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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 Access Principles Application

BEFORE: P. Ostergaard, Chair)
L.R. Barr, Deputy Chair)
P.G. Bradley, Commissioner) December 11, 1998
K.L. Hall, Commissioner)

O R D E R

WHEREAS:

- A. On July 31, 1998, West Kootenay Power Ltd. (“WKP”) filed an Access Principles Application (“APA”) for Commission approval; and
- B. On August 13, 1998, the Commission issued Order No. G-73-98 establishing that the APA would proceed through the use of a Negotiated Settlement Process to be held September 23 and 24, 1998; and
- C. On September 23 and 24, 1998, the negotiations were held, resulting in a proposal to which there was limited agreement; and
- D. By letter dated October 15, 1998, the Commission determined that the public hearing into WKP’s Transmission Access Application was to commence with an examination of evidence concerning the Utility’s APA; and
- E. At the outset of the public hearing on October 19, 1998, several submissions were heard concerning the disposition of the APA, including suggestions that the negotiations be resumed; and
- F. On October 21, 1998, the Commission ordered that the APA negotiations be continued on November 3, 4 and 5, 1998 in Vancouver; and
- G. The negotiations were held as ordered, resulting in a Proposed Settlement Agreement (“PSA”); and

- H. Parties to the negotiations were canvassed as to whether they endorsed or dissented from the PSA; and
- I. A letter of dissent was received from Columbia Basin Trust; and
- J. On November 16, 1998, the PSA was circulated to all Registered Intervenors as well as the Commission Panel. In the cover letter attached to the PSA, parties were canvassed as to the acceptability of the PSA and the desirability of an oral or written hearing; and
- K. In response to this letter, the Association for the Advancement of Sustainable Energy Policy indicated that the PSA was not acceptable. In addition, certain parties indicated a preference for an oral hearing; and
- L. On November 30, 1998, the Commission canvassed Registered Intervenors as to their level of participation if an oral hearing were held; and
- M. On December 10, 1998, the Commission reviewed the responses.

NOW THEREFORE the Commission orders as follows:

- 1. An oral hearing will be held commencing February 10, 1999 in Kelowna, with the exact time and location to be announced later. The hearing will examine whether the Commission should accept or reject the PSA. Oral Final Argument will be required and will form part of the hearing.
- 2. A Regulatory Timetable for the review of the PSA is attached as Appendix A to this Order and summarizes the key dates in the public review process.

DATED at the City of Vancouver, in the Province of British Columbia, this 14th day of December, 1998.

BY ORDER

Original signed by:

Lorna R. Barr

REGULATORY TIMETABLE

A Hearing into the Issue of West Kootenay Power Ltd.'s
Access Principles Application and a Proposed Settlement Agreement

ACTION	DATE
1. Deadline for Filing of Intervenor Evidence by the Association for the Advancement of Sustainable Energy Policy and Columbia Basin Trust	January 8, 1999
2. Deadline for Information Requests on Intervenor Evidence	January 20, 1999
3. Responses to Information Requests Due	January 29, 1999
4. Hearing Commences	February 10, 1999