



BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER G-133-99

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

Application for a Certificate of Public Convenience and Necessity
Amendments to Application Requirements

BEFORE: P. Ostergaard, Chair)
L.R. Barr, Deputy Chair)
P.G. Bradley, Commissioner) December 16, 1999
B.L. Clemenhagen, Commissioner)
K.L. Hall, Commissioner)
F.C. Leighton, Commissioner)

O R D E R

WHEREAS:

- A. Section 46(1) of the Utilities Commission Act ("the Act") states that an applicant for a Certificate of Public Convenience and Necessity ("CPCN") must file with the Commission information, material, evidence and documents that the Commission prescribes; and
- B. On February 27, 1990 the Commission, by Order No. G-19-90, issued its procedures for Applications to be made for CPCNs pursuant to the Act; and
- C. Since 1990 there have been changes to the Act and other statutes that necessitate amendments to the CPCN Application procedures; and
- D. The Commission has reviewed the filing requirements, statutory changes and experience with CPCN application reviews since 1990 and finds that changes to the Commission's procedures and application requirements are required.

NOW THEREFORE the Commission orders as follows:

- 1. Commission Order No. G-19-90 is cancelled and replaced with this Order.
- 2. An application for a CPCN pursuant to Sections 45 and 46 of the Act is to be made in a form that will satisfy the requirements outlined in Appendix A to this Order.

DATED at the City of Vancouver, in the Province of British Columbia, this 21st day of December 1999.

BY ORDER

Original signed by:

Peter Ostergaard
Chair

Attachment

**APPLICATION FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

1. Information Requirements

The basic requirements of an Application for a Certificate of Public Convenience and Necessity ("CPCN") are outlined on pages 2 and 3 of this document. The scope of the information requirements for a specific Application will depend on the nature of the project and the issues that it raises.

Project proponents are encouraged to initiate discussions with appropriate government agencies and the public, including any affected First Nations groups, very early in the project planning stage, in order to obtain an appreciation of the issues to be addressed prior to the filing of the Application.

2. Application Procedure

An Application for a CPCN, pursuant to Sections 45 and 46 of the Utilities Commission Act, shall be made to the Secretary, British Columbia Utilities Commission, Sixth Floor, 900 Howe Street, Box 250, Vancouver, B.C. V6Z 2N3. Initially, twelve copies of the completed signed Application must be submitted.

Applications are normally considered public documents and will be made public, except where special circumstances require confidentiality.

The filed Application is initially reviewed by Commission staff for possible deficiencies, and this will normally generate a staff Information Request for response by the Applicant.

Once the additional information is received, the Application is reviewed by the Commission in the context of project justification, issues and concerns raised, as well as general project suitability, and a determination made on disposition as follows:

- (a) Whether a CPCN should be granted without further input from the proponent or other interested parties.
- (b) Whether further information from the proponent is required.
- (c) Whether a public hearing should be called.
- (d) Whether the Application should be rejected.

A successful review of the Application will result in a Commission Order to the Applicant embodying the Certificate. This Order may contain terms and conditions which the Commission believes are necessary to protect the public interest.

For further information, contact:

The Commission Secretary
British Columbia Utilities Commission
Sixth Floor, 900 Howe Street
Vancouver, B.C.
V6Z 2N3

Telephone: (604) 660-4700
Toll Free: 1-800-663-1385
Facsimile: (604) 660-1102
Commission.Secretary@bcuc.com
web site: <http://www.bcuc.com>

**APPLICATION REQUIREMENTS FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
UNDER SECTIONS 45 AND 46 OF THE UTILITIES COMMISSION ACT**

An Application under Sections 45 and 46 shall contain the following information:

(a) Applicant

- (i) the name, address and nature of business of the Applicant and all other persons having a direct interest in the ownership or management of the project;
- (ii) evidence of the financial and technical capacity of the Applicant and other persons involved, if any, to undertake and operate the project;
- (iii) the name, title and address of the person with whom communication should be made respecting the Application; and
- (iv) the name and address of legal counsel for the Applicant, if any.

(b) Project Description

- (i) a description of the project, its purpose and cost, including engineering design, capacity, location options and preference, as well as all ancillary or related facilities that are proposed to be constructed, owned or operated by the Applicant;
- (ii) an outline of the anticipated timetable for construction and operation, together with dates by which critical events, including approvals required from other agencies, must take place to ensure continued economic viability;
- (iii) a description of any new or expanded public works, undertakings or infrastructure that will be entailed by the project, together with an estimate of the costs and necessary completion dates;
- (iv) identification and preliminary assessment of any impacts by the project on the physical, biological and social environments; proposals for reducing negative impacts and obtaining the maximum benefits from positive impacts; and the cost to the project of implementing the proposals; and
- (v) identification of the customers to be served by the project; and, where the project would expand the area served by the Applicant, a geographical description of the expanded service area.

(c) Project Justification

- (i) studies or summary statements identifying the need for the project and confirming the technical, economic and financial feasibility of the project, identifying assumptions, sources of data, and alternatives considered (if applicable);
- (ii) a study comparing the costs and benefits of the project and alternatives, which estimates the value of all of the costs and benefits of each option or, where not quantifiable, identifies the cost or benefit and states that it cannot be quantified;
- (iii) a statement identifying any significant risks to successful completion of the project; and
- (iv) a statement of the revenue requirement impact of the project and the resulting effect on the rates of customers.

(d) Public Consultation

- (i) a description of the Applicant's public information and consultation program, including the names of groups, agencies or individuals consulted, as well as a summary of the issues and concerns discussed, mitigation proposals explored, decisions taken, and items to be resolved.

(e) Other Information

- (i) other information as required by the Commission, including supplementary information to clarify information contained in the Application.

(f) Other Applications and Approvals

- (i) a list of all approvals, permits, licences or authorizations required under federal, provincial and municipal law; and
- (ii) a summary of the material conditions that are anticipated in the approvals and confirmation that the costs of complying with these conditions are included in the cost estimate in the Application.