage Project Costs Award, July 4, 2025.
[5] Exhibit 30722-X0010, 2026-04-20 ORRD LT AUC, PDF pages 2-3.
[6] Exhibit 30722-X0010, 2026-04-20 ORRD LT AUC, PDF page 3.

> land that is or may be directly and adversely affected by a decision or order of the Commission in or as a result of a hearing or other proceeding of the Commission on an application to construct or operate a hydro development, power plant, energy storage facility or transmission line under the *Hydro and Electric Energy Act* or a gas utility pipeline under the *Gas Utilities Act*, but unless otherwise authorized by the Commission does not include a person or group or association of persons whose business interest may include a hydro development, power plant, energy storage facility or transmission line or a gas utility pipeline.

11. The Commission agrees with ORRD that the definition does not require a standing ruling. Where there was no standing ruling in the original proceeding, the Commission can assess eligibility for costs in the cost claim.

12. At the time the original proceeding was closed, ORRD had 20 registered members who are individuals who own and occupy lands in close proximity to the power plant project.[7] As noted, the Commission did not determine standing before the original proceeding was closed. However, the Commission has broad authority under Section 21(1) of the *Alberta Utilities Commission Act* to determine whether, by whom and to whom to award costs in proceedings before it.[8] The definition of eligible intervener in Rule 009 also includes an intervener that is otherwise determined to be an eligible intervener by the Commission.[9] The Commission exercises its discretion to grant costs eligibility to ORRD. In the Commission's view, this is appropriate given the nature of ORRD's participation and the likelihood that one or more members of ORRD would have been granted standing in the original proceeding had the application not been closed. Specifically, many of the ORRD members were located within 2,000 metres of the proposed project. This includes Eric Carlson, who's residence is 610 metres from the project area.[10]

13. The Commission also rejects Synapse's submissions that the costs claimed were premature. As noted by ORRD, all of the costs claimed related to activities that occurred after the application was filed.[11] The steps taken would have been reasonable if the Commission proceeded to consider the application in the original proceeding. While it was ultimately unnecessary since the application was closed, that is a direct result of the applicant filing a deficient application. The Commission finds that an applicant cannot rely on the fact that an application was closed at an early stage due to deficiencies to avoid paying costs.

14. ORRD provided information demonstrating that the costs claimed satisfy the criteria set out in Section 7(1) of Rule 009: *Rules on Interveners Costs*.[12] The Commission finds ORRD acted responsibly in the early stages of the original proceeding. The Commission is satisfied that the costs claimed are consistent with the scale of costs in Appendix A of Rule 009.

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7 Exhibit 30722-X0001, Rule009_CostsApplicationForm, PDF page 2.

8 *Alberta Utilities Commission Act*, Section 21(1) provides: "The Commission may order by whom and to whom its costs and any other costs of or incidental to any hearing or other proceeding of the Commission are to be paid." See also ATCO Gas and Pipelines Ltd v Alberta (Utilities Commission), 2014 ABCA 397.

9 The Commission's Rule 009, effective July 1, 2025, applies to the costs application. Section 1(4)(c).

10 Exhibit 30722-X0010, 2026-04-20 ORRD LT AUC, PDF page 4.

11 Exhibit 30722-X0010, 2026-04-20 ORRD LT AUC, PDF page 3 and Exhibit 30722-X0003, c_2026-03-12 Ackroyd Account (162567).

12 The Commission's Rule 009, effective July 1, 2025, applies to the costs application.

15. The Commission finds that the costs claimed for Ackroyd are reasonable and approves those costs in full, including the Intervener disbursement claim of $620.00 for the hall rental.

16. For the reasons provided above, the Commission approves ORRD's claim for recovery of costs in the total amount of $7,059.13, consisting of legal fees of $6,032.50, disbursements of $720.00 and GST of $306.63.

3 Order

17. The Commission approves Application 30722-A001, under sections 21 and 22 of the *Alberta Utilities Commission Act* and Section 7(2) of Rule 009, and orders as follows:

(1) Synapse Real Estate Corp. shall pay intervener costs to the Olds Residents for Responsible Development group in the amount of $7,059.13 within 30 days of this Order. Payment shall be made to Ackroyd LLP, on behalf of the Olds Residents for Responsible Development group.

Dated on April 24, 2026.

Alberta Utilities Commission

(original signed by)

Cairns Price
Commission Member