



ORDER NUMBER
G-95-16

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

and

Spirit Bay Utilities Ltd.
Application for Exemption Pursuant to Section 88(3) of the *Utilities Commission Act*

BEFORE:
N. E. MacMurchy, Panel Chair/Commissioner

on June 24, 2016

ORDER

WHEREAS:

- A. On June 1, 2016, Spirit Bay Utilities Ltd. filed an application with the British Columbia Utilities Commission (Commission) for an exemption from the application of Part 3, Regulation of Public Utilities, pursuant to section 88(3) of the *Utilities Commission Act* (UCA) with respect to the proposed provision of electricity, propane, heat and cooling delivered through local distribution systems by the Spirit Bay Utilities Ltd. to the Spirit Bay Community (Application);
- B. In the event that the section 88(3) exemption is denied, the Application requests that, pursuant to section 72 of the UCA, that the Commission issue a declaration that the Beecher First Nation is a municipality or regional district for the purpose of the UCA;
- C. The Spirit Bay Community is a new development located on Beecher Bay First Nation reserve land approximately 20 kilometers southwest of Victoria, BC; and
- D. The Commission finds that establishing a regulatory timetable for the review of the Application through a written hearing process is necessary and in the public interest.

NOW THEREFORE the British Columbia Utilities Commission orders as follows:

- 1. A written hearing process is established for the review of the Spirit Bay Utilities Ltd. application for exemption pursuant to section 88(3) of the *Utilities Commission Act* (Application) as set out in the Regulatory Timetable attached as Appendix A to this order.
- 2. Spirit Bay Utilities Ltd. is required to provide a copy of this order to affected parties and potentially affected parties including leaseholders, potential leaseholders who have submitted a deposit, BC Safety Authority and the British Columbia Hydro and Power Authority by no later than Thursday, June 30, 2016.
- 3. Interveners who wish to participate in the regulatory proceeding are to register with the Commission by completing a Request to Intervene Form, available on the Commission's website at

<http://www.bcuc.com/Registration-Intervener-1.aspx>, by the date established in the Regulatory Timetable attached as Appendix A to this order, and in accordance with the Commission's Rules of Practice and Procedure attached to Order G-1-16.

4. Members of the public are invited to provide letters of comment on the Application to the Commission by the date established in the Regulatory Timetable attached as Appendix A to this order. Letters of comment must be in the Letter of Comment Form and submitted by email to commission.secretary@bcuc.com or, by mail, courier or personal delivery to the British Columbia Utilities Commission, Sixth Floor, 900 Howe Street, Vancouver, BC, V6Z 2N3.

DATED at the City of Vancouver, in the Province of British Columbia, this 24th day of June 2016.

BY ORDER

Original Signed By:

N. E. MacMurchy
Commissioner

Attachment

Spirit Bay Utilities Ltd.
Application for Exemption Pursuant to Section 88(3) of the *Utilities Commission Act*

REGULATORY TIMETABLE

ACTION	DATE (2016)
Intervener and Interested Party Registration	Thursday, July 7
Commission and Intervener Information Request No. 1	Friday, July 15
Spirit Bay Utilities Ltd. Response to Information Request No. 1	Monday, July 25
Letter of Comment Deadline	Friday, July 29
Procedural Conference, if required	Tuesday, August 2