

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER R-17-13**

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

and

**Tembec LAP
Confirmation of Alleged Violation of Mandatory Reliability Standards
PRC-008-0 Requirement 1 – Violation ID: BCUC201100355
PRC-008-0 Requirement 2 – Violation ID: BCUC2012000381**

BEFORE: D.M. Morton, Commissioner May 1, 2013

O R D E R

WHEREAS:

- A. Order G-123-09 approved the Compliance Monitoring Program (CMP) which provides a process for dealing with violations to Mandatory Reliability Standards (MRS) adopted by the British Columbia Utilities Commission (Commission);
- B. On November 20, 2012, the Western Electricity Coordinating Council (WECC), acting as the Commission's MRS Administrator, issued a Notice of Alleged Violation (NOAV) to Tembec LAP (TLAP) for Violation of the Reliability Standards listed above. The NOAV described the nature of the violations and provided an assessment of the severity of the violations;
- C. On November 20, 2012, WECC also advised TLAP of its rights under section 4.2 of the CMP, pursuant to which TLAP has 30 days to respond to the NOAV. The CMP also states if TLAP fails to respond within 30 days, the Commission may consider the Alleged Violations in the absence of a submission;
- D. In a letter dated December 17, 2012, TLAP contested the violations. In the same letter, TLAP stated they assumed the Alleged Violation cited for PRC-008-1_R2 was meant to read PRC-008-0_R2;
- E. On March 7, 2013, by email, WECC notified TLAP that they had reviewed TLAP's NOAV response and determined that TLAP's current Bulk Electric System Protection System Maintenance and Testing Program is deficient. WECC also stated that they believed there were no other issues and the NOAV could be confirmed by the Commission. WECC further invited TLAP to respond if they had further questions and if not, the Commission would be informed it could confirm the NOAV;

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- F. On March 19, 2013, Commission staff requested WECC issue a Revised NOAV with the Reliability Standards PRC-008-0_R1, (Violation ID: BCUC201100355) and PRC-008-0_R2 (Violation ID: BCUC2012000381) correctly cited;
- G. On March 20, 2013, WECC issued a Revised NOAV for the same Alleged Violations citing the Reliability Standards and Violations IDs as noted above. The Revised NOAV contained no other changes; the facts of the Alleged Violations remained as stated in the original NOAV. WECC also advised TLAP of its rights under section 4.2 of the CMP, pursuant to which TLAP has 30 days to respond to the Revised NOAV. The CMP also states if TLAP fails to respond within 30 days, the Commission may consider the Alleged Violations in the absence of a submission;
- H. TLAP initiated discussions with WECC regarding the characterization of the Alleged Violations contained in the Revised NOAV. WECC and TLAP came to agreement and on April 19, 2013, WECC issued a Revised NOAV for PRC-008-0 R1 and R2 which included minor changes to the characterization of the Alleged Violations;
- I. On April 26, 2013, TLAP responded to WECC by email, confirming they would not contest the Revised NOAV and that they were in agreement with the new revision;
- J. The Commission has reviewed WECC's recommendation and considers confirmation of the violations is warranted.

NOW THEREFORE pursuant to section 125.2 of the *Utilities Commission Act* and section 4.1 of the Compliance Monitoring Program, the British Columbia Utilities Commission confirms the Alleged Violations identified above.

DATED at the City of Vancouver, in the Province of British Columbia, this 1st day of May, 2013.

BY ORDER

Original Signed By:

D.M. Morton
Commissioner