



LETTER L-13-15

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VIA EMAIL

March 25, 2015

TO: Industrial Customers Group  
Interested Stakeholders

Re: FortisBC Inc.  
Section 71 Application for Acceptance of the Capacity and Energy Purchase  
and Sale Agreement between FortisBC Inc. and Powerex Corp.

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By letter L-11-15 dated March 16, 2015, the British Columbia Utilities Commission (Commission) provided the opportunity for interested stakeholders to submit comments by March 24, 2015 specifically in regard to the acceptance under section 71 of the *Utilities Commission Act* (UCA) of the subject sections 1, 2, 5, 7, 9 through 17 of the **redacted** February 17, 2015 Capacity and Energy Purchase and Sale Agreement (Agreement) between Powerex Corp. (Powerex) and FortisBC Inc. (FBC), filed by FBC on March 6, 2015.

This letter is in response to the Industrial Customers Group's (ICG) submission dated March 19, 2015 seeking an extension to the March 24, 2015 deadline for submission of comments by interested stakeholders as established by the Commission in letter L-11-15.

ICG submits that the process for review of the Agreement does not provide a reasonable opportunity for stakeholders to be heard in accordance with the principles related to procedural fairness. ICG submits that the March 24, 2015 deadline for comments from interested stakeholders:

- does not provide an opportunity for comments from stakeholders regarding the FBC request for confidentiality of Appendix B by stakeholders, including their consultants and counsel, pursuant to the Confidential Filing Practice Directive;
- does not provide an opportunity for access to Appendix B by stakeholders, including their consultants and counsel; and
- does not provide an opportunity to file information requests.

A copy of the ICG submission is attached to this letter for the benefit of those interested stakeholders who were not copied on the ICG submission.

The Commission also received a submission from FBC dated March 20, 2015 and a submission from Powerex dated March 23, 2015 providing comments regarding the ICG submission. The Commission notes that these submissions were copied to all parties receiving Commission letter L-11-15.

The Commission wishes to extend the deadline for the process established in letter L-11-15 for the submission

of any additional comments from interested stakeholders in regard to the acceptance of the redacted version of the Agreement. Submissions, if any, from interested stakeholders are due by **Friday, March 27, 2015**. FBC is to file any reply comments by **Tuesday, March 31, 2015**.

The Commission notes that the need for a hearing has not been established at this point and, as such, the request for interested stakeholders to file information requests is premature.

With regard to ICG's submission that the process established in L-11-15 does not provide an opportunity for comments regarding the FBC request for confidentiality of Appendix B, in keeping with the protocol established for hearings in the Commission's Confidential Filing Practice Directive, the Commission requests that ICG provide clarification as to whether it has objections to the FBC request that Appendix B be held confidential by submitting any such objections in writing together with reasons to the Commission and copied to the parties receiving a copy of this letter by **Friday March 27, 2015**. In the event ICG, or any other interested stakeholders, submits objections, with reasons, to the FBC request for confidentiality by March 27, 2015, FBC is to file any reply comments in regard to any objections to the FBC request for confidentiality by **Wednesday April 1, 2015**.

Yours truly,

Erica Hamilton

CM/nd

Attachment

cc: BC Hydro Regulatory Affairs Group  
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Powerex Corp.  
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Registered Interveners in FBC 2014-2019 Multi-Year PBR