

BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER

NUMBER R-51-15

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IN THE MATTER OF the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

Rio Tinto Alcan

Application for Acceptance of a Mitigation Plan required for Compliance with Mandatory Reliability Standard:

PER-002-0 Requirement 3 - Violation ID: BCUC2013000486 and Dismissal of

PER-002-0 Requirement 3 - Violation ID: BCUC2013000423

BEFORE: D. M. Morton, Commissioner November 2, 2015

ORDER

WHEREAS:

- A. Section 125.2 of the *Utilities Commission Act* (UCA) assigns exclusive jurisdiction to the British Columbia Utilities Commission (Commission) to determine whether a "reliability standard," as defined in the UCA, is in the public interest and should be adopted in British Columbia. By Order G-123-09, the Commission approved the Compliance Monitoring Program (CMP) for monitoring and enforcement of adopted reliability standards and appointed the Western Electricity Coordinating Council (WECC) as its Administrator for registration and monitoring compliance as per section 8 of the UCA. WECC's role as Administrator for the BC Mandatory Reliability Standards (MRS) Program was renewed in the first amended Administration Agreement, dated August 21, 2014. The CMP was revised and updated by Commission Order R-34-15, dated June 3, 2015;
- B. Pursuant to section 5 of the CMP, an entity subject to approved Mandatory Reliability Standards found in Confirmed Violation of a reliability standard must prepare a Mitigation Plan (MP) to correct the Confirmed Violation or prepare a description of how the Confirmed Violation has been mitigated. An MP with respect to a Confirmed Violation must be submitted to the Administrator within ten days following confirmation by the Commission;
- C. An MP with respect to an Alleged Violation may be submitted at any time and the Commission encourages entities to mitigate all perceived instances of noncompliance upon detection;
- D. On June 4, 2013, Rio Tinto Alcan (RTA) submitted a Self-Report addressing the possible noncompliance with Reliability Standard PER-002-0 R3, which was assigned the Violation ID: BCUC 2013000423. On June 14,

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2013, during a Compliance Audit, WECC identified a possible noncompliance with PER-002-0 R3, which was assigned the Violation ID: BCUC 2013000486;

- E. By Order R-30-14, dated July 7, 2014, the Commission confirmed Alleged Violation BCUC2013000486;
- F. On July 30, 2014, RTA submitted an MP to address Alleged Violation BCUC2013000423 with the proposed completion date of August 31, 2014, and by Order R-39-14, dated September 5, 2014, the Commission accepted this MP;
- G. By correspondence dated October 19, 2015, WECC notified the Commission that RTA's noncompliance with PER-002-2 R3 is addressed under BCUC2013000486 and that WECC is dismissing the duplicate report BCUC2013000423;
- H. By correspondence dated October 28, 2015, WECC notified the Commission that the MP submitted by RTA for BCUC2013000423, accepted by Order R-39-14, is identical to the MP submitted by RTA under BCUC2013000486, as shown below;

Alleged/Confirmed Violation	BCUC Violation ID	Date MP (Version 1) Submitted to WECC	Proposed Completion Date
PER-002-0 R3	BCUC2013000423	July 30, 2014	August 31, 2014
PER-002-0 R3	BCUC2013000486	July 30, 2014	August 31, 2014

I. The Commission reviewed WECC's clarification and considers dismissal of BCUC2013000423 and acceptance of the MP for the Confirmed Violation BCUC2013000486 are warranted.

NOW THEREFORE pursuant to section 125.2(10) of the *Utilities Commission Act* and in accordance with the Compliance Monitoring Program, the British Columbia Utilities Commission dismisses the possible noncompliance with PER-002-0 R3 assigned Violation ID: BCUC2013000423 and accepts the Mitigation Plan with the completion date as identified above for PER-002-0 R3 assigned Violation ID: BCUC2013000486.

DATED at the City of Vancouver, in the Province of British Columbia, this

day of November 2015.

BY ORDER

D. M. Morton Commissioner