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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER R-62-12**

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

and

**An Application by Powell River Energy Inc.
for Dismissal of the Alleged Violations of Mandatory Reliability Standards
FAC-002-0 R1 – Violation ID: BCUC201000185
FAC-002-0 R2 – Violation ID: BCUC201000186**

BEFORE: D.M. Morton, Commissioner

September 24, 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. On December 14, 2010, Powell River Energy Inc. (PREI) submitted a mitigation plan addressing the possible violation of Mandatory Reliability Standard FAC-002-OR1 and R2, and on May 25, 2012, WECC recommended the Commission accept the MP;
- E. By Order R-33-12, the Commission approved the Mitigation Plan (MP), to bring PREI into compliance with Mandatory Reliability Standard FAC-002-OR1 and R2;
- F. On May 16, 2012 PREI submitted an Attestation of Mitigation Plan Completion (Attestation) for the MP listed above, and on May 25, 2012, WECC recommended acceptance of the Attestation;

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- G. By letter dated June 15, 2012, the Commission accepted the Attestation for the MP listed above;
- H. On June 19, 2012, WECC sent a Notice of Alleged Violation (NOAV) to PREI and the Commission for the Alleged Violations of Mandatory Reliability Standard FAC-002-OR1 and R2;
- I. On June 19, 2012, PREI responded to the NOAV and submitted supplemental evidence. On August 15, 2012, WECC reviewed PREI's response and supplemental evidence and determined that PREI was not in violation of Mandatory Reliability Standard FAC-002-OR1 and R2;
- J. On August 22, 2012, WECC recommended the Commission dismiss PREI's Alleged Violations of the following standard and its requirements:
- FAC-002-0 R1 – Violation ID: BCUC201000185
 - FAC-002-0 R2 – Violation ID: BCUC201000186
- K. The Commission has reviewed WECC's recommendation and considers dismissal is warranted.

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

DATED at the City of Vancouver, in the Province of British Columbia, this 24th day of September 2012.

BY ORDER

Original signed by:

D.M. Morton
Commissioner