



BRITISH COLUMBIA UTILITIES COMMISSION	
ORDER NUMBER	G-49-88

PROVINCE OF BRITISH COLUMBIA

BRITISH COLUMBIA UTILITIES COMMISSION

IN THE MATTER OF the Utilities Commission
Act, S.B.C. 1980, c. 60, as amended

and

IN THE MATTER OF an Application by
West Kootenay Power and Light Company,
for an Energy Project Certificate

G-41-88

Never
issued.

BEFORE:	J.D.V. Newlands,)	
	Deputy Chairman and)	
	Chairman of the)	
	Division;)	May 10, 1988
	A.C. Michelson,)	
	Commissioner; and)	
	F.C. Leighton,)	
	Commissioner)	

O R D E R

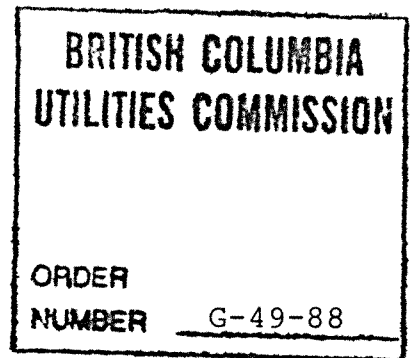
WHEREAS Commission Order No. G-20-88 dated March 4, 1988,
set down for public hearing to commence April 26, 1988 in Kelowna, B.C., West
Kootenay Power and Light Company, Limited's ("WKPL") Application for an
Energy Project Certificate; and

WHEREAS Commission Order No. G-37-88 dated April 15, 1988,
postponed the public hearing at the request of WKPL to May 31, 1988 in order
to allow WKPL additional time to address environmental issues, to finalize the
potential sites for the location of the Okanagan Gas Turbine Project, and to
consider a power purchase offer made by British Columbia Hydro and Power
Authority ("B.C. Hydro"); and

WHEREAS on May 5, 1988 WKPL applied to the Commission
(letter attached as Appendix A) for a further postponement to mid-September
1988, in order to complete the securing of an alternative site for the gas
turbine and to undertake environmental studies with regard to this site; and

WHEREAS the Commission finds that the public interest will be
best served by a postponement of the hearing.

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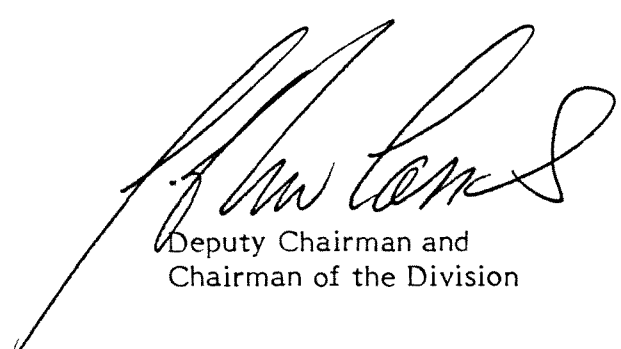


NOW THEREFORE the Commission hereby orders as follows:

1. The May 5, 1988 request by WKPL for a postponement of the hearing of its Energy Project Application is granted.
2. A new date for the hearing will not be set until WKPL submits comprehensive information to update its Application and supporting material, including firm site and full environmental data.
3. As soon as practical after filing with the Commission, WKPL is to provide Intervenor with copies of material that is filed with the Commission in support of their Application.
4. Costs incurred by the Commission, external to Commission staff costs, will be billed to the Applicant. The determination of whether these costs are to be allowed for recovery in the rates of WKPL will be considered by the panel following the completion of the hearing, or withdrawal of the Energy Project Application, whichever first occurs.
5. WKPL is to publish, not later than Wednesday, May 18, 1988, the Notice of Postponement of Public Hearing, as per attached copy, in the same publications as undertaken by WKPL pursuant to Commission Order No. G-20-88.
6. WKPL is to provide to all intervenors and interested parties to the hearing one copy each of Commission Order No. G-49-88 and Notice of Postponement of Public Hearing.

DATED at the City of Vancouver, in the Province of British Columbia, this 10th day of May, 1988.

BY ORDER



Deputy Chairman and
Chairman of the Division

Attachment



NOTICE OF
POSTPONEMENT OF PUBLIC HEARING

THE APPLICATION

West Kootenay Power and Light Company, Limited ("WKPL"), applied to the Minister of Energy, Mines and Petroleum Resources on December 15, 1987 for an Energy Project Certificate to construct and operate a Gas Turbine Generation Plant in Kelowna, B.C. The Application was referred to the Commission by the Minister on March 4, 1988. The British Columbia Utilities Commission ("the Commission") set down the Application to commence in Kelowna on April 26, 1988.

As a result of requiring additional time to address environmental issues, to finalize potential sites for the location of the Okanagan Gas Turbine Project and to consider a power purchase offer made by British Columbia Hydro and Power Authority, WKPL received Commission approval to postpone the hearing until May 31, 1988.

On May 5, 1988, WKPL requested a further postponement of the hearing, in order to secure an alternative site for the Gas Turbine Project and to undertake and complete new environmental impact studies.

THE PUBLIC HEARING

The hearing is postponed indefinitely.

A new date and location for the hearing will not be set until WKPL submits comprehensive information to update its Application including environmental studies.

CLARIFICATION

Persons wishing further clarification concerning the postponement of the Public Hearing may contact Mr. R.J. Pellatt, Commission Secretary, or Mr. W.J. Grant, Director of Engineering by telephone (660-4700) collect, or in writing.

BY ORDER

A handwritten signature in dark ink, appearing to read "R.J. Pellatt", is written over a horizontal line.

R.J. Pellatt
Commission Secretary

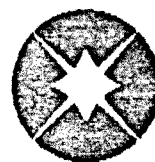
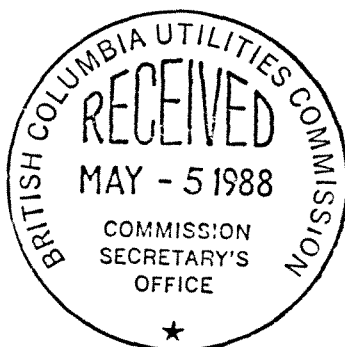
West Kootenay Power and Light Company, Limited
Waneta Plaza, 8100 Rock Island Highway, Trail, B.C.
Tel. (604) 368-3321/Telex 041-4417

POSTAL ADDRESS
Box 130, Trail, B.C. V1R 4L4

APPENDIX A

J.W.M. Wilson
Corporate Counsel

May 5, 1988



west kootenay power

British Columbia Utilities Commission,
4th Floor, 800 Smithe Street,
VANCOUVER, B.C.
V6Z 2E1

VIA TELECOPIER

Attention: R.J. Pellatt,
Commission Secretary

Dear Sirs:

Re: Application for Energy Project Certificate

In light of recent events set out below relating to the siting of our gas turbine project, West Kootenay is compelled to request that the Commission grant a further postponement of the hearing, currently scheduled to begin May 31, 1988.

Firstly, on May 3, 1988 the Kelowna City Council accepted in full a staff report which recommended removal of West Kootenay's preferred site for the gas turbine from the Agricultural Land Reserve, but which also recommended that the site not be zoned for West Kootenay's intended use. The official reason given was that West Kootenay's use was not the highest and best use of this land. West Kootenay has asked to be permitted to make further representations to City Council with our environmental consultants, to have the Council reconsider this decision or accept a rezoning application for an alternative site near the Hiram Walker plant in the northern part of Kelowna.

Secondly, to date the Company has been unable to complete the securing of an alternative site for the gas turbine on Indian reserve land in the south Okanagan. We have been advised by their agent that our offer is acceptable to the Band and believe agreement will be reached shortly. Environmental studies for this site have been completed. However, more time would allow us to secure this alternative site, and Commission staff and intervenors would need additional time to properly assess it.

Finally, with respect to the deadline imposed by the Minister for the Commission to make its recommendations, West Kootenay's main concern was to have a decision made in time to give the Company the opportunity to acquire suitable reconditioned gas turbines currently on the market. Our

. west Kootenay power

B.C. Utilities Commission
Attention: R.J. Pellatt

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APPENDIX A

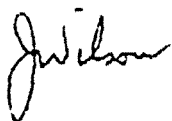
May 5, 1988

purchasing agents for these units have recently advised that a delay into the fall is not likely to hinder our chances to take advantage of this opportunity.

In light of the foregoing, we respectfully request that the Commission grant a postponement of the hearing and consider rescheduling the hearing for mid-September. We will of course keep the Commission promptly advised of any new developments regarding the timing and location of a hearing as they occur. In anticipation of being granted a postponement, we have not completed our responses to the Commission staff Information Requests No. 2 and No. 3, as some of the questions may become irrelevant depending on future developments.

We have also had meetings with B.C. Hydro regarding their offer of "special capacity", and anticipate that we will be in a position in the near future to report on the conclusion of our negotiations.

Yours very truly,



J.W.M. Wilson,
Corporate Counsel

JWMW:kdb

cc Gordon A. Fulton, Boughton & Company