



ORDER NUMBER
G-291-22

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

and

Capital Power Corporation
Request for Reconsideration of BCUC Order G-280-22 in the matter of
the British Columbia Hydro and Power Authority 2021 Integrated Resource Plan

BEFORE:

A. K. Fung KC, Panel Chair
E. B. Lockhart, Commissioner

on October 20, 2022

ORDER

WHEREAS:

- A. On December 21, 2021, British Columbia Hydro and Power Authority (BC Hydro) filed its 2021 Integrated Resource Plan (IRP) Application with the British Columbia Utilities Commission (BCUC), pursuant to section 44.1 of the *Utilities Commission Act* (UCA) and in accordance with Order G-28-21 dated January 27, 2021;
- B. By Order G-280-22 dated October 7, 2022, the BCUC made certain determinations with respect to confidentiality of BC Hydro responses to certain Information Requests (IRs) in the 2021 IRP proceeding. Specifically, the BCUC ordered, in part, as follows:
 1. BC Hydro's responses to Capital Power Corporation (Capital Power) IRs 1.2.1.1, 1.2.1.2, 1.2.1.3, and 1.2.2.1, and Commercial Energy Consumers of BC (the CEC) IR 1.90.1 be held as confidential.
 2. Under the terms outlined further in the reasons set out in Appendix A of Order G-280-22, by no later than October 13, 2022, BC Hydro must provide the responses to those interveners who:
 - a. Request access to the confidential Capital Power IR responses and/or the CEC IR 1.90.1;
 - b. Have executed the appropriate BCUC confidentiality declaration and undertakings; and
 - c. Do not have current or potential commercial interests which may conflict with BC Hydro;
- C. By letter dated October 12, 2022, Capital Power filed a request for a Reconsideration of BCUC Order G-280-22 on procedural fairness grounds (Reconsideration Application). Specifically, Capital Power requests:
 1. That the BCUC grant Capital Power's request for reconsideration of Order G-280-22 and suspend the application of directive 2 of said Order to Capital Power in the manner contemplated by the reasons attached to said Order pending an opportunity for Capital Power to reply to BC Hydro's access request objection of October 6, 2022 prior to the BCUC's redetermination of Capital Power's access request of October 3, 2022;

2. That the BCUC postpone the second round IR filing deadline of October 20, 2022 for any potential Capital Power IRs pertaining to the Capital Power IR responses pending a redetermination of Capital Power's access request; and,
 3. That the BCUC exercise its discretion under sections 4.02 and 4.03 of the Rules to decide this matter without the reconsideration hearing procedure contemplated by section 30 of the Rules, or that any such hearing be conducted in writing on an expedited basis in the interests of an efficient IR process; and
- D. The BCUC has commenced its review of the Reconsideration Application and determined that an expedited written hearing process for the review of the Reconsideration Application is warranted.

NOW THEREFORE the BCUC orders as follows:

1. An expedited written hearing process is established, in accordance with the regulatory timetable set out in Appendix A of this order.
2. In addition to any other matters that BC Hydro and Capital Power consider relevant to the resolution of the Reconsideration Application, the BCUC requests that parties' submissions address, with supporting rationale, the following matters:
 - a. Whether the BCUC should grant or deny the Reconsideration Application in whole or in part; and
 - b. Whether the BCUC should grant or deny the relief sought by Capital Power in whole or in part, including the request for a partial stay of the 2021 IRP proceeding pending the resolution of the Reconsideration Application.

DATED at the City of Vancouver, in the Province of British Columbia, this 20th day of October 2022.

BY ORDER

Original signed by:

A. K. Fung, KC
Commissioner

Attachment

Capital Power Corporation
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REGULATORY TIMETABLE

Action	Date (2022)
BC Hydro submissions on Reconsideration Application	Tuesday, October 25
Capital Power reply submissions	Friday, October 28