



ORDER NUMBER
G-291-23

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

and

British Columbia Hydro and Power Authority
2021 Integrated Resource Plan

BEFORE:

M. Jaccard, Panel Chair
C. M. Brewer, Commissioner
T. A. Loski, Commissioner

on October 26, 2023

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-260-23 dated October 3, 2023, the BCUC established a regulatory timetable, which included an Oral Hearing on load forecast scenarios and a workshop on New Energy Acquisitions, and further process to be determined;
- C. By letter dated October 13, 2023, the BCUC requested BC Hydro and intervener submissions on a proposed further regulatory process;
- D. By Friday, October 20, 2023, BC Hydro and interveners provided submissions on the BCUC's proposed regulatory process; and
- E. The BCUC determines establishing a further regulatory timetable is warranted.

NOW THEREFORE for the reasons outlined in Appendix B of this order, the BCUC establishes an updated timetable as outlined in Appendix A of this order.

DATED at the City of Vancouver, in the Province of British Columbia, this 26th day of October 2023.

BY ORDER

Original signed by:

M. Jaccard
Commissioner
Attachment

British Columbia Hydro and Power Authority
2021 Integrated Resource Plan

REGULATORY TIMETABLE

| Action | Date |
|-----------------------------------|-----------------------------|
| BC Hydro Written Final Argument | Thursday, November 16, 2023 |
| Intervener Written Final Argument | Thursday December 21, 2023 |
| BC Hydro Written Reply Argument | Thursday, January 18, 2024 |

British Columbia Hydro and Power Authority
2021 Integrated Resource Plan

REASONS FOR DECISION

1.0 Introduction

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. By Order G-260-23 dated October 3, 2023, the BCUC established a regulatory timetable, which included an Oral Hearing on load forecast scenarios and a workshop on New Energy Acquisitions, and further process to be determined.

By letter dated October 13, 2023,¹ the Panel stated it considers the evidentiary record is sufficient to proceed to final arguments, and proposed two timetable options for further regulatory process, for parties' comment. These are outlined below:

Timetable 1

| Action | Deadline |
|-----------------------------------|-----------------------------|
| BC Hydro Written Final Argument | Thursday, November 16, 2023 |
| Intervener Written Final Argument | Thursday December 21, 2023 |
| BC Hydro Written Reply Argument | Thursday, January 18, 2024 |

Timetable 2

| Action | Deadline |
|-----------------------------------|---------------------------|
| BC Hydro Written Final Argument | Monday, November 13, 2023 |
| Intervener Written Final Argument | Thursday December 7, 2023 |
| BC Hydro Written Reply Argument | Friday, December 22, 2023 |

By Friday, October 20, 2023, BC Hydro and interveners provided submissions on the BCUC's proposed regulatory process.

BC Hydro agrees with the BCUC that the evidentiary record is sufficient to proceed to final arguments, and prefers Timetable 1. Compared to Timetable 2, Timetable 1 will provide BC Hydro with sufficient time to prepare reply argument taking into consideration final arguments from intervenors. To facilitate an efficient process, BC Hydro also suggests that the BCUC consider issuing a list of questions they would like parties to address in final arguments.² Association of Major Power Customers (AMPC) and British Columbia Old Age Pensioners' Organization et al. (BCOAPO) agree with this suggestion.

¹ Exhibit A-53.

² Exhibit B-53, p. 1.

AMPC,³ Capital Power Corporation (Capital Power),⁴ Commercial Energy Consumers of BC,⁵ City of Richmond,⁶ District of North Vancouver,⁷ District of Saanich,⁸ First Nations Energy and Mining Council,⁹ Metro Vancouver,¹⁰ Nuu-Chah-Nulth Tribal Council¹¹ and Zone II Ratepayers Group¹² also prefer Timetable 1. City of Richmond, North Vancouver, Saanich and Metro Vancouver note that several municipalities are collaborating in this proceeding to promote efficiency and avoid duplication, and that such collaboration requires extra time to prepare arguments.

BC Sustainable Energy Association and Vancouver Electric Vehicle Association,¹³ NorthRiver Midstream¹⁴ and Residential Consumer Intervener Association¹⁵ prefer Timetable 2.

Clean Energy BC (CEBC),¹⁶ FortiBC Energy Inc. and FortisBC Inc. (FortisBC)¹⁷ and Movement of United Professionals¹⁸ would be content with either timetable.

BCOAPO has concerns about proceeding directly to final argument regarding the New Energy Acquisition process relying on what is arguably untested or undertested evidence.¹⁹

Capital Power requests that the opportunity for written reply argument currently provided to BC Hydro alone be extended to interveners. This would allow an intervener to be heard should other interveners raise points in argument directed toward that intervener's prior evidence or submissions in the IRP process.²⁰ CEBC agrees.²¹

Panel Determination

The Panel determines that a regulatory timetable is established in accordance with Timetable 1 above.

As noted in Exhibit A-53, the Panel considers the evidentiary record is sufficient to move to final arguments, and it is important to bring the review of this IRP to a close in a timely fashion. We note most parties preferred Timetable 1. In response to BCOAPO's submission, we do not agree that evidence regarding the New Energy Acquisition is untested. Although participants in the workshop were not provided an opportunity to cross-examine BC Hydro, participants had an opportunity to ask questions of BC Hydro representatives, and therefore enhance the understanding of the evidence presented by BC Hydro.

³ Exhibit C8-30, p. 1.

⁴ Exhibit C10-23, p. 1.

⁵ Exhibit C11-26, p. 1.

⁶ Exhibit C28-2, p. 1.

⁷ Exhibit C36-2, p. 1.

⁸ Exhibit C35-2, p. 1.

⁹ Exhibit C14-11, p. 1.

¹⁰ Exhibit C34-3, p. 1.

¹¹ Exhibit C4-26, p. 1.

¹² Exhibit C6-24, p. 1.

¹³ Exhibit C1-26, p. 1.

¹⁴ Exhibit C25-5, p. 1.

¹⁵ Exhibit C7-41, p. 1.

¹⁶ Exhibit C5-26, p. 1.

¹⁷ Exhibit C2-14, p. 1.

¹⁸ Exhibit C18-13, p. 1.

¹⁹ Exhibit C9-21, p. 2.

²⁰ Exhibit C10-23, p. 1.

²¹ Exhibit C5-26, p. 1.

The Panel declines Capital Power's request for the opportunity for interveners to provide reply arguments, which would be a departure from the well-established BCUC practice that as a matter of procedural fairness, the applicant has the final right of reply in the proceeding.

We agree with BC Hydro that there is merit in providing parties a list of issues to address in their final arguments. In addition to addressing the determinations, the BCUC must make under section 44.1 of the UCA, and the additional approval sought by BC Hydro respecting the Contingency Resource Plans and high load scenarios for the reservation of transmission capacity,²² the Panel requests that in final argument, parties provide submissions on the following matters:

- Pursuant to section 44.1(9)(b) of the UCA, whether the BCUC should:
 - order that, despite section 75, a matter the commission considers to be adequately addressed in the accepted plan or the part is to be considered as conclusively determined for the purposes of any hearing or proceeding to be conducted by the commission under this Act, other than a hearing or proceeding for the purposes of section 99.
 - Specifically, whether the BCUC should order that the following issues are conclusively determined, as proposed by BC Hydro:
 - The volume of energy needed for the New Energy Acquisition, namely 3,000 GWh from greenfield energy facilities and 700 GWh from existing facilities; and
 - The timing of the acquisition: 700 GWh prior to fiscal 2029 and 3,000 GWh as early as fiscal 2029.²³
- Whether parties agree with BC Hydro's proposed Living Long Term Resource Cycle,²⁴ including but not limited to a filing date for the next IRP which is 18 months following the BCUC's decision on the 2021 IRP;
- For the next IRP, any topics or issues that should be areas of focus and subject to targeted updates;
- For the next IRP, any topics or issues that should be deemed out of scope or do not require substantive updates; and
- Any other matters that would improve the regulatory efficiency of future BCUC reviews of BC Hydro's IRP.

²² Exhibit B-1, pp. 1-12, 8-8 to 8-11.

²³ Transcript Vol. 4, p. 14.

²⁴ As outlined in Section 7 of Exhibit B-38.