



**ORDER NUMBER
F-13-16**

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

and

Applications for Participant Assistance/Cost Awards
in the FortisBC Inc. Application for a Certificate of Public Convenience and
Necessity for the Kootenay Operations Centre

BEFORE:

C. A. Brown, Panel Chair/Commissioner
I. F. MacPhail, Commissioner
R. D. Revel, Commissioner

on May 5, 2016

ORDER

WHEREAS:

- A. On July 9, 2015, FortisBC Inc. (FBC) applied to the British Columbia Utilities Commission (Commission), pursuant to sections 45 and 46 of the *Utilities Commission Act* (UCA), for a Certificate of Public Convenience and Necessity (CPCN) for the construction of a new operations centre located in the Castlegar area (the Application);
- B. By Order G-124-15, the Commission established a regulatory timetable for the review of the Application including two rounds of written information requests and written final submissions;
- C. By Order C-2-16, dated March 4, 2016, the Commission granted a CPCN for the project;
- D. The following participants filed Participant Assistance/Cost Award (PACA) applications with the Commission with respect to their participation in the proceeding:

DATE	PARTICIPANT	REQUEST
December 16, 2015	British Columbia Old Age Pensioners' Organization <i>et al.</i> (BCOAPO)	\$6,266.01
January 12, 2016	Commercial Energy Consumers Association of British Columbia (CEC)	\$15,280.14
January 6, 2016	Industrial Customers Group (ICG)	\$13,450.50

- E. By letter dated April 28, 2016, FBC stated that it had reviewed the PACA applications and has no comment on the PACA applications of BCOAPO and CEC. With regard to the ICG application, FBC notes that Mr. Hobbs' professional services invoice contains only totals and believes that ICG should be required to provide the same level of supporting documentation in their PACA application as do other participants in order to be eligible for a cost award;

- F. The Commission reviewed the PACA applications and the FBC submission with regard to the criteria and rates set out in the PACA Guidelines and concludes that the requested cost award amounts are proportionate to the work completed by the participants.

NOW THEREFORE pursuant to section 118(1) of the *Utilities Commission Act* and for the Reasons for Decision attached as Appendix A to this order, the Commission approves:

1. Participant Assistance/Cost Awards in the following amounts with respect to their participation in the FortisBC Inc. Application for a Certificate of Public Convenience and Necessity for the Kootenay Operations Centre:

PARTICIPANT	AWARD
British Columbia Old Age Pensioners' Organization <i>et al.</i>	\$6,266.01
Commercial Energy Consumers Association of British Columbia	\$15,280.14
Industrial Customers Group	\$13,450.50
TOTAL	\$34,996.65

2. FortisBC Inc. is directed to reimburse the above-noted participants for the awarded amounts in a timely manner.

DATED at the City of Vancouver, in the Province of British Columbia, this 5th day of May 2016.

BY ORDER

Original signed by:

C. A. Brown
Commissioner

Applications for Participant Assistance/Cost Awards
in the FortisBC Inc. Application for a Certificate of Public Convenience and
Necessity for the Kootenay Operations Centre

REASONS FOR DECISION

1.0 INDUSTRIAL CUSTOMERS GROUP PACA APPLICATION

The Panel acknowledges FortisBC Inc.'s comments with regards to Industrial Customers Group's (ICG) Participant Assistance/Cost Award (PACA) application and agrees it is customary for PACA applications to contain more detailed information than which was provided Mr. Hobbs' professional services invoice. Nonetheless, the Panel finds that ICG's application is in accordance with the PACA guidelines. The Panel evaluated the application based on the PACA criteria and on the whole finds it to be reasonable. ICG and other participants who make PACA applications in the future are encouraged to provide detailed invoices in the first instance in the spirit of transparency and in support of the public interest.

The Panel notes that the total amount ICG has requested for counsel fees is arguably disproportionate, however, given the relatively low request for consultant fees, the Panel does not find the application on the whole to be unreasonable.