



LETTER L-9-14

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VIA EMAIL

February 5, 2014

BC HYDRO SMART METER

CHOICES PROGRAM

EXHIBIT A-15

TO: All Registered Interveners (BCH- Meter Choices)
British Columbia Hydro and Power Authority
Mr. John Hurd

Re: British Columbia Hydro and Power Authorities
Approval for Approval of Changes Related to Meter Choices Program
Application for Reconsideration from Mr. John Hurd

Introduction

By letter to the Commission dated February 1, 2014, Mr. John Hurd requests, pursuant to Section 99 of the *Utilities Commission Act*, a reconsideration of a Commission decision approving BC Hydro's fees for Legacy and Radio-off Meters. Mr. Hurd's application is premised on the assertion that "the BCUC did not avail itself of sufficient background information with respect to what alternative fee structures would have had on the publics [sic] acceptance and/or rejection of the Legacy and Radio off meters and consequently what a higher rejection rate would have meant to the monthly fees charged to each individual."

Relevant Background Documents

1. By letter dated November 14, 2013 BC Hydro requested an extension to its filing dates established in the Regulatory Timetable that is Appendix B to Order G-167-13. (Exhibit B-4)
2. By letter dated November 15, 2013, Mr. Hurd wrote to respond to BC Hydro's request by making a similar request to extend the commencement of interim charges for Legacy and Radio off meters. (Exhibit C13-3)
3. On November 18, 2013, the Commission issued Order G-186-13, with Reasons, granting BC Hydro's request in part and amended the Regulatory Timetable. (Exhibit A-7)
4. By letter dated November 19, 2013, Mr. Hurd objected to the "minimization of my request for a review of the interim charges" in the Reasons and requested the Commission review his request for an extension to the interim fees and delay all fees until a full and proper determination can be made as to their legitimacy and necessity. (Exhibit C13-4)
5. On November 22, 2013, the Commission responded with the information on the process for reconsideration of Order G-186-13. A copy of "understanding Utility Regulation: A Participant's Guide to the B.C. Utilities Commission" was attached to the letter from the Commission. The document identifies the criteria the Commission applies to determine whether a reasonable basis exists to allow a reconsideration. (Exhibit A-8)
6. By emailed letter dated February 1, 2014, Mr. Hurd formally applied for reconsideration.

Next Steps

Mr. Hurd's February 1, 2014 letter refers to Reconsideration of Order G-168-13. Since Order G-168-13 is not relevant to this proceeding, the Commission interprets Mr. Hurd as seeking reconsideration of Order G-186-13, in line with his earlier correspondence.

As described in the Commission's Participant Guidelines, an application for reconsideration proceeds in two phases. At this time, the Commission initiates a Phase 1 process to consider whether the reconsideration application has established a *prima facie* case sufficient to warrant full consideration. BC Hydro and other participants are invited to provide comments to the Commission that address the following specific questions:

- Should there be reconsideration by the Commission?
- If there is to be reconsideration, should the Commission hear new evidence and should new parties be given the opportunity to present evidence?
- 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?
- Are there any other pertinent facts or issues regarding Mr. Hurd's application that the Commission reconsiders the Order and vary it accordingly?

Participants' comments should address whether the threshold for reconsideration has been met, rather than the substance of the request. For a reconsideration hearing to proceed, the application for reconsideration is required to meet the following criteria:

1. The claim of error appears to be substantiated on a *prima facie* basis; and
2. The error has significant material implications.

If the Commission agrees to reconsider its decision, the parties will be allowed to address the substance of the request.

A copy of the Reconsideration and Appeals section of the Commission's Participant's Guide, which identifies the criteria that the Commission generally applies to determine whether a reasonable basis exists for allowing a reconsideration, is attached.

Participants' comments are to be provided to the Commission and copied to BC Hydro and all Interveners by Tuesday, February 11, 2014. Mr. Hurd may respond to Participants' comments by Friday, February 14, 2014.

Yours truly,

Erica Hamilton

EC/cms
Attachments