

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-99-11**

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

**Evolution Home Owners Association Account No. 1624055
Application 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: L. F. Kelsey, Commissioner
C.A. Brown, Commissioner
N.E. MacMurchy, Commissioner
D. Morton, Commissioner

May 26, 2011

ORDER

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 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 March 16, 2011, Evolution Home Owners Association and the Evolution Strata Corporation (BCS-2881) (Evolution) applied to the Commission to have its historical baseline (HBL) adjusted pursuant to Clause 13 of the NSA to reflect two large capital projects that would affect energy consumption (Evolution Application). By letter dated March 24, 2011, Commission staff provided Evolution with a “Guideline to Prospective Growth Adjustment Application” (Guideline);

BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER G-99-11

2

- E. By letter dated April 8, 2011, Evolution filed the relevant information based on the Guideline. The Evolution Application is the third 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) and the second application was made by International Forest Products Limited (Interfor);
- F. Also on April 8, 2011, BC Hydro filed an application with the Commission for reconsideration of Commission Order G-64-11, an order that approved the application for Prospective Growth Adjustment to the Historical Baseline (HBL) of Interfor (Interfor Reconsideration). In the Interfor Reconsideration, BC Hydro sought an order rescinding Order G-64-11 pending the determination of a similar application for a prospective growth adjustment by Pacific BioEnergy. BC Hydro advised the Commission that in the Pacific BioEnergy proceeding, 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 Pacific BioEnergy is the appropriate forum to address and resolve the issues related to prospective growth rate adjustments. In the Reply Submissions in the Reconsideration Application, BC Hydro submitted a proposed Tariff Supplement No. 78 which sets out proposed rules for LGS Prospective Growth applications;
- G. By letter dated April 28, 2011, Evolution applied to the Commission to set its rates interim and refundable pending the outcome of the Evolution Application. By letter dated May 20, 2011, BC Hydro wrote to the Commission to support Evolution's request for interim and refundable rates.

NOW THEREFORE, the Commission orders that BC Hydro's LGS rate, as it is applicable to Evolution Home Owner's Association Account No. 1624055, is interim and refundable effective the date of this Order.

DATED at the City of Vancouver, in the Province of British Columbia, this 27th day May, 2011.

BY ORDER

Original signed by:

L.F. Kelsey
Commissioner