

SIXTH FLOOR, 900 HOWE STREET, BOX 250
VANCOUVER, B.C. V6Z 2N3
CANADA



BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER G-12-98

TELEPHONE: (604) 660-4700
BC TOLL FREE: 1-800-663-1385
FACSIMILE: (604) 660-1102

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 Transmission Line from Penticton to Summerland
and Complaints into Commission Order No. C-9-97

BEFORE: L.R. Barr, Deputy Chair)
and Acting Chair) January 15, 1998
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 its No. 49 Transmission Line from Penticton to Summerland, B.C.; and
- B. Following the November 12, 1997 CPCN approval, the Commission received several complaints concerning the route selection for the 10.6 km section of the line near Penticton, B.C. Penticton's 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 reviewed Order No. C-9-97, complaints received and, by Order No. G-130-97, required that the issue of routing be reviewed by a Public Inquiry; and
- D. On December 19, 1997, Commissioner Kenneth L. Hall held an Inquiry in Penticton, B.C. and received submissions from the public, WKP and affected property owners on the routing of the No. 49 Transmission Line; and
- E. The Inquiry Officer prepared and submitted his Inquiry Report ("the Report") to the Commission on January 8, 1998; and
- F. The Commission has considered the Report and issues its Decision.

NOW THEREFORE the Commission orders as follows:

1. The Commission accepts the Inquiry Officer's Report and authorizes its release. The Commission adopts Option No. 3 releasing the stop-construction condition for that portion of the line from the Huth Avenue substation to the West Bench substation.
2. Option No. 3, which retains the stop-construction Order in the West Bench and Sage Mesa areas, is approved to be continued pursuant to Order No. G-130-97. The affected property owners and the public are to file with the Commission further submissions and comments on the options proposed by WKP no later than January 28, 1998. Submissions already received by the Commission need not be resubmitted.
3. WKP is directed to provide information to the Commission concerning soil stability and construction techniques for possible relocation of the No. 49 Line through the gully or along alternate routings down to the highway.
4. Following receipt of further information the Commission will review the submissions and make its decision on the realignment that meets the broadest public interest.

DATED at the City of Vancouver, in the Province of British Columbia, this 15th day of January, 1998.

BY ORDER

Original signed by:

Lorna R. Barr
Deputy Chair
and Acting Chair

Attachment