



**ORDER NUMBER
G-262-23**

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

and

British Columbia Hydro and Power Authority
Application for Permission to File an Application for Reconsideration of Directive 85
after 60 Days from the Issuance of Order G-91-23

BEFORE:

A. K. Fung, KC, Panel Chair

on October 5, 2023

ORDER

WHEREAS:

- A. In the Reasons for Decision attached to Order G-227-22 dated August 12, 2022, in the British Columbia Hydro and Power Authority's (BC Hydro) 2021 Integrated Resource Plan proceeding, and pursuant to section 44.1(3) of the *Utilities Commission Act*, the British Columbia Utilities Commission (BCUC) recommended the establishment of a separate regulatory process to address the review of long-term resource plans for BC Hydro's Non-Integrated Areas (NIAs);
- B. Directive 85 of BCUC Decision and Order G-91-23 dated April 21, 2023 from BC Hydro's Fiscal 2023 to 2025 Revenue Requirements proceeding, directed BC Hydro to file its long-term resource plan for the NIAs by March 31, 2024, and to include as part of that plan, details of its NIA Diesel Reduction Strategy including proposed performance metrics for BCUC's review and approval;
- C. By letter dated June 16, 2023, BC Hydro sought permission, in accordance with Section 26.02 of Part V of the BCUC's Rules of Practice and Procedure (Rules) set out in Order G-72-23, to extend the time for filing of an application for reconsideration of Directive 85 in Decision and Order G-91-23, after the 60-day deadline specified in the Rules (Application);
- D. Section 26.02 of the Rules states "unless prior permission of the BCUC is obtained, an application for reconsideration must be filed with the BCUC within 60 days of the issuance of the order or reasons for decision, whichever is later;"
- E. By Order G-201-23A dated August 1, 2023, the BCUC established a public hearing and regulatory timetable to review the Application, which included a directive for BC Hydro to file a record of consultation between BC Hydro and the NIA First Nations communities to date, an invitation to all parties within the 14 NIAs to submit Letters of Comment, and permission for BC Hydro to reply to the Letters of Comment;

- F. By letter dated August 16, 2023, BC Hydro submitted a record of consultation with the First Nations communities within the 14 NIAs;
- G. The following parties submitted Letters of Comment: Ulkatcho First Nation, Nuxalk First Nation, Gitga'at First Nation, and the First Nations NIA Working Group;
- H. By letter dated September 12, 2023, BC Hydro submitted a reply to the Letters of Comment; and
- I. The Panel has reviewed the Application and parties' submissions and finds that the following determinations are warranted.

NOW THEREFORE for the reasons set out in the Decision issued concurrently with this order, the BCUC orders as follows:

- 1. BC Hydro's request to file an application for reconsideration of Directive 85 of Decision and Order G-91-23 after 60 days of the issuance of the decision and order is approved.
- 2. BC Hydro is directed to file an application for reconsideration of Directive 85 of Decision and Order G-91-23 or confirmation that it does not intend to file such an application by December 15, 2023.

DATED at the City of Vancouver, in the Province of British Columbia, this 5th day of October, 2023.

BY ORDER

Original signed by:

A. K. Fung, KC
Commissioner