



BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER G-19-90

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 Applications for
Certificates of Public Convenience and Necessity

BEFORE: J.G. McIntyre,)
Chairman;)
J.D.V. Newlands,) February 9, 1990
Deputy Chairman; and)
N. Martin,)
Commissioner)

O R D E R

WHEREAS the Commission circulated to regulated utilities and interested parties Draft Terms of Reference concerning Applications for Certificates of Public Convenience and Necessity ("CPCN"); and

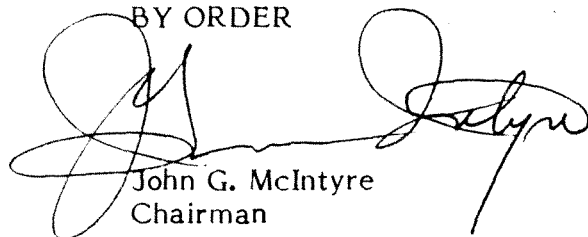
WHEREAS the Commission considered the responses and incorporated them into final Terms of Reference; and

WHEREAS the Commission finds that specific information contained in the Terms of Reference are required for projects pursuant to Section 51 of the Utilities Commission Act.

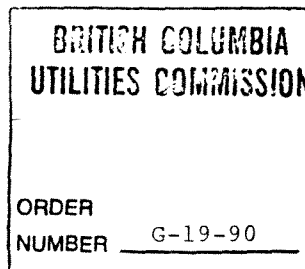
NOW THEREFORE the Commission orders that Applications for Certificates of Public Convenience and Necessity are required to be made pursuant to Section 51 of the Utilities Commission Act in a form that will satisfy requirements outlined in Appendix A of this Order.

DATED at the City of Vancouver, in the Province of British Columbia, this 27th day of February, 1990.

BY ORDER



John G. McIntyre
Chairman



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John G. McIntyre
Chairman

**APPLICATION FOR A CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY**

1. Information Requirements

The basic requirements of an Application for a Certificate of Public Convenience and Necessity ("CPCN") are outlined in Attachment A of this document. The process to be followed is similar to that for an Energy Project Certificate Application as stipulated in B.C. Regulation 388/80 of the Utilities Commission Act, with minor modifications and deletions as appropriate. A major difference however, is that for most projects, the scope of the information requirement will be adequately accommodated by only summary statements on the various items.

Project proponents are encouraged to initiate discussions with appropriate government agencies and the public very early in the project planning stage, in order to obtain an appreciation of the issues to be addressed prior to the filing of the Application.

2. Application Procedure

An Application for a CPCN, pursuant to Section 51 of the Utilities Commission Act, shall be made to the Secretary, British Columbia Utilities Commission, Sixth Floor, 900 Howe Street, Box 250, Vancouver, B.C., V6Z 2N3. Initially, twelve copies of the completed signed Application must be submitted.

Proponents are required to canvass the Ministry of Environment to determine what permits or licences under the Waste Management Act or Water Act are required for the project and the appropriate timing for any applications.

A written response from the Ministry of Environment should normally be included with the Application. Depending on the nature of the project, all other environment-related permits as required by the municipal, regional, provincial or federal government are to be identified.

APPENDIX A
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Applications are normally considered public documents and will be made public, except where special circumstances require confidentiality.

The filed Application is initially reviewed by Commission staff for possible deficiencies, and this will normally generate a staff Information Request for response by the Applicant.

Once all additional information is received, the Application is reviewed by the Commission in the context of project justification, issues and concerns raised, as well as general project suitability, and a determination made on disposition as follows:

- (a) Whether a CPCN should be granted without further input from the proponent or other interested parties.
- (b) Whether a private hearing with the proponent is required.
- (c) Whether a public hearing should be called.
- (d) Whether the Application should be rejected from the onset.

A successful review of the Application will result in a Commission Order being issued to the Applicant embodying the Certificate. This Order may contain terms and conditions which the Commission believes are necessary to protect the public interest.

For further information, contact:

The Secretary,
British Columbia Utilities Commission
Sixth Floor, 900 Howe Street
Vancouver, B.C.
V6Z 2N3

Telephone No.: (604) 660-4700
Toll Free No.: 1-800-663-1385

Attachment

**APPLICATION REQUIREMENTS FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
UNDER SECTION 51 OF THE UTILITIES COMMISSION ACT**

An Application under section 51 shall contain the following information:

(a) Applicant

- (i) the name, address and nature of business of the Applicant and all other persons having a direct interest in the ownership or management of the project;
- (ii) evidence of the financial and technical capacity of the Applicant and other persons involved, if any, to undertake the project;
- (iii) the name, title and address of the person with whom communication should be made respecting the Application;
- (iv) the name and address of legal counsel for the Applicant, if any;

(b) Project Description

- (i) a description of the project, its purpose and cost, including engineering design, capacity, location options and preference, as well as all ancillary or related facilities that are proposed to be constructed, owned or operated by the Applicant;
- (ii) an outline of the anticipated timetable for construction and operation, together with dates by which critical events must take place to ensure continued economic viability;
- (iii) a description of any new or expanded public works, undertakings or infra-structure that will be entailed by the project, together with an estimate of the costs and necessary completion dates;
- (iv) identification and preliminary assessment of any impacts by the project on the physical, biological and social environments; and proposals for reducing negative impacts and obtaining the maximum benefits from positive impacts;

(c) Project Justification

- (i) studies or summary statements of the technical, economic and financial feasibility of the project, identifying assumptions, sources of data, and alternatives considered (if applicable);
- (ii) a study estimating the value of all of the project's costs and benefits and their distribution or, where not quantifiable, identifying the cost or benefit and stating that it cannot be quantified;

(d) Public Consultation

- (i) a description of the Applicant's public information and consultation program as well as a summary of the issues and concerns discussed, mitigation proposals explored, decisions taken, and items to be resolved; this to include names of groups, agencies or individuals consulted;

(e) Other Information

- (i) other information as required by the Commission, including supplementary information to clarify information contained in the Application;

(f) Ancillary Applications

- (i) a list of approvals, permits or licences required under the Waste Management Act and Water Act;
- (ii) a list of other approvals, permits or licences required under federal, provincial and municipal law.