

Automobile Injury Compensation Appeal Commission

**IN THE MATTER OF an Appeal by [the Appellant]
AICAC File No.: AC-07-93**

PANEL: Ms Yvonne Tavares

APPEARANCES: The Appellant, [text deleted], was not present at the appeal hearing;
Manitoba Public Insurance Corporation ('MPIC') was represented by Ms Alison Caldwell.

HEARING DATE: March 16, 2011

ISSUE(S): 1. Entitlement to Permanent Impairment Benefits.
2. Entitlement to reimbursement for travel expenses.

RELEVANT SECTIONS: Sections 127, 129 and 136 of The Manitoba Public Insurance Corporation Act ('MPIC Act')

AICAC NOTE: THIS DECISION HAS BEEN EDITED TO PROTECT THE PERSONAL HEALTH INFORMATION OF INDIVIDUALS BY REMOVING PERSONAL IDENTIFIERS AND OTHER IDENTIFYING INFORMATION.

Reasons For Decision

The Appellant, [text deleted], is appealing the Internal Review Decisions dated May 15, 2007 and January 14, 2008, with regards to his entitlement to Permanent Impairment benefits and reimbursement of travel expenses. The appeal hearing was held on March 16, 2011 commencing at 10:30 a.m. The Appellant did not attend the hearing or provide any written submissions to the Commission in support of his appeal.

At the outset of the hearing, it was determined that the Appellant had received Notice of the hearing by virtue of his signature claiming the Xpresspost letter (containing the Notice of

Hearing from the Commission) from Canada Post. As a result, the Commission proceeded with the hearing of the appeal.

Upon a consideration of the totality of the evidence before it, the Commission finds that the Appellant has not established, on a balance of probabilities, that he is entitled to any additional Permanent Impairment benefits as a result of injuries arising from the motor vehicle accident of May 3, 2004. Additionally, the Commission finds that the Appellant has not established that the travel expenses for the travel claimed by the Appellant was related to injuries sustained in the motor vehicle accident of May 3, 2004.

As a result, the Appellant's appeals are dismissed and the Internal Review Decisions dated May 15, 2007 and January 14, 2008 are confirmed.

Dated at Winnipeg this 5th day of April, 2011.

YVONNE TAVARES