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BRITISH COLUMBIA  
UTILITIES COMMISSION

ORDER  
NUMBER F-9-94

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

and

An Application for Reconsideration of Order No. F-7A-94  
by Mr. H. Ledderhof on behalf of the Ecology Circle

**BEFORE:** M.K. Jaccard, Chairperson; )  
F.L. Leighton, Commissioner; and ) November 30, 1994  
K.L. Hall, Commissioner )

## O R D E R

### WHEREAS:

- A. The Ecology Circle, an intervenor represented by Mr. H. Ledderhof in the BC Gas 1994/1995 Revenue Requirements Hearing ("BC Gas Hearing") applied for a cost award for its participation in the BC Gas Hearing; and
- B. By letter dated August 27, 1994, Mr. Ledderhof requested an interim cost award; and
- C. The Commission, by Order No. F-7A-94 declined to award the Ecology Circle participant funding for Mr. H. Ledderhof's participation in the BC Gas 1994/1995 Revenue Requirements Hearing; and
- D. By letter dated October 30, 1994, Mr. H. Ledderhof on behalf of the Ecology Circle filed with the Commission a letter requesting that the Commission reconsider Order F-7A-94 with respect to participant funding awards for the BC Gas Hearing; and
- E. The Commission reconsidered the application on November 30, 1994, and determined that the Ecology Circle as represented by Mr. Ledderhof did not meet Participant Funding Criterion No. (ii) which states that in determining funding awards the Commission will consider whether or not the participant has contributed to a better understanding of the issues by the Commission. The Commission has reviewed Mr. Ledderhof's Application and the evidence in the BC Gas Hearing, and concluded that the intervention

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by the Ecology Circle did not contribute to a better understanding of the issues which the hearing was called to consider; and


- F. The Commission, in reconsidering the request for reconsideration also concluded that the Ecology Circle did not attempt to reduce costs by joining in its intervention with other groups with similar interests [Participant Funding Criterion No. (v)]. The Commission has considered the position put forward in Mr. Ledderhof's letter that the issues of import to consumers in the northern part of the province are sufficiently different to preclude joint intervention with other groups based in the Lower Mainland. However, in reviewing the issues put forward by Mr. Ledderhof in his letter, the Commission was not convinced that these were issues solely of interest to northern consumers and that a joint intervention with another intervenor or group of intervenors was not possible.
- G. The Commission also considered Mr. Ledderhof's claim that neither he nor his group were informed of the existence of the Participant Funding Criteria ("the Criteria"). The Commission notes that Mr. Ledderhof's August 27, 1994 letter makes reference to Order G-117-93 which discusses the Criteria. Therefore, the Commission concludes that Mr. Ledderhof was aware of the Criteria before that time. Moreover, the Commission notes that even if Mr. Ledderhof and the Ecology Circle were not aware of the Criteria, the responsibility of intervenors to assist the Commission in understanding the issues is not removed.

**NOW THEREFORE** the Commission orders as follows:

The Commission has reconsidered the Ecology Circle's application for the awarding of participant costs, in the BC Gas public hearing, denies participant funding and confirms Order No. F-7A-94.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 13<sup>th</sup> day of December, 1994.

BY ORDER

  
Dr. Mark K. Jaccard  
Chairperson