

SIXTH FLOOR, 900 HOWE STREET, BOX 250  
VANCOUVER, BC V6Z 2N3 CANADA  
web site: <http://www.bcuc.com>



**BRITISH COLUMBIA  
UTILITIES COMMISSION**

**ORDER  
NUMBER G-135-11**

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**

**An Application by Sunnyside Greenhouses Ltd.  
for a Prospective Growth Adjustment  
pursuant to Clause 13 of the Large General Service Negotiated Settlement Agreement  
as Approved by Commission Order G-110-10**

**BEFORE:** D. Morton, Commissioner  
N.E. MacMurchy, Commissioner July 28, 2011

**O R D E R**

**WHEREAS:**

- A. On October 16, 2009, British Columbia Hydro and Power Authority (BC Hydro) filed its Large General Service (LGS) Rate Application seeking orders establishing new energy rates, including two-part rates, for customers who take or would take service under Rate Schedules (RS) 1200, 1201, 1210, 1211 – General Service (35kW and over);
- B. A negotiated settlement process was held to review the LGS Rate Application during March and April 2010 and a Negotiated Settlement Agreement (NSA) was reached and made public on May 14, 2010. The British Columbia Utilities Commission (Commission) approved the NSA by Order G-110-10 dated June 29, 2010;
- C. Clause 13 of the NSA (attached as Appendix B to Order G-110-10) states: “[c]ustomers on a two-part rate who anticipate significant, permanent increases in energy consumption may apply to the BCUC to seek an increase in their HBLs, on a prospective basis. ‘Permanent’ means arising from a significant capital investment in plant. ‘Significant’ means increases in energy consumption totaling at least 30%, or 4,000,000 kWh. In addition, the customer’s application may address the electricity efficiency and/or GHG effect of the capital investment”;
- D. On June 17, 2011, Sunnyside Greenhouses Ltd. (Sunnyside) applied to the Commission to have its historical baseline (HBL) adjusted pursuant to Clause 13 of the NSA to reflect its phase 2 expansion which began in June 2010 and was completed in November 2010. On July 19, 2011, Sunnyside supplemented its June 17, 2011 letter with data to support its application and made a request that its LGS rate be set as interim (Sunnyside Application);

**BRITISH COLUMBIA  
UTILITIES COMMISSION**

**ORDER  
NUMBER** G-135-11

2

- E. The Sunnyside Application is the fourth application made under Section 13 of the LGS NSA since Commission Order G-110-10 was issued. The first application was made by Pacific Bioenergy Prince George Limited Partnership (Pacific Bioenergy); the second application was made by International Forest Products Limited (Interfor); and the third application was made by Evolution Home Owners Association;
- F. BC Hydro has advised the Commission that it would be proposing a modified rule to be applied to new load of existing accounts arising from “significant, permanent increases in energy consumption.” BC Hydro submitted that the proceeding to hear Pacific BioEnergy’s application is the appropriate forum to address and resolve the issues related to prospective growth rate adjustments;
- G. On July 8, 2011, the Commission issued Order G-119-11 allowing the reconsideration request by BC Hydro to rescind Order G-64-11 that approved the Interfor application. Order G-119-11 has the effect of allowing the review of the Pacific BioEnergy application as a forum to hear BC Hydro’s proposed tariff supplement regarding LGS prospective growth applications;
- H. By letter dated July 22, 2011, BC Hydro filed a letter of support regarding Sunnyside’s request for interim and refundable rates.

**NOW THEREFORE** pursuant to section 89 of the *Utilities Commission Act*, the Commission orders that BC Hydro’s LGS rate, as it is applicable to Sunnyside Greenhouses Ltd. Account, is interim and refundable effective the date of this Order.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 29<sup>th</sup> day July 2011.

BY ORDER

*Original signed by:*

D. Morton  
Commissioner