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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER F-17-10**

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

and**

**An Application for Interim Participant Assistance/Cost Award
in a Proceeding to Review an Application by the British Columbia Transmission Corporation
for the Columbia Valley Transmission Project**

BEFORE: M.R. Harle, Panel Chair
and Commissioner
L.A. O'Hara, Commissioner
R.K. Ravelli, Commissioner

May 28, 2010

O R D E R

WHEREAS:

- A. On January 22, 2010, the British Columbia Transmission Corporation (BCTC) applied (the Application) pursuant to section 45 and 46 of the *Utilities Commission Act* (the Act), requesting a Certificate of Public Convenience and Necessity (CPCN) from the British Columbia Utilities Commission (the Commission), to construct and operate the Columbia Valley Transmission Project (the CVT Project) as described in its Application; and
- B. Pursuant to Order G-18-10 dated February 8, 2010 the Commission held a Procedural Conference on March 17, 2010, to seek input on the regulatory process for the review of the Application; and
- C. Pursuant to Order G-54-10 dated March 24, 2010 and amended in Order G-71-10 dated April 15, 2010, the Commission established the Regulatory Timetable for the proceeding; and
- D. By letter dated April 6, 2010, the Ktunaxa Nation Council (KNC) submitted a Participant Assistance/Cost Award (PACA) Budget Estimate for its participation in the proceeding to review the Application, and applied for interim PACA funding. The KNC stated that interim PACA funding is required to provide information that will be of assistance to the Commission in determining whether BCTC's consultation performance has been consistent with the honour of the Crown and whether BCTC's obligations to consult and accommodate have been met; and

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- E. Commission staff by letter dated April 28, 2010 reviewed the KNC PACA Budget Estimate, and after adjusting the Budget Estimate for items that may not be funded, provided an Adjusted Budget Estimate of \$25,687 for the KNC; and
- F. The Commission has concluded that the KNC does not have the financial resources related to the review of the Application and approves an interim PACA payment that is 50 percent of the Adjusted Budget Estimate.

NOW THEREFORE the Commission orders as follows:

- 1. Pursuant to section 118(1) of the *Utilities Commission Act*, and Section 3 of the PACA Guidelines that are Appendix A to Order G-72-07, the Commission awards interim PACA funding to the Ktunaxa Nation Council for its participation in the Columbia Valley Transmission Application proceeding in the amount of \$12,843.50.
- 2. The British Columbia Transmission Corporation is directed to pay the KNC the amount of the Participant's award in a timely manner.

DATED at the City of Vancouver, in the Province of British Columbia, this 28th day of May 2010.

BY ORDER

Original signed by:

M.R. Harle
Panel Chair/Commissioner