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BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER G-124-96

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

and

British Columbia Hydro and Power Authority
Electric Tariff Treatment of Liability

BEFORE: M.K. Jaccard, Chairperson; and)
L.R. Barr, Deputy Chairperson) December 19, 1996

O R D E R

WHEREAS:

- A. In 1996 the Commission, in the adjudication of a Customer Complaint, reviewed the treatment of liability and how British Columbia Hydro and Power Authority ("B.C. Hydro") applied it to the treatment of the residential customer; and
- B. B.C. Hydro's Electric Tariff Section B-27-1 states that the utility "...shall not be liable for any loss, injury, damage or expense caused by or resulting from any interruption, termination, failure or defect in the supply of electricity, whether caused by the negligence of B.C. Hydro, its servants or agents, or otherwise..."; and
- C. The Commission found that other major utilities have accepted liability for wilful misconduct and gross negligence; and
- D. The Commission has reviewed B.C. Hydro's explanation as to why it should be limited to accept liability for any wilful misconduct.

NOW THEREFORE the Commission orders B.C. Hydro to refile its Electric Tariff Section B-27-1—Liability of B.C. Hydro, to accept liability for wilful misconduct as it applies to residential and general service customers.

DATED at the City of Vancouver, in the Province of British Columbia, this 13th day of January, 1997.

BY ORDER

Original signed by:

Dr. Mark K. Jaccard
Chairperson