

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER** G-25-13

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

and

Hemlock Customer Complaints Concerning
the Review Process and Rates Established by Order G-66-12
and
Compliance with Orders G-66-12 and G-184-12

BEFORE: A.A. Rhodes, Commissioner

February 20, 2013

O R D E R

WHEREAS:

- A. On November 30, 2010, Hemlock Utility Services Ltd. (Hemlock, the Utility) and 0762608 B.C. Ltd. filed an Application with the British Columbia Utilities Commission (Commission) pursuant to sections 59 to 61 of the *Utilities Commission Act* (Act) requesting, among other things, approval of a rate increase for the electricity charges to the ratepayers of the Utility and an automatic mechanism for rate increases (the Original Application);
- B. The Original Application sought a rate increase for customers who use between 0 and 124 kilowatt hours from \$20 per month to \$24 per month and a rate increase for customers who use in excess of 124 kilowatt hours per month from \$0.1605 per kilowatt hour to \$0.18 per kilowatt hour, increased to \$0.2644 per kilowatt hour in August 2011;
- C. The Original Application was heard by the Commission through a written hearing process which included one round of Information Requests. The Commission did not provide, nor did it direct Hemlock to provide, public notice of the Original Application; therefore, Hemlock's customers did not receive notice of Hemlock's request for a rate increase;
- D. By Order G-66-12 dated May 24, 2012, the Commission approved, among other things, a rate increase from \$20 per month to \$24 for customers using between 0 and 124 kilowatt hours per month, and a rate increase from \$0.1605 per kilowatt hour to \$0.23 for customers using in excess of 124 kilowatt hours per month. The Order did not specify an effective date for the rate increase;
- E. Order G-66-12 also required Hemlock to file its next annual report within four months of its fiscal year end;
- F. Following the approvals granted in Order G-66-12, the Commission received approximately 30 letters from Hemlock customers complaining about the rate increase and the process the Commission followed in hearing the Original Application. Many of the letters requested that a new public hearing be held on the basis that no public notice had been provided to the Original Application and also requested that the approved rate increase be deferred until such time;

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- G. On September 24, 2012, the Commission issued Letter L-54-12 seeking submissions from Hemlock and any interested customer or party regarding a Reconsideration;
- H. On September 25, 2012, the Commission issued Order G-128-12 which set rates approved under Order G-66-12 as interim, effective September 1, 2012, pending determination of the potential Reconsideration;
- I. The Commission received submissions from Hemlock and fifty-one of its ratepayers;
- J. On October 30, 2012, Hemlock filed a letter with the Commission requesting an extension of the time to file its Annual Report as directed in Order G-66-12 until four months after the decision on the Reconsideration is issued;
- K. On November 30, 2012, the Commission issued Order G-184-12 ordering a Reconsideration of the rate increase portion of the Original Application by way of a new written hearing;
- L. Order G-184-12 ordered Hemlock to file a complete Revenue Requirements Application with the Commission no later than February 18, 2013 for rates effective September 1, 2012, and to file its Annual Report as directed in Order G-66-12 at the same time as it files its RRA;
- M. On February 18, 2013, Hemlock filed a letter with the Commission requesting an extension to the filing date as required by Commission Order G-184-12 regarding the Revenue Requirements Application and Annual Report.

NOW THEREFORE the Commission orders as follows:

- 1. The Commission grants the extension as requested by Hemlock. Hemlock's complete Revenue Requirements Application and Annual Report are to be filed by no later than March 8, 2013.
- 2. Hemlock is to provide notice of this Order by sending a copy to each ratepayer in its service area within ten business days of the date of this Order.
- 3. In the future, Hemlock is to make such requests in advance of the filing due date.

DATED at the City of Vancouver, in the Province of British Columbia, this 20th day of February 2012.

BY ORDER

Original signed by:

A.A. Rhodes
Commissioner