



LETTER L-25-13

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VIA EMAIL

jquail@cope378.ca

April 19, 2013

Mr. Jim Quail
Executive Director
Union Local 378 (COPE 378)
815-815 West Hastings Street
Vancouver, BC V6C1B4

Dear Mr. Quail:

Re: An Application for Reconsideration of Order G-52-13 in the Matter of
British Columbia Hydro and Power Authority Northwest Transmission Line Application
Tariff Supplement No. 37 to BC Hydro Electric Tariff

On April 10, 2013, by Order G-52-13, the British Columbia Utilities Commission (Commission) issued its decision on the British Columbia Hydro and Power Authority's (BC Hydro) Application for Approval of Northwest Transmission Line Tariff Supplement No. 37 to BC Hydro Electric Tariff (Application).

On April 12, 2013, the Canadian Office and Professional Employees' Union, Local 378 (COPE) applied to the Commission for a reconsideration of Order G-52-13 (Reconsideration Application) on the basis that the Commission made an error of law.

Enclosed is a copy of the Reconsideration and Appeals section of "Understanding Utility Regulation: A Participant's Guide to the B.C. Utilities Commission," which identifies the criteria the Commission applies to determine whether a reasonable basis exists to allow a reconsideration.

Reconsideration by the Commission proceeds in two phases:

Phase One: In the interest of regulatory efficiency and fairness, the application undergoes an initial screening phase where the Commission determines if there is a sufficient *prima facie* case to warrant a reconsideration. If the Commission determines that there is a reasonable basis, it will order a reconsideration of the application and move to phase two.

Phase Two: If the Commission determines that a full reconsideration is warranted, the second phase begins where the Commission hears arguments on the merits of the application.

The Commission hereby establishes the first phase of reconsideration as a written comment process to determine whether COPE's Reconsideration Application provides a reasonable basis to allow a reconsideration. The Commission encloses a copy of COPE's Reconsideration Application and invites those parties who submitted comments on the original Application (Participants) to make submissions on the following questions:

1. Should the Commission order a reconsideration of the Application? Written comments should address whether the threshold for reconsideration has been met, rather than the substance of the issues.

In determining whether a reasonable basis exists, the Commission generally applies the following criteria as thresholds for allowing reconsideration:

- the Commission has made an error in fact or law;
 - there has been a fundamental change in circumstances or facts since the Decision;
 - a basic principle had not been raised in the original proceedings;
 - a new principle has arisen as a result of the Decision; or
 - In addition, the Commission will exercise its discretion to reconsider, in other situations, wherever it deems there to be just cause.
2. If there is to be a reconsideration, should the Commission hear new evidence and should new parties be given the opportunity to present evidence?
 3. If there is to be a reconsideration, should it focus on the items from the application for reconsideration, a subset of these items or additional items?

The phase one assessment process for the Reconsideration Application will be as follows:

- Participants' comments are to be provided to the Commission and copied to COPE and other Participants by Monday, April 29, 2013.
- COPE may respond to comments from other Participants by Friday, May 3, 2013.

Following the completion of the phase one written submission process, the Commission will determine whether or not it should order a reconsideration of the Application. If the reconsideration proceeds to the second phase, the parties will be allowed to address the substance of the issues that the Commission approves for reconsideration.

Yours truly,

Erica Hamilton

CMcM/Is
Enclosures

cc: Ms. Janet Fraser
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Ms. Tannis Braithwaite
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