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CANADA



BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER C-9-9

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IN THE MATTER OF
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473

and

An Application by West Kootenay Power Ltd.
to Relocate its No. 49 Line from Penticton to Summerland

BEFORE: L.R. Barr, Deputy Chair)
and Acting Chair)
K.L. Hall, Commissioner) November 12, 1997
F.C. Leighton, Commissioner)

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS:

- A. On October 15, 1997 West Kootenay Power Ltd. ("WKP") applied to the Commission, pursuant to Section 45 of the Utilities Commission Act ("the Act"), for a Certificate of Public Convenience and Necessity ("CPCN") to relocate a portion of its existing Penticton to Summerland No. 49 Line, through the Penticton Indian Band land; and
- B. The project will replace an existing 10.6 km section of 63 kV line with 8 km of poles and conductor on new right-of-ways which include a portion of the Penticton Indian Band lands, Okanagan River channel, Highway 97, Federal agricultural lands and other private lands and municipal roadways, with the remainder on the existing right-of-way to Trout Creek. The construction will be at 138 kV standards but energized at 63 kV; and
- C. The Commission has reviewed the Application and has determined that the relocation and rebuild of this portion of the No. 49 Line, is necessary and in the public interest.

NOW THEREFORE the Commission orders as follows:

- 1. A CPCN is granted to WKP to construct and operate the No. 49 Line relocation and rebuild at an estimated cost of \$3.7 million pursuant to Section 45 of the Act.
- 2. This CPCN is subject to WKP obtaining all necessary permits, licences and approvals.

3. Prior to commencing construction, WKP shall advise all adjacent property owners and residents along the No. 49 Line, of the nature and timing of the work to be done and shall resolve any issues which may be raised by the public during the information process.
4. The Commission is to be advised of all disputes and their resolution. Unresolved disputes are to be referred to the Commission.
5. WKP is to file with the Commission both monthly and final construction progress reports for the project. These reports shall identify problems and potential problems and indicate any variations to the construction schedules and cost schedules.

DATED at the City of Vancouver, in the Province of British Columbia, this 15th day of November, 1997.

BY ORDER

Original signed by:

Lorna R. Barr
Deputy Chair and
Acting Chair