



**ORDER NUMBER  
R-6-22**

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

and

Tolko Industries Limited  
Application for Acceptance of a Mitigation Plan (Version 2) required for  
Compliance with Mandatory Reliability Standard:  
PRC-019-2 Requirement 1 – Violation ID: BCUC2019000712

**BEFORE:**

W. M. Everett, QC, Commissioner

on February 14, 2022

**ORDER**

**WHEREAS:**

- A. On December 8, 2021, the Western Electricity Coordinating Council (WECC), acting as the Administrator for the British Columbia Mandatory Reliability Standards Program (BC MRS Program), issued a Recommendation of Mitigation Plan (MP) Acceptance (Recommendation) to bring Tolko Industries Limited (Tolko) into compliance with the reliability standard identified above;
- B. Section 125.2 of the *Utilities Commission Act* (UCA) assigns exclusive jurisdiction to the British Columbia Utilities Commission (BCUC) to determine whether a “reliability standard,” as defined in the UCA, is in the public interest and should be adopted in British Columbia;
- C. By Order G-123-09, the BCUC appointed WECC as its Administrator for registration and monitoring compliance pursuant to section 8 of the UCA. WECC’s role as Administrator for the BC MRS Program is pursuant to the Administration Agreement between WECC and the BCUC signed on October 8, 2009, and renewed on July 5, 2019;
- D. Order G-123-09 also approved the Compliance Monitoring Program (CMP) for monitoring and enforcement of adopted reliability standards and the most recent revisions to the CMP were approved by Order R-40-17, dated September 1, 2017;
- E. Pursuant to section 5.1.1 of the CMP, an entity subject to approved Mandatory Reliability Standards found in Confirmed Violation of a reliability standard must prepare an MP to correct the Confirmed Violation or prepare a description of how the Confirmed Violation has been mitigated. Pursuant to section 5.3.2 of the CMP, an MP with respect to a Confirmed Violation must be submitted to the Administrator within ten days following confirmation by the BCUC;

- F. An MP with respect to a Possible Violation or an Alleged Violation may be submitted at any time and the BCUC encourages entities to mitigate all perceived instances of noncompliance upon detection;
- G. On February 25, 2021, Tolko submitted MP (Version 1) to address the possible Violation PRC-019-2 R1 with a proposed completion date of May 27, 2021. WECC rejected the MP (Version 1) on March 22, 2021.
- H. On September 14, 2021, Tolko submitted MP (Version 2) to address the Possible Violation PRC-019-2 R1 with the proposed completion date of October 31, 2021. On October 29, 2021, Tolko submitted an extension request for the MP (Version 2) for the Possible Violation PRC-019-2 R1 with a new proposed completion date of November 5, 2021, as shown below; and

Reliability Standard	BCUC Violation ID	Date MP (Version 2) Submitted to WECC	Proposed Completion Date
PRC-019-2 R1	BCUC2019000712	September 14, 2021	November 5, 2021

- I. The BCUC reviewed WECC's Recommendation and considers that acceptance of the MP (Version 2) and extension request for the MP (Version 2) for PRC-019-2 R1 is warranted.

**NOW THEREFORE** pursuant to section 125.2(10) of the UCA and in accordance with the CMP, the BCUC accepts the MP (Version 2) with the proposed completion date as identified in recital H above.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 14<sup>th</sup> day of February 2022.

BY ORDER

*Original signed by:*

W. M. Everett, QC  
Commissioner