



**ORDER NUMBER
G-120-23**

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

and

Powell River Energy Inc.
Status as a Public Utility

BEFORE:

T. A. Loski, Panel Chair
A. Pape-Salmon, Commissioner

on May 18, 2023

ORDER

WHEREAS:

- A. Powell River Energy Inc. (PREI), a wholly owned subsidiary of Brookfield Renewable Partners L.P. (Brookfield), owns and operates two hydroelectric generating stations constructed in the early 1900's, with an aggregate nameplate capacity of approximately 85 megawatts, and transmission and distribution facilities (Power Facilities) located on Powell Lake and Lois Lake in Powell River;
- B. By Order G-38-23, as amended by Order G-43-23, the BCUC established a public hearing process for the review of PREI's status as a public utility and set out a regulatory timetable directing PREI to, among other things, provide public notice of the proceeding to potentially affected parties (PREI Public Utility Status Proceeding);
- C. By letter dated March 20, 2023, PREI filed a request to reconsider and amend Order G-43-23 (Reconsideration Application);
- D. By Order G-104-23, with attached Reasons for Decision, dated May 3, 2023, the BCUC summarily dismissed PREI's Reconsideration Application and, by Order G-105-23 resumed the PREI Public Utility Status Proceeding;
- E. By letter dated May 12, 2023, and subsequent letters dated May 15, 2023 and May 17, 2023, PREI requested an extension to the regulatory timetable to allow PREI the opportunity to communicate with the First Nations and other parties listed in Directive 3(a) of Order G-105-23 to explain the context and answer questions regarding the PREI Public Utility Status Proceeding (Extension Request); and
- F. The BCUC has reviewed the Extension Request and considers that an amendment to the regulatory timetable is warranted.

NOW THEREFORE the BCUC orders as follows:

1. The regulatory timetable established by Order G-105-23 dated May 3, 2023 is amended and attached as Appendix A to this order.
2. PREI is directed as soon as reasonably possible, but no later than Monday, June 5, 2023, to provide the amended public notice attached as Appendix B to this order to all parties listed in Directive 3 of Order G-105-23.
3. PREI is directed to publish the amended public notice and a copy of this order in a clearly visible location on the homepage of its website and its Twitter, Facebook, and LinkedIn social media platforms, as applicable.
4. PREI is directed to provide to the BCUC, by Tuesday, June 6, 2023:
 - a. A list of all parties notified of the proceeding, as directed in Directive 2 of this order;
 - b. Evidence of confirmation that all of the potentially affected parties noted in Directive 2 have received notice of the proceeding. Such evidence may be in the form of a phone log, reply email, or similar record; and
 - c. Evidence of confirmation that PREI has provided notice of the proceeding on its website and social media platforms, as directed in Directive 3 of this order. Such evidence may be in the form of a web address or similar record.

DATED at the City of Vancouver, in the Province of British Columbia, this 18th day of May 2023.

BY ORDER

Original signed by:

T. A. Loski
Commissioner

Attachment

Powell River Energy Inc.
Status as a Public Utility

REGULATORY TIMETABLE

Action	Date (2023)
PREI to provide the amended public notice of the proceeding	Monday, June 5
PREI to provide to the BCUC a list of all parties notified of the proceeding and confirmation of notice on PREI's website and social media platforms	Tuesday, June 6
PREI response to BCUC Information Request (IR) No. 1	Friday, June 16
Deadline to submit Letters of Comment	Friday, June 30
PREI to file responses to Letters of Comment	Friday, July 14
Further process	To be determined



We want to hear from you

Powell River Energy Inc. Status as a Public Utility

On November 28, 2022, the British Columbia Utilities Commission (BCUC) issued a letter to Powell River Energy Inc. (PREI) requesting an update on PREI's operations with respect to its two hydroelectric generating stations and transmission and distribution facilities located on Powell Lake and Lois Lake in Powell River, following Ministerial Order No. M5, deposited January 12, 2022 (BC Reg. 5/2022), which repealed PREI's exemption from certain sections of the *Utilities Commission Act* (UCA).

By letter dated December 28, 2022, PREI stated that it has been exporting all its power production to the United States and does not sell to any other person or any end-use consumers in BC. PREI submits that it is not a public utility as it falls within the exclusion set out in section 1 (d) of the UCA. The BCUC has therefore initiated an investigation into PREI's status as a public utility.

To participate in the proceeding, visit www.bcuc.com/get-involved.

GET INVOLVED

- **Submit a letter of comment**

Subscribe to a Proceeding on bcuc.com under "Get Involved" to receive email notifications when public documents are added to the proceeding.

IMPORTANT DATES

1. **Friday, June 30, 2023** – Deadline to submit a letter of comment

CONTACT INFORMATION

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