

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



BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER G-73-98

TELEPHONE: (604) 660-4700
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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 Approval of its 1998 Transmission Access Application and
Access Principles Application

BEFORE: P. Ostergaard, Chair)
L.R. Barr, Deputy Chair) August 20, 1998
F.C. Leighton, Commissioner)

O R D E R

WHEREAS:

- A. On March 9, 1998, West Kootenay Power Ltd. ("WKP") filed a Transmission Access Application ("the TAA") seeking approval of wholesale transmission access and retail transmission access for its largest Industrial customers; and
- B. In the TAA, WKP requested interim approval of Tariff Supplement No. 7 (Terms and Conditions) and of rates as set out in Rate Schedules 100 to 108 for use by eligible customers seeking wholesale transmission access as defined in Tariff Supplement No. 7 (Eligible Customers), excluding customers served under Rate Schedule 31, as of March 21, 1998. WKP requested that the Commission direct that a Consultative Committee be established with a mandate as set out in Tab 10 of the Application as of the date of the interim approval; and
- C. The Commission, by Order No. G-29-98, granted interim approval of Tariff Supplement No. 7 and of rates set out in Rate Schedules 100 to 108 for use by customers seeking wholesale transmission access, effective March 21, 1998. The Commission established and subsequently held a pre-hearing conference on Friday, April 17, 1998 that was video-conferenced between Vancouver and Trail, B.C.; and
- D. As a result of input from the April 17, 1998 pre-hearing conference, the Commission by Order No. G-44-98 issued a Regulatory Timetable and required WKP to refile the TAA together with changes it considered appropriate after reviewing the Commission Decision on B.C. Hydro and Power Authority's Wholesale Transmission Services Application, by July 31, 1998; and

- E. On July 7, 1998 WKP held a consultative workshop with its eligible wholesale and retail customers in Kelowna, B.C., at which the TAA principles that it expected to file in its amended application were discussed; and
- F. On July 31, 1998 WKP refiled amendments to its TAA along with a separate application identified as the Access Principles Application (“the APA”), both for Commission approval; and
- G. The Commission reviewed the TAA and APA and issued a revised Regulatory Timetable and Notice of Public Hearing, Workshops and Negotiated Settlement by way of Order No. G-72-98, dated August 13, 1998; and
- H. The Commission has reconsidered some of the dates contained in Order No. G-72-98 and the attached Appendices, and has determined that changes are required.

NOW THEREFORE the Commission orders as follows:

1. Order No. G-72-98 is rescinded, and is replaced by Order No. G-73-98.
2. The Regulatory Timetable set out in Order No. G-44-98 respecting WKP’s TAA is revised to include times and locations for previously scheduled proceedings. As well, new items have been added to the Regulatory Agenda, including items related to the disposition of the APA. The revised Regulatory Agenda and Timetable is attached as Appendix A to this Order.
3. The disposition of the APA will proceed through the use of the ADR - Negotiated Settlement process, commencing at 8:30 a.m. on September 23, 1998 at the Coast Capri Hotel, 1171 Harvey Avenue, Kelowna, B.C. If required, the ADR process will continue on September 24, 1998 at the same location. If required, a determination on the form of a subsequent public hearing will be the subject of a future Commission Order.
4. A public hearing into the TAA is scheduled to commence at 8:30 a.m. on October 19, 1998 at the Best Western Inn, 2402 Highway 97 North, Kelowna, B.C.
5. A pre-hearing workshop will be held for the APA commencing at 8:30 a.m. on September 9, 1998 at the Coast Capri Hotel, 1171 Harvey Avenue, Kelowna, B.C. A pre-hearing workshop will be held for the TAA commencing at 8:30 a.m. on September 10, 1998 at the Coast Capri Hotel in Kelowna, B.C.

6. A Notice of Public Hearing, Workshops and Negotiated Settlement is attached as Appendix B to this Order. WKP is required to publish the Notice as soon as possible in the business sections of the Vancouver Sun and the Province and in local newspapers in its service area, in order to adequately notify its customers. A copy of the Order is required to be sent to recent intervenors and interested parties in WKP proceedings. Parties who have already received the Applications, or who have already registered with the Commission as an Intervenor in the TAA process, need not reapply for Intervenor status in the APA process.
7. The Applications and supporting information are to be made available for inspection at the Head Office of WKP, 1290 Esplanade Street, Trail, B.C. V1R 4L4, and at its District Offices in:

Castlegar
Oliver

Creston
Penticton

Grand Forks
Trail

Kelowna

The Applications and supporting information are also available for inspection at the office of the B.C. Utilities Commission, 6th Floor – 900 Howe Street, Vancouver, B.C. V6Z 2N3.

8. WKP is to distribute copies of the Applications and any supplemental and/or supporting information to Registered Intervenor. Copies of Order No. G-73-98 will be sent by the Commission to all parties registered with the Commission.
9. Registered Intervenor and Interested Parties intending to make requests for additional information, or to participate in the workshops, negotiated settlement or public hearing, are to follow the Regulatory Agenda and Timetable (Revised) set out in Appendix A to this Order.
10. All parties intending to apply for Participant Funding must file a budget by September 18, 1998. The budget must be consistent with the Commission's Policy and Rate Sheet as outlined in Order No. G-103-96. Copies of the Order, Policy and Rate Sheet are available upon request.

DATED at the City of Vancouver, in the Province of British Columbia, this 20th day of August, 1998.

BY ORDER

Original signed by:

Lorna R. Barr
Deputy Chair

Attachments

REGULATORY AGENDA AND TIMETABLE (Revised)

WEST KOOTENAY POWER LTD. **1998 TRANSMISSION ACCESS AND ACCESS PRINCIPLES APPLICATIONS**

<u>ACTION</u>	<u>DATES (1998)</u>	
	Access Principles Application	Transmission Access Application
Pre-hearing Workshop	Wednesday, September 9	Thursday, September 10
Deadline for Intervenor Registration	Friday, September 11	Friday, September 11
Filing of Initial Information Requests to West Kootenay Power Ltd.	Friday, September 11	Friday, September 18
Deadline for Filing Participant Funding Applications	Friday, September 18	Friday, September 18
West Kootenay Power Ltd. Responses to Information Requests	Friday, September 18	Friday, October 2
Intervenor Filed Evidence	not applicable	Friday, October 9
Negotiated Settlement Days	Wednesday and Thursday September 23 and 24	not applicable
Public Hearing	Schedule will be set by future Commission Order, if necessary	Monday, October 19

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NOTICE OF PUBLIC HEARING WORKSHOPS AND NEGOTIATED SETTLEMENT

Applications by West Kootenay Power Ltd. for Approval of its Transmission Access Application and Access Principles Application

	Workshops	Negotiated Settlement Access Principles Application	Public Hearing Transmission Access Application
Time:	8:30 a.m.	8:30 a.m.	8:30 a.m.
Date:	September 9, 1998 – Access Principles Application September 10, 1998 – Transmission Access Application	September 23 and 24, 1998	commencing October 19, 1998
Location:	Coast Capri Hotel 1171 Harvey Avenue Kelowna, B.C. Tel: 1-800-663-1144	Coast Capri Hotel 1171 Harvey Avenue Kelowna, B.C. Tel: 1-800-663-1144	Best Western Inn-Kelowna 2402 Highway 97 North Kelowna, B.C. Tel: 1-888-860-1212

THE APPLICATION AND REGULATORY PROCESS

West Kootenay Power Ltd. (“WKP”) applied to the Commission on March 9, 1998 for approval of its Transmission Access Application (“the TAA”). The TAA proposed wholesale transmission access and retail transmission access for WKP’s largest industrial customers. By Order No. G-29-98, the Commission granted interim approval of Tariff Supplement No. 7 and of Rate Schedules 100 to 108 for use by eligible customers seeking wholesale transmission access, effective March 21, 1998. By Order No. G-44-98, the Commission required WKP to refile its TAA together with changes it considered appropriate after reviewing the Commission’s Decision on British Columbia Hydro and Power Authority’s Wholesale Transmission Services Application. On July 7, 1998, WKP held a consultative workshop and outlined to interested parties the general parameters of its TAA. On July 31, 1998, WKP filed with the Commission amendments to its TAA and separately filed an Access Principles Application (“the APA”). The Commission has reviewed the Applications and finds that the APA should proceed by way of Negotiated Settlement. As well, the Commission has released a revised Regulatory Agenda and Timetable covering both the TAA and the APA.

The revised Regulatory Timetable amends Commission Order G-44-98 by including locations for the TAA workshop and public hearing. In addition, it establishes dates and locations for an APA workshop and Negotiated Settlement Process, along with relevant filing deadlines for both proceedings.

PUBLIC INSPECTION OF THE APPLICATION

The Transmission Access and Access Principles Applications and supporting material, including Orders No. G-29-98, G-44-98 and G-73-98, are available for inspection at the following West Kootenay Power Ltd. locations:

<u>Head Office:</u>	1290 Esplanade Street, Trail, B.C. V1R 4L4
<u>District Offices:</u>	1037 Columbia Avenue, Castlegar , B.C. V1N 1H5
	300 Erickson Road/Box 1189, Creston , B.C. V0B 1G0
	6351 Highway 3/Box 218, Grand Forks , B.C. V0H 1H0
	#106-2395 Gordon Drive, Kelowna , B.C. V1X 3X7
	36895 71st Street/RR3, S20, C34, Oliver , B.C. V0H 1T0
	1260 Commercial Way, Penticton , B.C. V2A 3H5
	100 Bingay Road, Trail , B.C. V1R 4L4

Copies of the Transmission Access and Access Principles Applications and supporting material are also available for inspection at the office of the B.C. Utilities Commission, 6th Floor, 900 Howe Street, Vancouver, B.C. V6Z 2N3.

INTERVENTIONS

Intervenors and Interested Parties who have not already registered with the Commission are to advise the Commission Secretary of their intention to participate in the proceedings, in writing, by Friday, September 11, 1998 indicating the nature of their interest and whether they propose to be full participants at the public hearing and Negotiated Settlement Process.

INFORMATION REQUESTS

Registered Intervenors or Interested Parties requesting additional information on the Access Principles Application from WKP should do so no later than Friday, September 11, 1998. Information Requests pertaining to the Transmission Access Application should be submitted to WKP no later than September 18, 1998. WKP is required to respond no later than Friday, September 18, 1998 for information requests related to the APA, and October 2, 1998 for information requests related to the TAA.

SUBMISSIONS BY INTERVENORS

Intervenors must file two copies of their written submissions or evidence concerning the TAA, one copy with the Commission Secretary and the other to WKP at P.O. Box 130, Trail, B.C., V1R 4L4, no later than Friday, October 9, 1998.

PARTICIPANT ASSISTANCE

All parties intending to apply for Participant Assistance for either or both proceedings must file a budget by Friday, September 18, 1998 consistent with the Commission's Policy and Rate Sheet as outlined in Order No. G-103-96. Copies of the Participant Assistance Policy and Rate Sheet are available upon request.

FURTHER INFORMATION

Persons intending to participate in the TAA and/or APA proceedings and who are uncertain as to the manner in which to proceed, may contact Mr. Robert J. Pellatt, Commission Secretary, or Mr. Cameron Lusztig, Energy Utility Economist, as follows:

Telephone:	(604) 660-4700	Facsimile:	(604) 660-1102
B.C. Toll Free:	1-800-663-1385	E-mail:	Commission.Secretary@bcuc.com

BY ORDER

Original signed by:

Robert J. Pellatt
Commission Secretary