



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

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER F-25-12**

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

Applications for Participant Assistance/Cost Award
for the FortisBC Alternative Energy Services Inc.
Application for a Certificate of Public Convenience and Necessity for the
PCI Marine Gateway Thermal Energy Project and Approval of Rates Proceeding

BEFORE: D.M. Morton, Commissioner/Panel Chair
B.A. Magnan, Commissioner October 26, 2012

ORDER

WHEREAS:

- A. On May 25, 2012, FortisBC Alternative Energy Services Inc. (FAES) submitted an application for a Certificate of Public Convenience and Necessity to the British Columbia Utilities Commission (Commission) under sections 45 and 46 of the *Utilities Commission Act* (Act) for the construction and operation of a thermal energy system for the PCI Marine Gateway development (Development) and for approval under sections 59, 60 and 61 of the Act for the proposed rate design and rates to provide thermal energy service to the tenants of the Development;
- B. On June 5, 2012, by Order G-74-12, the Commission established a written hearing process for the proceeding;
- C. Four Interveners registered as participants for the proceeding which were, the British Columbia Pensioners' and Seniors' Organization (BCPSO), the Commercial Class Energy Consumers Association of British Columbia (CEC), the British Columbia Sustainable Energy Association (BCSEA) and the British Columbia Residential Utility Customers Association (BCRUCA);
- D. Commission Order G-72-07 established Guidelines for Participant Assistance Cost Award (PACA) applications;
- E. Each of the four Interveners submitted budget estimates and final applications for PACA funding to the Commission for their participation in the proceeding;
- F. By letter dated October 17, 2012, FAES stated it has reviewed the PACA applications, and has no objections or comments on the PACA applications submitted;

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- G. Pursuant to the PACA Guidelines the Commission determines the entitlement to a full or partial award taking into account the criteria in the Guidelines, the information provided by the participant and variances in estimates provided. The Commission is satisfied that the participants should receive a Participant Assistance Cost Award to recover costs related to this proceeding.

NOW THEREFORE the Commission orders as follows:

1. Pursuant to section 118 (1) of the Act, the Commission awards funds in the following amounts to the Interveners for their participation in the proceeding. Reasons for partial awards are provided in Appendix A to this Order.

Intervener	Budget Estimate	Final Application	Participant Assistance Cost Award	Award as % of Final Application
BCPSO	\$11,281.00	\$4,802.00	\$4,802.00	100%
CEC	\$12,900.00	\$12,488.00	\$10,038.00	80%
BCSEA	\$2,566.00	\$6,433.90	\$6,433.90	100%
BCRUCA	\$17,800.00	\$9,768.98	\$8,400.00	86%

2. FAES is directed to reimburse the above noted Interveners for the amounts that have been awarded in a timely manner.

DATED at the City of Vancouver, in the Province of British Columbia, this 29th day of October 2012.

BY ORDER

Original signed by:

B.A. Magnan
Commissioner

Attachment

Application for Participant Assistance/Cost Award
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REASONS FOR DECISION

In determining the amount for Participant Assistance Cost Awards the Commission Panel first considers the eligibility of the participant according to section 1 described in the PACA funding Guidelines attached as Appendix A to Order G-72-07. The Panel then considers the contributions of the participants and among other things may determine fair and reasonable costs in determining an award amount.

For this proceeding the Panel considers that a maximum reasonable cost award would be based upon up to three days of legal representation and up to six days of a combination of case management and consultant support. The Awards were then determined for each participant calculated as the lesser of the applied-for legal and consultant amounts up to the limit multiplied by the maximum daily fees as set out in section 4 of the Guidelines. The Panel determines that there were no 'specialists' required in this proceeding considering the issues involved and therefore determines that the maximum daily fee for consultants based on 10+ years experience would be \$1,250.00. The approved amounts are inclusive of applicable HST.