

**BRITISH COLUMBIA  
UTILITIES COMMISSION**

**ORDER  
NUMBER G-45-12**

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

and

British Columbia Hydro and Power Authority  
Transmission Service Rate – Customer Baseline Load Dispute

**BEFORE:** L.F. Kelsey, Commissioner  
C.A. Brown, Commissioner  
D.M. Morton, Commissioner  
R.D. Revel, Commissioner  
April 12, 2012

**ORDER**

**WHEREAS:**

- A. On October 4, 2010, British Columbia Hydro and Power Authority (BC Hydro) filed its Customer Baseline Load (CBL) F2010 and F2011 Application (F10/F11 CBL Application) with the British Columbia Utilities Commission (Commission) requesting approval of Final Adjusted F2010 CBLs, Interim F2011 CBLs and the continuance of Interim F2010 CBLs for two customers;
- B. On January 10, 2011, BC Hydro filed amendments to the F10/F11 CBL Application resulting from certain Transmission Service Rate (TSR) customer comments it received. BC Hydro proposed that three customers: (i) Gibraltar Mines Ltd. (Gibraltar), (ii) Howe Sound Pulp and Paper Corporation (Howe Sound), and (iii) Neucel Specialty Cellulose Ltd. (Neucel) remain on their Adjusted F2010 CBLs on an interim basis pending BC Hydro's review of further information;
- C. On March 11, 2011, by Order G-44-11, the Commission ordered that Gibraltar, Howe Sound, and Neucel are to remain on their Adjusted F2010 CBLs on an interim basis. The F2010 and F2011 CBLs for these three customers will be considered subsequent to that Order;
- D. On September 7, 2011, BC Hydro filed Adjusted F2010 CBLs for final approval and Interim F2011 CBLs for interim approval for Gibraltar, Howe Sound, and Neucel which reflect the revisions of the CBLs resulting from discussions and agreements with the customers. The filing included agreements from Gibraltar and Howe Sound to their F2010 CBLs but not from Neucel;
- E. On October 6, 2011, by Letter L-83-11, the Commission requested Neucel to inform the Commission by October 21, 2011 as to whether it disputes its Adjusted F2010 CBL or Interim F2011 CBL, as proposed by BC Hydro;
- F. On October 21, 2011, Neucel informed the Commission that it intends to dispute BC Hydro's proposed Adjusted F2010 CBL but that Neucel and BC Hydro were still in discussions;

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- G. On November 10, 2011, BC Hydro filed its TSR F2011 and F2012 CBL Application (F11/F12 CBL Application) with the Commission seeking approval of, among other matters, the continuance of Interim F2011 CBLs for ten specific customers including Neucel. BC Hydro notes that Neucel's CBL for F2010 is in dispute and must be resolved before any subsequent CBL determination for F2011 and F2012 can be made;
- H. On March 30, 2012, BC Hydro filed its Amendment #1 to the F11/F12 CBL Application (Amendment #1 Application). BC Hydro states that Neucel has informed BC Hydro that it will formally confirm its F2010 CBL dispute with the Commission on March 30, 2012. BC Hydro requested the Commission to establish a process to deal with the Neucel dispute;
- I. On March 30, 2012, Neucel requested the Commission to make a determination regarding its dispute with BC Hydro for the Adjusted F2010 CBL;
- J. BC Hydro requested that the filing and associated documents remain confidential due to their commercially sensitive nature;
- K. The Commission has reviewed the requests regarding Neucel's CBL dispute and considers that a written hearing process is the most effective means to resolve customer CBL disputes.

**NOW THEREFORE** the Commission orders as follows:

- 1. A written hearing process is established to review the Neucel CBL dispute in accordance with the Regulatory Schedule attached as Appendix A to this Order.
- 2. BC Hydro is to provide a copy of this Order including the appended Regulatory Schedule to Neucel by Friday, April 13, 2012.
- 3. To protect commercially sensitive information, all detailed information about the operations of the customer will be kept confidential.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 12<sup>th</sup> day of April 2012.

BY ORDER

*Original signed by:*

L.F. Kelsey  
Commissioner

Attachment

British Columbia Hydro and Power Authority  
Transmission Service Rate - Customer Baseline Load Dispute

**REGULATORY SCHEDULE**

<b>ACTION:</b>	<b>DATE (2012):</b>
BC Hydro and Neucel Submissions on the Disputed CBL	Wednesday, May 2
(i) Commission and BC Hydro Information Request on Neucel's Submission (ii) Commission and Neucel Information Request on BC Hydro's Submission	Monday, May 14
BC Hydro and Neucel Information Request Responses	Wednesday, May 23
BC Hydro and Neucel Final Submissions	Monday, June 4
Further process (if necessary)	To be determined