



ORDER NUMBER
G-312-23

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

and

British Columbia Hydro and Power Authority
Transmission Service Rate Design Application

BEFORE:

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

on November 16, 2023

ORDER

WHEREAS:

- A. On March 16, 2023, pursuant to sections 58 to 60 of the Utilities Commission Act (UCA), British Columbia Hydro and Power Authority (BC Hydro) filed with the British Columbia Utilities Commission (BCUC) a Transmission Service Rate Design Application (Application), which includes a proposal to transition Rate Schedule (RS) 1823 and RS 1827 customers to a new, flat-rate structure (RS 1830) with a lower energy charge and higher demand charge over a three-year transition period;
- B. By Orders G-77-23, G-165-23, G-205-23 and G-277-23, the BCUC established the regulatory timetable for the review of the Application which included intervener registration, two rounds of information requests, submissions on further process, a deadline for letters of comment, and final argument and reply argument;
- C. On November 15, 2023, British Columbia Old Age Pensioners Organization et al. (BCOAPO) filed a request to extend the deadline for its final argument from Thursday, November 16 to Wednesday, November 22, 2023 (Extension Request), asserting that BCOAPO required this extension due to significant legal counsel resource constraints resulting from the current, heavy regulatory schedule; and
- D. The BCUC has reviewed BCOAPO's Extension Request and makes the following determination.

NOW THEREFORE for the reasons attached as Appendix A to this order, the BCUC denies BCOAPO's Extension Request.

DATED at the City of Vancouver, in the Province of British Columbia, this 16th day of November 2023.

BY ORDER

Original signed by:

T. A. Loski
Commissioner

Attachment

British Columbia Hydro and Power Authority
Transmission Service Rate Design Application

REASONS FOR DECISION

On March 16, 2023, British Columbia Hydro and Power Authority (BC Hydro) filed with the British Columbia Utilities Commission (BCUC) a Transmission Service Rate Design Application (Application), which includes a proposal to transition Rate Schedule (RS) 1823 and RS 1827 customers to a new, flat-rate structure (RS 1830) with a lower energy charge and higher demand charge over a three-year transition period.

By Orders G-77-23, G-165-23, G-205-23 and G-277-23, the BCUC established the regulatory timetable for the review of the Application which included intervenor registration, two rounds of information requests, submissions on further process, a deadline for letters of comment, and final argument and reply argument.

After considering submissions by BC Hydro and intervenors on further process, by Order G-277-23 dated October 18, 2023, the BCUC established a deadline of Thursday, November 16, 2023 for intervenor final argument, followed by BC Hydro's reply argument to be filed by Thursday, November 23, 2023. In the reasons for decision attached to Order G-277-23, the Panel "committed to rendering its decision on this Application no later than December 29, 2023 in order to allow for timely implementation of final approved rates effective April 1, 2024."

On November 15, 2023, British Columbia Old Age Pensioners Organization et al. (BCOAPO) filed a request to extend the deadline for its final argument from Thursday, November 16 to Wednesday, November 22, 2023 (Extension Request), asserting that BCOAPO required this extension due to significant legal counsel resource constraints resulting from the current, heavy regulatory schedule. These reasons for decision address BCOAPO's Extension Request.

Panel determination

For the reasons below, **the Panel denies BCOAPO's Extension Request. The current regulatory timetable established by Order G-277-23 remains in place to complete the review of the Application.**

As noted in Order G-277-23, the Panel was cognizant of parties' desire to have a timely decision for BC Hydro to implement rates for Transmission Service customers, effective April 1, 2024, if BC Hydro's proposals are to be approved. We also committed to render a decision by no later than December 29, 2023. The BCUC typically grants extension requests to a regulatory timetable deadline where practical and if the extension is not significantly detrimental to the applicant or other parties in the proceeding.

In this case, BCOAPO's Extension Request was received one day prior to the intervenor final argument deadline, with BCOAPO asserting that the extension was required "due to significant legal counsel resources constrains resulting from the current, heavy regulatory schedule." The Panel is not persuaded by BCOAPO's justification for the extension because BCOAPO has had almost one month since the intervenor argument date was established to notify the BCUC that it would have difficulty meeting such a deadline. We consider that a "heavy regulatory schedule" does not justify a last-minute extension request in these circumstances. We urge BCOAPO to plan

more appropriately when participating as an intervener in BCUC proceedings and to seek approvals for extensions or other remedies in a timely manner.

The Panel further notes that BC Hydro's reply argument is due by November 23, 2023, which is one day after BCOAPO's requested six-day extension to file its intervener final argument. While we consider that it maybe fair to grant additional time for BC Hydro to file its reply argument if requested, we are concerned that if the Panel were to grant BCOAPO's request, such delays in the regulatory timetable would jeopardize the BCUC's likelihood of rendering a final decision on the Application by the targeted date and we are cognizant of the impacts such a delay would have on regulatory efficiency. Transmission customers require certainty regarding their potential energy costs in the upcoming fiscal year, while BC Hydro needs time to implement rates effective April 1, 2024 for Transmission Service customers if the proposal is approved. Thus, the Panel finds that delays in the regulatory timetable in this proceeding could potentially harm BC Hydro and its Transmission Service customers.