

ROBERT J. PELLATT COMMISSION SECRETARY



LETTER NO. 5

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June 8, 1994

Mr. David George Box 3 Crawford Bay, B.C. V0B 1E0

Dear Mr. George:

E. Sleath M. Payne K: Wellman Extra M. Jaccard L. Barr M. Donn D. Wilson S. Clark W. Grant F. Leighton K. Hall D. Ernes R. Brownell J. Hague P. Gronert R. Pellatt 5. Wong P. Nakon A. Cormaci B. Williston Complaint File Intervenor File N. Smith B. McKinlay F. James R. Rerie omm. Counsel

## Re: West Kootenay Power Ltd. 1994/95 Revenue Requirements - Participant Funding Cost Awards

The hearing panel to the West Kootenay Power Ltd. hearing has considered your June 2, 1994 request for reconsideration of the Participant Funding Award. Please note that Section 133.1(1) of the Utilities Commission Act ("UCA") states that:

"The Commission <u>may</u> order a participant in a proceeding before the Commission to pay all <u>or part</u> of the costs of another participant in the proceeding." (emphases added)

The legislation does not oblige the Commission to cover all, or any part of the costs of participants in a proceeding and the Commission has established a funding policy that was discussed and approved by the West Kootenay Power Ltd. hearing panel in the determination of the cost award to you.

The Commission therefore declines to reconsider Order No. F-6-94.

Yours truly,

Robert J. Pellatt

RJP/daw

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Mr. Robert H. Hobbs

Corporate Secretary and Solicitor West Kootenay Power Ltd.