



ORDER NUMBER
G-29-21

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

and

Kyuquot Power Ltd.
Investigation into the Safety and Reliability of the KPL System

BEFORE:

D. M. Morton, Panel Chair
C. Brewer, Commissioner
T. A. Loski, Commissioner

on January 27, 2021

ORDER

WHEREAS:

- A. By email dated February 13, 2020, a representative of the Ka:'yu:'k't'h' / Che:k'tles7et'h' First Nations (KCFN) filed a complaint with the British Columbia Utilities Commission (BCUC) concerning, amongst other things, a safety matter regarding Kyuquot Power Ltd. (KPL) (Complaint);
- B. The KPL power distribution system (KPL System) is interconnected to the British Columbia Hydro and Power Authority (BC Hydro) electric system and supplies customers, including KCFN, the Village of Hupsitas and others on the outer coast of Kyuquot Sound, with electricity;
- C. In the Complaint, the KCFN representative stated concerns regarding the reliability, service and maintenance of the KPL System;
- D. On May 15, 2020, by Order G-115-20, the BCUC established a regulatory timetable to review the safety and reliability of the KPL System;
- E. On June 15, 2020, the BCUC submitted BCUC Information Request (IR) No. 1 to KPL. On June 21 and 24, 2020 respectively, the KCFN and British Columbia Old Age Pensioners' Organization et al. (BCOAPO) submitted their requests to intervene. On July 27, 2020, KPL submitted their response to BCUC and KCFN IR No. 1;
- F. On August 21, 2020, BCUC amended the regulatory timetable to include another round of BCUC IRs. On August 28, 2020, the BCUC submitted BCUC IR No. 2 to KPL and BCUC IR No. 1 to KCFN. On September 23, 2020, KCFN submitted responses to BCUC IR No. 1 and on September 25, 2020, KPL submitted responses to BCUC IR No. 2;
- G. The BCUC reviewed the evidence submitted and determined that critical items remained incomplete, including urgent vegetation and maintenance work and on October 19, 2020, the BCUC issued Order G-261-20 requiring KPL, among other things, to undertake urgent vegetation and maintenance work within 21 days of issuance of the order;

- H. KPL was directed to provide a vegetation management plan identifying urgent vegetation work on the KPL system (Vegetation Plan) and a maintenance plan identifying all outstanding maintenance work on the KPL System (Maintenance Plan);
- I. On November 13, 2020, KPL filed a letter with the BCUC requesting an extension to complete the compliance directives (Compliance Directives) identified in Order G-261-20 (Extension Request). In the Extension Request, KPL stated that they have been unable to complete the Compliance Directives within the prescribed timeframes due to the availability of consultants and contractors, the lack of available working hours due to adverse weather, limited daylight and emergency priorities;
- J. On November 20, 2020, by Order G-296-20, the BCUC sought submissions from registered interveners on KPL's Extension Request and, on November 25, 2020, KCFN submitted a letter expressing concerns with KPL's Extension Request. KCFN stated that KPL was aware of the vegetation management issues in early 2020. KCFN also expressed concerns about the multiple planned outages that will be required on the KPL System to complete the vegetation work. KCFN states that no substantive reasons were provided as to the necessity of the outages and requested that reasons for outages be outlined by KPL's vegetation management consultant/contractor. KCFN provided photographs that KCFN states highlight areas where vegetation is encroaching the KPL System;
- K. On November 27, 2020, KPL submitted a response to KCFN's letter. KPL states that KCFN does not express any objections to KPL's Extension Request. KPL also submits that "KPL's responses to the contents of the Letter are best left to a more appropriate time in the review process";
- L. On December 2, 2020, the BCUC issued Order G-309-20 granting the Extension Request and, on December 9, 2020 and December 29, 2020, KPL submitted compliance filings to the BCUC which described the vegetation and maintenance work completed pursuant to Order G-309-20 (Compliance Filings); and
- M. The BCUC has reviewed the Compliance Filings and notes that KPL has completed the majority of the priority items identified in the Vegetation and Maintenance plans. The Panel now seeks submissions from registered interveners on the completed and planned compliance activities as filed by KPL. The BCUC therefore determines that a further regulatory timetable is warranted.

NOW THEREFORE pursuant to the *Utilities Commission Act*, the BCUC orders as follows:

1. A further regulatory timetable is established, as set out in Appendix A to this order.
2. KPL is directed to coordinate with KCFN to ensure the remaining priority 1 item identified in the Maintenance Plan is completed in accordance with the regulatory timetable. KPL must provide a report demonstrating the completion of all priority 1 items and the report must be approved by a professional engineer by February 22, 2021.
3. KPL is directed to file a safety and condition assessment report (Assessment Report) to the BCUC by April 1, 2021.
4. KPL is no longer required to file weekly progress reports outlining the work undertaken on the KPL system.
5. KPL is directed to file quarterly progress reports outlining the status of completion of the remaining items identified in the Vegetation and Maintenance Plans dated December 9, 2020 and November 30, 2020

respectively. KPL must also include status updates of its application with BC Hydro for primary service alteration. The first quarterly progress report is due April 1, 2021.

DATED at the City of Vancouver, in the Province of British Columbia, this 27th day of January 2021.

BY ORDER

Original signed by:

D. M. Morton
Commissioner

Attachment

Kyuquot Power Ltd.
Investigation into the Safety and Reliability of the KPL System

REGULATORY TIMETABLE

Action	Date (2021)
KPL to complete remaining priority 1 item identified in the Maintenance Plan	Tuesday, February 16
Intervener written submissions on KPL's compliance filings	Tuesday, February 16
KPL's reply to intervener written submissions (If required)	Monday, February 22
KPL Final Argument	Monday, March 1
Intervener Final Arguments	Monday, March 8
KPL Reply Argument	Monday, March 15