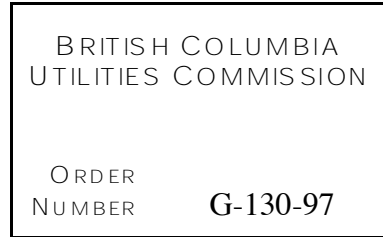


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IN THE MATTER OF  
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473

and

An Application by West Kootenay Power Ltd.  
for a Certificate of Public Convenience and Necessity to Relocate its  
No. 49 Line from Penticton to Summerland  
and Complaints into Commission Order No. C-9-97

**BEFORE:** L.R. Barr, Deputy Chair )  
and Acting Chair ) December 11, 1997  
P.G. Bradley, Commissioner )

**O R D E R**

**WHEREAS:**

- A. Commission Order No. C-9-97, approved for West Kootenay Power Ltd. ("WKP") its application for a Certificate of Public Convenience and Necessity ("CPCN") to relocate and rebuild the No. 49 Transmission Line from Penticton to Summerland, B.C.; and
- B. Following the November 12, 1997 approval, the Commission received several complaints concerning the route selection of the 10.6 km. section of the line near Penticton, B.C., and Penticton City Council passed a resolution requesting that the Commission issue a stop work order and hold a public process to hear local concerns; and
- C. The Commission has reviewed CPCN Order No. C-9-97 and the complaints received and finds additional public input is desirable.

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

- 1. The Commission directs WKP to stop construction of the rebuilding and relocation of the No. 49 Line in an orderly and safe manner, pending further instructions from the Commission.

2. The Commission, pursuant to Section 78(2) of the Utilities Commission Act, appoints Commissioner Kenneth L. Hall as Inquiry Officer to inquire into the routing, relocation and possible alternative routes for the WKP No. 49 Line in the 10.6 km. section near Penticton, B.C.
3. The Commission will hold a Public Inquiry into this matter on Friday, December 19, 1997 at 7:00 p.m. at the Penticton Inn - Plaza Hotel [telephone (250) 492-3600], 333 Martin Street, Penticton, B.C.
4. Interested Parties who wish to participate in the Inquiry should advise the Commission Secretary, Robert J. Pellatt, as soon as possible in writing at Box 250, 900 Howe Street, Vancouver, B.C. V6Z 2N3, via fax at (604) 660-1102, or by telephone, B.C. Toll Free at 1-800-663-1385, of their intention to participate.
5. WKP is to arrange for the publication of a Notice of Public Inquiry in the Penticton Herald newspaper, posting of notices on Community Bulletin Boards and to use spot radio announcements so as to adequately notify the general public in the area.
6. In recognition of the urgency of securing reliable supply to Summerland, the Inquiry Officer is to report back to the Commission as expeditiously as possible.
7. The Commission will provide a copy of this Order to all parties known to have an interest in this matter.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 12th day of December, 1997.

BY ORDER

*Original signed by:*

Lorna R. Barr  
Deputy Chair and  
Acting Chair