



**ORDER NUMBER
G-257-21**

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

and

Ka:'yu:'k't'h' / Che:k'tles7et'h' First Nations
Complaint concerning Kyuquot Power Ltd.'s Planned Week-Long Power Outages

BEFORE:

C. M. Brewer, Panel Chair
A. C. Dennier, Commissioner

on September 2, 2021

ORDER

WHEREAS:

- A. On May 15, 2020, by Order G-115-20, the British Columbia Utilities Commission (BCUC) established a hearing to review the Kyuquot Power Ltd. (KPL) safety and reliability of the power distribution system, following a complaint by a representative of the Ka:'yu:'k't'h' / Che:k'tles7et'h' First Nations (KCFN);
- B. The KPL power distribution system (KPL System) is interconnected to the British Columbia Hydro and Power Authority (BC Hydro) electric system and supplies electricity to customers, including KCFN, the Village of Houpsitas and others on the outer coast of Kyuquot Sound;
- C. Section 24 of KPL's Electric Tariff states, "Electric service may be temporarily suspended to make repairs or improvements to the Company's system or in the event of fire, flood, cable failure, or other emergency. The Company will, whenever practicable, give notice of such suspension to the Customer and will restore service as soon as reasonably possible";
- D. On June 2, 2021, KCFN submitted a complaint to the BCUC regarding adequacy of notice by KPL for recent power outages; KCFN also submitted correspondence to KPL addressing a number of safety, reliability and legal matters, including concerns that KPL is transmitting power across KCFN's infrastructure on the Crown Corridor without appropriate legal agreements, and setting out KCFN's concerns over the safety of KPL's "fly-over" line through Houpsitas;
- E. On June 16, 2021, KPL responded to KCFN's submissions acknowledging that it has established processes for notifying customers when a planned outage is scheduled, but that, due to an error, that process was not followed. KPL further stated that it will provide, by email to KCFN's Chief Administrative Officer (CAO), 48 hours advance notice of any future planned service outages;
- F. By Order G-212-21, dated July 9, 2021, the BCUC directed KPL to provide a 48-hour notice to its customers for any planned outages;

- G. On August 31, 2021, KFCN filed another complaint against KPL regarding a lack of notification for a planned power outage starting on August 31, 2021 that was to last five days (Complaint);
- H. In the Complaint, KFCN requested the BCUC to order KPL to postpone the power outage and conduct further consultation with its customers for a preferred time for the outage and the content of future power outage notices;
- I. On August 31, 2021, KPL responded to the Complaint, stating that on August 25, 2021, in accordance with its tariff, a notification had been provided to an email address that KFCN had provided as its billing address;
- J. KPL also submitted that the maintenance work required a line truck to be barged in, and the truck and crew had commenced the work. Further, KPL stated that postponing it would delay their deadlines that were directed by the BCUC in the Investigation into the Safety and Reliability of the KPL System proceeding;
- K. In its response dated August 31, 2021, KFCN maintained that the notice should have been sent to its CAO, as committed to by KPL; and
- L. The BCUC, after reviewing the correspondence, finds that further process is warranted.

NOW THEREFORE pursuant to section 83 of the *Utilities Commission Act*, the BCUC orders as follows:

- 1. KPL is to proceed with the current maintenance work and planned power outages;
- 2. The Parties will make further submissions on notification of KPL regarding future power outages; and
- 3. A regulatory timetable on further process is hereby established in accordance with Appendix A attached to this Order.

DATED at the City of Vancouver, in the Province of British Columbia, this 2nd day of September 2021.

BY ORDER

Original signed by:

C. M. Brewer
Commissioner

Attachment

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Complaint concerning Kyuquot Power Ltd.'s Planned Week-Long Power Outages

REGULATORY TIMETABLE

Action	Date (2021)
KPL submission on notification of future outages	September 15
KCFN reply submission	September 22
Further process to be determined	