

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER F-21-08**

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

and

**An Application by British Columbia Transmission Corporation
for Approval of a
Transmission System Capital Plan F2009 to F2018**

BEFORE: R.H. Hobbs, Chair
L.A. O'Hara, Commissioner

August 19, 2008

O R D E R

WHEREAS:

- A. Commission Order G-69-07 dated June 15, 2007 responded to the British Columbia Transmission Corporation ("BCTC") Capital Plan F2008 to F2017; and
- B. BCTC filed its Transmission System Capital Plan F2009 to F2018 dated December 21, 2007 (the "F2009 Capital Plan", the "Application") pursuant to Sections 45(6), 45(6.1) and 45(6.2) of the Utilities Commission Act ("the Act"); and
- C. BCTC in the filing applies for an order which states that the F2009 Capital Plan meets the requirements of Sections 45(6) and 45(6.1) of the Act, approves the F2009 Capital Plan under subsection 45(6.2)(a) and, pursuant to Section 45(6.2)(b), determines that all projects and programs listed in Section 1.6.2 of the Application are in the public interest; and
- D. The Commission, by Order G-173-07, established a written public hearing process and Regulatory Timetable for the review of the Application; and
- E. BCTC held a Workshop for Commission staff and Registered Intervenors on January 22, 2008; and
- F. The Written Argument phase of the proceeding was completed when BCTC filed its Reply Submission on April 1, 2008; and
- G. On June 27, 2008 the Commission issued Order G-107-08 and Reasons for Decision on BCTC's Transmission System Capital Plan F2009 to F2018; and

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- H. On April 9, 2008, the Pipeline Power Group & Associates ("PPGA") applied for a cost award with respect to its participation in the written public hearing; and
- I. On April 28, 2008, the Independent Power Producers Association of British Columbia ("IPPBC") applied for a cost award with respect to its participation in the written public hearing; and
- J. On May 9, 2008, the British Columbia Public Interest Advocacy Centre on behalf of its client the BC Old Age Pensioners Organization *et al.* ("BCOAPO") applied for a cost award with respect to its participation in the written public hearing; and
- K. The Commission has reviewed the PACA applications with regard to the criteria and rates set out in the Guidelines in Commission Order G-72-07.

NOW THEREFORE the Commission, for the reasons set out in the attached Reasons for Decision, orders as follows:

1. Pursuant to Section 118(1) of the Utilities Commission Act, the Commission awards funds to the following participants for their participation in the F2009 TSCP proceeding.

	<u>Application</u>	<u>Award</u>
IPPBC	\$19,971.00	\$15,246.00
BCOAPO	7,869.75	7,869.75
Pipeline Power Group & Associates	<u>8,662.50</u>	<u>0.00</u>
TOTAL	<u>\$36,503.25</u>	<u>\$23,115.75</u>

2. BCTC is directed to reimburse the above noted participants for the total amounts awarded in a timely manner.

DATED at the City of Vancouver, in the Province of British Columbia, this 20th day of August 2008.

BY ORDER

Original signed by

Liisa A. O'Hara
Commissioner

Attachment

British Columbia Transmission Corporation
Transmission System Capital Plan F2009 to F2018

REASONS FOR DECISION

1.0 INTRODUCTION

On December 21, 2007 the British Columbia Transmission Corporation ("BCTC") filed its Transmission System Capital Plan F2009 to F2018 ("F2009 TSCP") with the British Columbia Utilities Commission ("Commission"). Commission Order G-173-07 dated December 24, 2007, subsequently established a written hearing process and Regulatory Timetable.

As set out in the Order that accompanies these Reasons for Decision, the Commission received three applications pursuant to Section 118 of the Utilities Commission Act for Participant Assistance/Cost Award ("PACA") funding for the proceeding. The PACA cost awards requested in the applications total \$36,503.25.

Section 118 provides that the Commission Panel may make cost awards for participation in a proceeding. The Commission's PACA Guidelines are set out in Appendix A to Order G-72-07, and state:

"The Commission Panel will then consider the following:

1. Will the Participant be affected by the outcome?
2. Has the Participant contributed to a better understanding of the issues by the Commission?
3. Are the costs incurred by the Participant for the purposes of participating in the proceeding fair and reasonable?
4. Has the Participant joined with other groups with similar interests to reduce costs?
5. Has the Participant engaged in any conduct that tended to unnecessarily lengthen the duration of the proceeding? (This criterion will not, by itself, disqualify a Participant for pursuing a relevant position in good faith and with reasonable diligence)
6. Any other matters appropriate in the circumstances.

If the Commission Panel considers it to be an appropriate consideration in a proceeding, the Commission Panel may consider the Participant's ability to participate in the proceeding without an award."

2.0 PROCEEDING AND PREPERATION DAYS

The Commission Panel has determined that the maximum number of days eligible for reimbursement is 6 days, which is the highest amount claimed in the applications.

3.0 PACA APPLICATIONS

Three of the eight intervenors submitted PACA budgets and requests for reimbursement. The Commission received PACA applications from the Independent Power Producers Association of British Columbia ("IPPBC"), British Columbia Old Age Pensioners' Organization et al. ("BCOAPO"), and the Pipeline Power Group & Associates.

4.0 INDIVIDUAL PACA AWARD AMOUNTS

The Commission Panel has reviewed the PACA applications and determines that the following amounts of cost awards are awarded to participants in the proceeding.

BCOAPO

BCOAPO is a ratepayer group with members that will be affected by the capital cost of transmission projects. Therefore, BCOAPO has a substantial interest in the F2009 TSCP. BCOAPO's application is consistent with the PACA Guidelines. Noting that counsel claimed 3 days and the consultant claimed 1.9 days, the Commission Panel concludes that the BCOAPO application should be awarded in full.

IPPBC

The IPPBC represents a substantial interest in this proceeding and the Commission Panel finds that the IPPBC did make a significant contribution to a better understanding of the substantial issues. The IPPBC counsel fees are awarded as per the application. However, the Commission Panel has concluded that Mr. Weimer's total claim for 6 days should be awarded at the case manager rate of \$500 per day. Accordingly, the IPPBC adjusted cost award amount is \$15,246.00 (\$12,096 + 6 X \$500 X 1.05).

Pipeline Power Group & Associates

The PPGA's contribution to this proceeding was limited to a specific load interest in the Fort Nelson service area, and as such, the information requests submitted by PPGA were focused on that service area. The PPGA did not file a Final Submission. The Commission Panel concludes that PPGA did not make a sufficient contribution to this proceeding to justify a cost award. Moreover, the Commission Panel also concludes that the Participant's ability to participate in the proceeding without an award is an appropriate consideration. Therefore, the Commission Panel denies the PPGA application.