



ORDER NUMBER
G-383-21

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

and

CB Powerline Ltd.
Application for a Certificate of Public Convenience and Necessity

BEFORE:

T. A. Loski, Panel Chair
C. M. Brewer, Commissioner
W. M. Everett, QC, Commissioner

on December 17, 2021

ORDER

WHEREAS:

- A. On September 11, 2020, CB Powerline Ltd. (CBP) filed an application to the British Columbia Utilities Commission (BCUC) for a Certificate of Public Convenience and Necessity (CPCN) for the Cosens Bay community electrification project (Project) pursuant to sections 45 and 46 of the *Utilities Commission Act* (Application);
- B. In seeking a CPCN for the Project, CBP requests approval to build, own, operate and maintain an electrical distribution system servicing the community of Cosens Bay on Kalamalka Lake, Regional District of North Okanagan, B.C.;
- C. By Orders G-248-20, G-317-20, G-18-21 and G-47-21, the BCUC established and amended the regulatory timetable for the review of the Application, which included two rounds of information requests (IRs) to CBP from the BCUC, one round of IRs to CBP from the Panel and one round of IRs to CBP from the intervener, Okanagan Indian Band (OKIB);
- D. By Orders G-101-21 and G-128-21A, the BCUC further established the regulatory timetable for the review of the Application to include a second round of IRs to CBP from OKIB, the filing of evidence by OKIB, one round of IRs to OKIB from CBP and the BCUC on the evidence filed by OKIB;
- E. By Order G-229-21, the BCUC further established the regulatory timetable to include CBP and OKIB written final arguments, as well as CBP written reply argument; and
- F. The BCUC has reviewed the evidence and submissions in this proceeding and finds that certain approvals are warranted.

NOW THEREFORE pursuant to sections 45 to 46, and section 90 of the UCA and for the reasons set out in the Decision issued concurrently with this order, the BCUC orders as follows:

1. Subject to the following:
 - a. Within 6 months of the date of this order, CBP shall file with the BCUC evidence demonstrating that OKIB has been adequately consulted on the Project as outlined in the Decision.
 - b. OKIB will have 30 days from the date of the filing of the evidence to file a written response.
 - c. CBP will then have 10 days from the date of the filing of OKIB's response to file a written reply and
 - d. a BCUC determination that the Crown's duty to consult has been met,the CPCN will be issued.
2. If the CPCN is issued, the BCUC will provide any directions about reporting requirements of CBP for the Project and construction at the time the BCUC issues a CPCN.
3. CBP is directed to comply with all other directives of the BCUC set out in the Decision issued concurrently with this order.

DATED at the City of Vancouver, in the Province of British Columbia, this 17th day of December 2021.

BY ORDER

Original signed by:

T. A. Loski
Commissioner