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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER R-22-12**

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

and

**An Application by Clowhom Power, LP
for Dismissal of a Possible Violation of Mandatory Reliability Standard
FAC-003-1 R3 – Violation ID: BCUC201100252**

BEFORE: D.M. Morton, Commissioner
C.A. Brown, Commissioner
R.D. Revel, Commissioner
May 10, 2012

O R D E R

WHEREAS:

- A. Section 125.2 of the *Utilities Commission Act* (Act) assigns exclusive jurisdiction to the British Columbia Utilities Commission (Commission) to determine whether a “reliability standard,” as defined in the Act, is in the public interest and should be adopted in British Columbia by the Commission. By Order G-123-09 the Commission approved the Compliance Monitoring Program (CMP) for monitoring and enforcement of adopted reliability standards and appointed the Western Electricity Coordinating Council (WECC) as its Administrator for registration and monitoring compliance as per section 8 of the Act;
- B. Commission Order G-67-09 requires entities subject to approved Mandatory Reliability Standards to file mitigation plans outlining how they plan to achieve compliance;
- C. Pursuant to Section 5.3 of the CMP, a Mitigation Plan with respect to an Alleged Violation may be submitted at any time, and a Mitigation Plan with respect to a Confirmed Violation must be submitted within ten business days following confirmation by the Commission;
- D. Section 5.6 of the CMP requires WECC to review all Mitigation Plans and if in agreement, make a recommendation to the Commission;
- E. On October 16, 2011, Clowhom Power, LP (CLOW) submitted a self-certification for possible violation of Mandatory Reliability Standard FAC-003-1 R3;

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- F. Mandatory Reliability Standard FAC-003-1 is applicable to Transmission Owners and CLOW is registered as a Transmission Owner. However, the applicability of the standard is limited to all transmission lines operated at 200 kV and above, as well as any lower voltage lines designated by its Regional Reliability Organization as critical to the reliability of the electric system in the region. CLOW informed WECC that it has no facilities at 200 kV and above, and no lower voltage lines designated by the Regional Reliability Organization as critical to the reliability of the electric system in the region. CLOW further stated that it self-certified the possible violation in error;
- G. A WECC subject matter expert reviewed CLOW's facilities and determined CLOW did not own any facilities above 138 kV and did not have facilities otherwise designated as applicable to Mandatory Reliability Standard FAC-003-1;
- H. WECC subsequently determined that Mandatory Reliability Standard FAC-003-1 R3 is not currently applicable to CLOW's current configuration as a Transmission Owner;
- I. On March 5, 2012, WECC recommended the Commission approve the dismissal of Clowhom Power, LP's possible violation of the following standard:
- FAC-003-1 R3 – Violation ID: BCUC201100252 by Self-Certification submitted October 16, 2012
- J. The Commission has reviewed WECC's recommendation and considers approval is warranted.

NOW THEREFORE pursuant to section 125.2 (10) of the Act, the Commission accepts WECC's recommendations and approves the dismissal of the possible violation identified above.

DATED at the City of Vancouver, in the Province of British Columbia, this 17th day of May 2012.

BY ORDER

Original signed by

D.M. Morton
Commissioner