



ORDER NUMBER
G-201-20

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

and

Lake Okanagan Resort
Potential Non-compliance of the *Utilities Commission Act*

BEFORE:
T. A. Loski, Commissioner

July 30, 2020

ORDER

WHEREAS:

- A. By Order G-333-19 dated December 18, 2019, the British Columbia Utilities Commission (BCUC) determined that Lake Okanagan Resort (LOR) is a public utility as defined in section 1 of the *Utilities Commission Act* (UCA) and is therefore subject to regulation by the BCUC under the UCA;
- B. LOR sells metered electricity to condo owners of the following Strata Corporations under section 9.1 (Resale of Electricity) of British Columbia Hydro and Power Authority's (BC Hydro) Electric Tariff:
 - 1. Point Beach 1100 (Strata Plan KAS3858) – 24 units;
 - 2. Condo 1, 2 and 3 (Strata Plan KAS287) - 18 units;
 - 3. Chalet – Strata Plan KAS322 – 22 units;
 - 4. Kingfisher – Strata Plan KAS316 – 18 units;
 - 5. Lakeside & Terrace – Strata Plan KAS 520 - 99 units;
- C. By Order G-333-19, the BCUC also accepted LOR's current rate schedule on an interim and recoverable basis, and directed LOR to file, as soon as possible, an application for its permanent rates, electric tariff, and general terms and conditions (Permanent Rate Application). LOR was further directed to file interim tariff pages for endorsement by January 2, 2020 and was prohibited from disconnecting electrical supply to the Strata pending a further order from the BCUC;
- D. By letter dated January 6, 2020, LOR filed with the BCUC its interim tariff pages for review;
- E. By Letter L-26-20 dated May 15, 2020, the BCUC notified LOR that its interim tariff pages submission was insufficient and did not qualify as a complete interim tariff page application; therefore, the interim tariff pages were not endorsed by the BCUC;

- F. By Letter L-26-20, LOR was also directed to re-file comprehensive interim tariff pages for endorsement and to provide an update as to the progress and expected filing date of LOR's Permanent Rate Application by May 29, 2020. Further, LOR was directed to file with the BCUC a Certificate of Public Convenience and Necessity (CPCN) application and Permanent Rate Application by June 15, 2020;
- G. The BCUC did not receive responses from LOR to the directives issued in Order G-333-19 or L-26-20;
- H. By Order G-167-20 dated June 22, 2020, pursuant to sections 42 and 43 of the UCA, the BCUC directed LOR to provide comments on the potential contravention of the UCA and non-compliance with BCUC Order G-333-19 and Letter L-26-20 by July 6, 2020;
- I. To date, the BCUC has not received comments from LOR on the potential contravention of the UCA and non-compliance with BCUC Order G-333-19 and Letter L-26-20; and
- J. The BCUC has determined that a public process is warranted to consider if LOR is in the potential contravention of the UCA and non-compliance of BCUC orders and directives.

NOW THEREFORE the BCUC orders as follows:

- 1. A written public hearing process is established for the review of LOR's potential contravention of the UCA and non-compliance with BCUC Order G-333-19 and Letter L-26-20 in accordance with the regulatory timetable set out in Appendix A to this order.
- 2. Interested parties are invited to submit letters of comment on the potential non-compliance to the BCUC by the dates established in the regulatory timetable attached as Appendix A to this order. Letters of comment must be in the Letter of Comment Form available on the BCUC's website at: <https://www.bcuc.com/forms/letter-of-comment.aspx> and submitted by email to commission.secretary@bcuc.com or by mail, courier, or personal delivery to the British Columbia Utilities Commission, Suite 410, 900 Howe Street, Vancouver, BC, V6Z 2N3.
- 3. The BCUC will notify LOR Strata Corporations of this order and the Public Notice attached as Appendix B to this order via mail.

DATED at the City of Vancouver, in the Province of British Columbia, this 30th day of July 2020.

BY ORDER

Original signed by:

T. A. Loski
Commissioner

Attachments

Lake Okanagan Resort
Potential Non-compliance of the *Utilities Commission Act*

REGULATORY TIMETABLE

Action	Date (2020)
BCUC Staff Questions to LOR	Thursday, August 13
LOR Responses to BCUC Staff Questions	Thursday, August 27
Deadline to submit Letters of Comment	Thursday, September 10
LOR Responses to Letters of Comment	Thursday, September 24
Further process	To be determined



We want to hear from you

Lake Okanagan Resort Potential Non-Compliance of the *Utilities Commission Act*

On June 22, 2020, the British Columbia Utilities Commission (BCUC) directed Lake Okanagan Resort to provide comments on the potential contravention of the *Utilities Commission Act* and non-compliance with previous BCUC directives as indicated in BCUC Order G-333-19 and Letter L-26-20.

BCUC Order G-333-19 and Letter L-26-20 directed Lake Okanagan Resort to file comprehensive interim tariff pages for endorsement, a Certificate of Public Convenience and Necessity (CPCN) application and a Permanent Rate Application. To date, Lake Okanagan Resort has not responded to these requests. More information is available on the BCUC's website at: [Lake Okanagan Resort Potential Non-Compliance of the UCA](#)

HOW TO PARTICIPATE

- Submit a letter of comment

IMPORTANT DATES

1. **Thursday, September 10, 2020** – Deadline to submit a letter of comment with the BCUC

For more information on getting involved, please visit our website (www.bcuc.com/get-involved) or contact us at the information below.

GET MORE INFORMATION

British Columbia Utilities Commission



Suite 410, 900 Howe Street
Vancouver, BC V6Z 2N3



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