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**BRITISH COLUMBIA  
UTILITIES COMMISSION**

**ORDER  
NUMBER** G-92-06

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

**and**

**British Columbia Hydro and Power Authority  
Transmission Service Rates Customer Baseline Load Application**

**BEFORE:** R.J. Milbourne, Commissioner July 28, 2006

**O R D E R**

**WHEREAS:**

- A. British Columbia Hydro and Power Authority ("BC Hydro") filed on March 1, 2006, pursuant to Sections 58, to 61 of the Utilities Commission Act ("the Act"), an application ("March Application") for approval of the Customer Baseline Load ("CBL") for each customer account to be served under BC Hydro's Stepped Rate, Rate Schedule ("RS") 1823; and
- B. Customer Baseline Load Determination Guidelines ("CBL Guidelines") were approved by Commission Order Nos. G-79-05 and G-19-06; and
- C. In accordance with the BC Hydro's Transmission Service Rate Application ("TSRA Application") and Order No. G-79-05, which approved the TSRA Application subject to any modifications in the related Negotiated Settlement Agreement, the Stepped Rate is to come into effect on the first day of the customer billing period closest to April 1, 2006; and
- D. BC Hydro indicated in the March Application that it was still reviewing some customer's requests for adjustments to their CBLs and that it would have completed those reviews and filed all the proposed CBLs by May 31, 2006, including those requiring additional review or verification; and
- E. BC Hydro requested that the Commission approve, on an interim basis effective March 21, 2006, the CBLs in the column titled "CBL for Interim Approval" in Appendix B of the March Application; and
- F. BC Hydro in the March Application and in a letter dated March 21, 2006 requested that certain attachments containing individual customer information be kept confidential; and
- G. BC Hydro further stated that, when the Commission approves final CBLs, BC Hydro will make any necessary billing adjustments, as contemplated in Section 6.2.3 of the CBL Guidelines; and
- H. By Order G-27-06, the Commission approved the interim CBLs contained in Appendix B of the March Application and directed BC Hydro to file all CBLs by May 31, 2006 and to make any necessary billing adjustments after the Commission approved the final CBLs; and

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- I. In a letter dated May 29, 2006, BC Hydro advised that it required additional time to verify some CBL adjustments and requested approval of the Commission to file the CBLs on June 16, 2006; and
- J. By letter dated June 2, 2006, the Commission approved BC Hydro's request to delay filing CBLs to June 16, 2006; and
- K. BC Hydro filed a final CBL Application on June 16, 2006 ("June 16 Application"), but informed the Commission that it had been unable to finalized all CBLs by that date and requested Commission approval to file the remaining CBLs by June 30, 2006.; and
- L. By letter dated June 22, 2006, the Commission approved an extension of the filing date for the remaining CBL adjustments to June 30, 2006, and by the same letter submitted an information request to BC Hydro; and
- M. BC Hydro filed its responses to the Commission information request by way of letter dated June 29, 2006; and
- N. By letter dated June 30, 2006, BC Hydro filed the remaining finalized CBLs ("June 30 Application"). In the letter submitting the June 30 Application BC Hydro requested, as it had in the March Application and June 16 Application, that the attachments containing customer-specific information remain confidential; and
- O. In the June 30 Application, BC Hydro proposed a written process for resolving CBL disputes; and
- P. By letter dated July 7, 2006 the Commission requested comments by July 21, 2005 from BC Hydro RS 1823 customers on the following issues: (1) whether or not the customer disputes the CBL filed by BC Hydro; (2) BC Hydro's proposed process for resolving disputed CBLs; (3) the appropriate balance between the need for a transparent process and confidentiality of customer-specific information; and (4) BC Hydro's proposed CBL Adjustment Tariff Practices ("Tariff Practices") filed as Appendix A of the June 16 Application; and
- Q. The July 7, 2006 letter stated that if the Commission does not receive notice of a dispute between a customer and BC Hydro by July 21, 2006, the Commission will presume that the customer accepts the CBL proposed by BC Hydro; and
- R. By July 21, 2006 the Commission had received notice of CBL disputes by Highland Valley Copper, Canadian Forest Products Ltd – Plateau Division Sawmill, Canadian Forest Products Ltd. – Canfor Taylor Pulp Mill, Ridley Terminals Inc., Federated Co-operatives Limited – Account 88001 and West Fraser – Cariboo Pulp & Paper Company ("Disputing Customers"); and

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- S. Highland Valley Copper and the Joint Industry Electricity Steering Committee submitted comments on the process that the Commission should follow to resolve disputed CBLs and review the Tariff Practices; and
- T. The Commission has reviewed the submissions of all parties and has determined that the most effective means to resolve the six customer disputes would be a written process, which begins with BC Hydro providing a complete, detailed explanation of its position on each dispute, followed by one concurrent round of information requests to BC Hydro and to Disputing Customers, and concludes with final submissions by BC Hydro and Disputing Customers. If necessary, at the conclusion of the written process the Commission will schedule an oral phase of argument on any dispute for which BC Hydro and customer agreement was not reached and for which the Commission wishes to hear further submissions before rendering a decision.

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

1. A written hearing process to review the customer disputes is established according to the Regulatory Schedule attached as Appendix A to this Order.
2. Each dispute will be treated as a separate process involving the customer, BC Hydro and the Commission. To protect commercially sensitive information, all detailed information about the operations of the customer will be kept confidential.
3. As a result of its review of the customer disputes, the Commission will determine the need, if any, for further process relating to BC Hydro's proposed Tariff Practices.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 28<sup>th</sup> day of July 2006.

BY ORDER

*Original signed by:*

R.J. Milbourne  
Commissioner

Attachment

**British Columbia Hydro and Power Authority  
Transmission Service Rates  
2006 Customer Baseline Load (CBL) Application**

**Regulatory Schedule**

**ACTION**

**DATE**

BC Hydro Submissions on each disputed CBL	Friday, August 11, 2006
Information Requests to BC Hydro and to Disputing Customers	Friday, August 25, 2006
Responses to Information Requests	Friday, September 8, 2006
Final Submissions of BC Hydro and Disputing Customers	Friday, September 22, 2006
Oral Argument, if necessary	To be determined