



ORDER NUMBER

G-5-16

IN THE MATTER OF

the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

British Columbia Hydro and Power Authority
2015 Rate Design Application

BEFORE:

D. M. Morton, Commissioner/Panel Chair
D. A. Cote, Commissioner
K. A. Keilty, Commissioner

on January 18, 2016

ORDER

WHEREAS:

- A. British Columbia Hydro and Power Authority (BC Hydro) filed on September 24, 2015, pursuant to sections 58-61 of the *Utilities Commission Act*, the 2015 Rate Design Application (RDA);
- B. By Order G-156-15 dated September 29, 2015 and Order G-166-15 dated October 14, 2015, the British Columbia Utilities Commission (Commission) established, among other things, a preliminary regulatory timetable. The regulatory timetable includes a round of submissions and reply submissions to the Commission on matters raised in Appendix B of Order G-156-15, and the deadline date of October 14, 2015 for registration of interveners and interested parties in the proceeding;
- C. By Order G-175-15 dated November 3, 2015, the Commission determined, among other things, the scope of the 2015 RDA proceeding. This determination resulted in rescinding the intervener status of a number of individuals including Ms. Sharon Noble;
- D. On December 21, 2015, BC Hydro filed the updated Electric Tariff Terms and Conditions (Exhibit B-1-1) as it indicated in the RDA Application (Exhibit B-1). BC Hydro submitted that the updated Electric Tariff Terms and Conditions are primarily administrative but also contain substantive changes, such as revisions to conditions for assessing a security deposit and the amount of the security deposit; as well as revisions to all of the relevant Standard Charges including the Minimum Reconnection Charge addressing a manual reconnection at the point of connection because the customer refused access to the meter (Minimum Reconnection Charge);
- E. By email dated December 23, 2015, Ms. Sharon Noble requested the Commission provide an opportunity for people to register as interveners and to submit comments in the review of BC Hydro's proposed amendments to its electric tariffs, and that she be granted intervener status, previously rescinded by Order G-176-15;
- F. By letter dated January 8, 2016, the Commission sought submissions from BC Hydro and registered interveners on Ms. Noble's request (Exhibit A-9) by January 14, 2016;

- G. In the period leading up to January 14, 2016, the Commission has received a number of letters in support of Ms. Noble's intervention. Detailed submissions were filed by BC Hydro (Exhibit B-7) and the BC Sustainable Energy Association and Sierra Club of BC (BCSEA) (Exhibit C3-4). The British Columbia Old Age Pensioners' Organization supported BCSEA's submission; and
- H. The Commission Panel has considered the submissions and has made the following determinations with respect to the intervention status of Ms. Noble.

NOW THEREFORE the British Columbia Utilities Commission orders, with Reasons attached as Appendix A to this order, as follows:

- Intervener status is accepted and reinstated for Ms. Sharon Noble, effective immediately.
- Intervener registration is re-opened until January 26, 2016 for the following individuals in accordance with the Commission's Rules of Practice and Procedure made effective January 15, 2016 (Rules).

Exhibit	Intervener
C17-1	Gary Lybeck
C19-1	Jayne Priest
C21-1	Janis Hoffman
C23-1	Bob Tucker
C24-1	Sherry Ridout
C25-1	Lori Hoffmann
C31-1	Bruce Edwards
C32-1	Jim Ervin
C34-1	Ethelyn Rankin

- The scope of any participation of the parties identified in directives 1 and 2 is limited to the updated Electric Tariff Terms and Conditions including the Minimum Reconnection Fee.
- Parties identified in directives 1 and 2 who are registered or seek registration must not raise issues related to the Meter Choices Program given the scope determination of Order G-175-15.

DATED at the City of Vancouver, in the Province of British Columbia, this 19th day of January 2016.

BY ORDER

Original signed by:

D. M. Morton
Commissioner/Panel Chair

Attachment

British Columbia Hydro and Power Authority
2015 Rate Design Application

REASONS FOR DECISION

British Columbia Hydro and Power Authority (BC Hydro) filed on September 24, 2015, pursuant to sections 58-61 of the *Utilities Commission Act*, the 2015 Rate Design Application (RDA). By Order G-156-15 dated September 29, 2015 and Order G-166-15 dated October 14, 2015, the British Columbia Utilities Commission (Commission) established, among other things, a preliminary regulatory timetable that includes a round of submissions and reply submissions to the Commission on matters raised in Appendix B of Order G-156-15, and the deadline date of October 14, 2015 for registration of interveners and interested parties in the proceeding.

Ms. Sharon Noble and a number of individuals, totaling 10, registered to intervene on the basis that the Meter Choices Program charges be included in the 2015 RDA. By Order G-175-15 dated November 3, 2015, the Commission determined, among other things, that the charges of the Meter Choices Program are out of scope and, as a result, rescinded the intervener status of 10 individuals including Ms. Sharon Noble.

On December 21, 2015, BC Hydro filed the updated Electric Tariff Terms and Conditions (Exhibit B-1-1) which it indicated in the RDA Application (Exhibit B-1). According to BC Hydro, the updated Electric Tariff Terms and Conditions are primarily administrative but also contain substantive changes. Some examples of these are: (a) revisions to conditions for assessing a security deposit and the amount of the security deposit, (b) all of the relevant Standard Charges including the Minimum Reconnection Charge addressing a manual reconnection at the point of connection because the customer refused access to the meter (\$700 per meter).

In a series of emails to the Commission dated December 23, 2015, December 27, 2015 and January 6, 2015, Ms. Sharon Noble provided comments on BC Hydro's proposed amendments to the Electric Tariff and asked for the opportunity to register as an intervener as well as for the Commission to allow for public input into the Electric Tariff filing on December 21, 2015. A number of individuals wrote to the Commission in support of Ms. Noble's requests.

By letter dated January 8, 2016 (Exhibit A-9), the Commission requested comments on the request made by Ms. Noble. The Commission received two detailed submissions in response to the Commission letter: BC Hydro and BC Sustainable Energy Association and Sierra Club BC (BCSEA) as well as several Letters of Comment.

BC Hydro's submission

BC Hydro notes that all the changes in the Electric Tariff Terms and Conditions (Exhibit B-1-1) were included as part of Exhibit B-1 in Section 8.3. BC Hydro does not agree that the filing of the Electric Tariff Terms and Conditions updates is outside the scope of the 2015 RDA because it was referred to in Exhibit B-1 that it would be submitted as part of the responses to the first round of Information Requests (IR).

However, as outlined in its submission (Exhibit B-7), BC Hydro does not oppose Ms. Noble's intervention for purposes of review of the \$700 per meter charge and for purposes of reviewing section 2.1 of the Electric Tariff, provided Ms. Noble takes the proceedings as she finds them. BC Hydro is also not opposed to a Commission decision that the language in section 9.5 of the Electric Tariff cited by Ms. Noble be reviewed as part of the 2015 RDA Module 1 process.

BC Hydro notes that the time for intervener registration has long passed and therefore requests that the intervener registration be re-opened only to the interveners listed in Order G-175-15 who requested the Meter Choices Program charges be included in the 2015 RDA and who subsequently had their intervener status rescinded, including Ms. Noble.

BC Hydro further submits that the issues raised by these interveners should not be related to the Meter Choices Program given the scope determination of Order G-175-15.

BCSEA's submission

BCSEA notes, in Exhibit C3-4, that in filing the proposed Electric Tariff amendments on December 21, 2015, BC Hydro stated its intent that making those revisions was not to substantively affect the meaning of any provision. BCSEA submits to the Commission that in determining the intervener standing questions in the present matter, the Commission should not assume that the proposed Electric Tariff amendments are non-substantive because that has not yet been tested.

BCSEA made the observation that neither Ms. Noble nor the other individuals who applied to intervene in the RDA proceeding appeared to be represented by legal counsel in their submissions to the Commission. BCSEA submitted that for present purposes it is notable that this is a request for an opportunity for public input regarding the proposed Electric Tariff amendments.

BCSEA submits that: (a) Ms. Noble be allowed to intervene regarding the proposed \$700 reconnection charge but it would not be appropriate for Ms. Noble to intervene on behalf of other individuals; and (b) the Panel should allow people to apply to intervene to address the proposed Electric Tariff amendments within the RDA proceeding, subject to a reasonable deadline for intervention application.

The British Columbia Old Age Pensioners' Organization in its submission supports BCSEA's position.

Commission Panel Determination

The Panel agrees with BC Hydro that intervener registration be re-opened limited to the following individuals in accordance with the Commission's Rules of Practice and Procedure made effective January 15, 2016. Ms. Noble's request for intervener status is accepted, and the remaining participants listed below are permitted to submit registration requests to intervene on or before January 26, 2016. However, the scope of any participation of the parties identified below is limited to the updated Electric Tariff Terms and Conditions, including the Minimum Reconnection Fee. Parties who seek registration must not raise issues in the proceeding related to the Meter Choices Program given the scope determination in Order G-175-15.

Exhibit	Intervener
C17-1	Gary Lybeck
C19-1	Jayne Priest
C21-1	Janis Hoffman
C23-1	Bob Tucker
C24-1	Sherry Ridout
C25-1	Lori Hoffmann
C28-1	Sharon Noble
C31-1	Bruce Edwards
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C34-1	Ethelyn Rankin