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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER G-168-14**

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

and

**FortisBC Inc.
Application for Stepped and Stand-By Rates for Transmission Voltage Customers**

BEFORE: L.A. O'Hara, Panel Chair/Commissioner October 31, 2014

O R D E R

WHEREAS:

- A. On March 28, 2013, FortisBC Inc. (FortisBC) filed an application with the British Columbia Utilities Commission (Commission) for approval of new rates for transmission voltage customers under sections 58-61 of the *Utilities Commission Act* (Application);
- B. The Application requested, among other things, approval for a Stand-by Service Rate (RS 37) and a determination of the retroactive application of rates to Zellstoff Celgar Limited Partnership (Celgar);
- C. The British Columbia Hydro and Power Authority (BC Hydro), Celgar, International Forest Products Limited, the British Columbia Old Age Pensioners' and Seniors' Organization *et al* (BCOAPO), and the BC Municipal Electric Utilities (BCMEU) registered as interveners, and Tolko Industries Ltd. registered as an interested party;
- D. On May 26, 2014, by Order G-67-14, the Commission, among other things, declined to approve RS 37 as proposed in the Application and directed FortisBC to file a revised RS 37 incorporating the findings in the decision and to address certain Celgar specific matters;
- E. On June 26, 2014, in compliance with Order G-67-14, FortisBC filed for approval of a Revised Stand-by Service Rate (Revised RS 37 Filing);
- F. By Orders G-81-14, G-118-14, and G-154-14 the Commission established the Regulatory Timetable for the review of the Revised RS 37 Filing;
- G. On October 14, 2014, BCOAPO filed a letter with the Commission requesting an extension to the September 8, 2014 deadline to file intervenor evidence as established by Order G-118-14;

- H. BCOAPO identified the specific intervenor evidence which they intended to file as:
- i. Ministerial Order dated May 23, 1991, in respect of an Application by Celgar for an Energy Project Certificate for the Celgar Pulp Mill Expansion (Ministerial Order); and
 - ii. Associated witness statements relating to the Ministerial Order which were filed under the North American Free Trade Agreement chapter 11 (Witness Statements);
- I. On October 15, 2014, Celgar filed a letter with the Commission advising that it did not object to the filing of the Ministerial Order but objected to the filing of the Witness Statements;
- J. On October 16, 2014, the Commission issued a letter requesting that BCOAPO justify the relevance of the intervenor evidence to the limited scope of the Revised RS 37 Filing proceeding. Other parties to the proceeding were also provided with an opportunity to make a reply submission on BCOAPO's filing;
- K. On October 17, 2014, BCOAPO submitted a letter to the Commission explaining that its initial characterization of the Ministerial Order as intervenor evidence may not have been apt as the Order is available in the public archives. BCOAPO withdrew its request for an extension of time in which to file intervenor evidence and instead simply requested that the Ministerial Order be put on the record of this proceeding. BCOAPO also withdrew its request to introduce the Witness Statements;
- L. On October 22, 2014, by way of letter, Celgar reiterated its position as outlined in its October 15, 2014 letter;
- M. On October 23, 2014, by way of letter, BC Hydro provided comments on the potential relevance of the evidence and stated that the Commission should be aware of the Ministerial Order when considering Celgar's evidence and arguments;
- N. On October 23, 2014, by way of letter, FortisBC submitted that it did not object to the Ministerial Order being placed on the record and accepted BCOAPO's justification for doing so;
- O. On October 27, 2014, by Order G-166-14, the Commission, among other things, extended the timeline for filing intervenor evidence to October 30, 2014, to allow BCOAPO to file the Ministerial Order only;
- P. On October 27, 2014, BCOAPO filed the Ministerial Order and the application that gave rise to the Ministerial Order (Associated Application), to form part of the evidentiary record; and
- Q. On October 29, 2014, by way of letter, Celgar requested that the Associated Application be expunged from the record given that Order G-166-14 limited the filing of intervenor evidence to the Ministerial Order.

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NOW THEREFORE the British Columbia Utilities Commission orders:

1. In accordance with the Regulatory Timetable attached as Appendix A, the Commission seeks submissions on Zellstoff Celgar Limited Partnership's October 29, 2014 request, marked as Exhibit C2-30.
2. The Regulatory Timetable established by Order G-166-14 is further amended to accommodate the additional submissions.

DATED at the City of Vancouver, in the Province of British Columbia, this 31st day of October, 2014.

BY ORDER

Original signed by:

L.A. O'Hara
Panel Chair/Commissioner

Attachment

FORTISBC INC.

Application for Stepped and Stand-By Rates
for Transmission Voltage Customers
(Revised RS 37 Filing)

REGULATORY TIMETABLE

ACTION	DATE (2014)
Submissions by parties participating in the review of the Application on Celgar's October 20, 2014 letter, marked as Exhibit C2-25	Friday, October 31
Submissions by parties participating in the review of the Application on Celgar's October 29, 2014 letter, marked as Exhibit C2-30	Wednesday, November 5
Reply Submission from Celgar on Exhibit C2-25	Thursday, November 6
Reply Submission from Celgar on Exhibit C2-30	Wednesday, November 12
Commission expected date to issue determination on Exhibits C2-25 and C2-30	Monday, November 17
FortisBC Final Submission	Monday, November 24
Intervener Final Submissions	Thursday, December 4
Intervener Reply Submissions to other intervener Final Submissions on the Ministerial Order	Thursday, December 11
FortisBC Reply Submission	Thursday, December 18