



**ORDER NUMBER**  
**G-362-21**

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

and

FortisBC Energy Inc.  
Application for a Certificate of Public Convenience and Necessity  
for the Okanagan Capacity Upgrade Project

**BEFORE:**

R. I. Mason, Panel Chair  
D. A. Cote, Commissioner  
A. K. Fung, QC, Commissioner

on December 8, 2021

**ORDER**

**WHEREAS:**

- A. On November 16, 2020, FortisBC Energy Inc. (FEI) submitted an application to the British Columbia Utilities Commission (BCUC) for, among other things, a Certificate of Public Convenience and Necessity pursuant to sections 45 and 46 of the *Utilities Commission Act* (UCA) for the Okanagan Capacity Upgrade Project (Application);
- B. By Order G-262-21 dated September 7, 2021, the BCUC established a further regulatory timetable, which included an oral hearing regarding the oral evidence of Penticton Indian Band (PIB) on November 23, 2021 (Oral Hearing);
- C. By Order G-334-21 dated November 17, 2021, the BCUC determined the Oral Hearing will be held *in camera*;
- D. By letter dated November 19, 2021, FEI requests that the Oral Hearing and subsequent steps in the proceeding be postponed in order to facilitate further discussions between FEI and PIB. FEI proposes that the Oral Hearing be rescheduled to a date in March 2022, and that the BCUC canvas the availability of participating parties. FEI submits the regulatory timetable should be adjusted accordingly to follow a rescheduled Oral Hearing date;
- E. By letter dated November 19, 2021, PIB agrees with FEI that the regulatory timelines for this proceeding should be suspended and rescheduled for no earlier than March 2021;
- F. By letter dated November 19, 2021, pursuant to Rule 24.02 of the BCUC's Rules of Practice and Procedure, the Commercial Energy Consumers Association of British Columbia (CEC) requests access to the Oral Hearing in order to review the evidence put forward by PIB;

- G. By Order G-338-21 dated November 19, 2021, the BCUC established an amended regulatory timetable which included submissions on availability for a rescheduled Oral Hearing;
- H. By letter dated November 29, 2021, PIB advises it requires more time to advise its availability for an Oral Hearing, and asks that canvassing of schedules occur no earlier than January 2022 and after scheduling of submissions on the CEC's request to observe the Oral Hearing; and
- I. The BCUC determines that establishing an amended regulatory timetable is warranted.

**NOW THEREFORE** the BCUC establishes an amended regulatory timetable, as outlined in Appendix A to this order.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 8<sup>th</sup> day of December 2021.

BY ORDER

*Original signed by:*

R. I. Mason  
Commissioner

Attachment

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**REGULATORY TIMETABLE**

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Action	Date (2022)
Comments on the CEC's request to access the Oral Hearing	Thursday, January 6
The CEC reply to comments regarding access to Oral Hearing	Thursday, January 13
Intervener submissions on availability for rescheduled Oral Hearing	Thursday, February 3
FEI reply submissions on availability for rescheduled Oral Hearing	Thursday, February 10