



**ORDER NUMBER
G-88-24**

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

and

Kyuquot Power Ltd.
Request to Vary 2024 Revenue Requirements Order G-53-24
Directive 4 Scope and Filing Date

BEFORE:

B. A. Magnan, Commissioner

on March 27, 2024

ORDER

WHEREAS:

- A. On March 13, 2024, Kyuquot Power Ltd. (KPL) filed an application with the British Columbia Utilities Commission (BCUC), requesting a change in scope and an extension to the filing deadline of Directive 4 of Order G-53-24 (Reconsideration Application);
- B. In the Reconsideration Application, KPL requests that the change in scope of Directive 4 allows for KPL to file an application for a revised deemed interest on notional debt and that the filing deadline is extended to July 3, 2024;
- C. On February 29, 2024, by Decision and Order G-53-24, the BCUC issued its final decision on the KPL 2024 Revenue Requirements. Directive 4 of Order G-53-24 directs KPL to file for BCUC review, within 15 days of the date of that order, the agreement for the funds advanced from an affiliated company (Intercompany Advance) undertaken in fiscal 2020/21;
- D. Part V of the BCUC's Rules of Practice and Procedure attached to Order G-72-23 provides the rules for the reconsideration process (Reconsideration Rules); and
- E. The BCUC has commenced its review of the Reconsideration Application and considers that the establishment of a regulatory timetable, including a written letters of comment process, in accordance with the Reconsideration Rules is warranted.

NOW THEREFORE the BCUC orders as follows:

- 1. The regulatory timetable for the review of the Reconsideration Application is established as set out in Appendix A to this order.

2. KPL is directed to supplement the Reconsideration Application with the additional information as set out in Appendix B to this order by Tuesday, April 9, 2024.
3. KPL is directed to make the Reconsideration Application available on its website at <https://kyuquotpower.com> and to provide a copy of this order to all registered interveners in the KPL 2024 Revenue Requirements proceeding by Tuesday, April 2, 2024.
4. BC Hydro is directed to provide confirmation to the BCUC that it has complied with Directive 2 of this order by Thursday, April 4, 2024.

DATED at the City of Vancouver, in the Province of British Columbia, this 27th day of March 2024.

BY ORDER

Original signed by:

B. A. Magnan
Commissioner

Attachment

Kyuquot Power Ltd.
Request to Vary 2024 Revenue Requirements Order G-53-24
Directive 4 Scope and Filing Deadline

REGULATORY TIMETABLE

Action	Date (2024)
KPL to provide notice of reconsideration application	Tuesday, April 2
KPL to provide confirmation of compliance with notice of reconsideration application requirements	Thursday, April 4
KPL to file supplementary information	Tuesday, April 9
Letters of comment deadline	Thursday, April 11
KPL reply to letters of comment (if any)	Tuesday, April 16

Kyuquot Power Ltd.
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SUPPLEMENTARY INFORMATION LIST

1. Please explain whether KPL considers an Equity Advance to be “security” in accordance with section 50(1) of the *Utilities Commission Act*, including the reasons why or why not.
2. Please discuss the legal implications, if any, to KPL if Synex Energy Resources Ltd. was to require a rate of return or principal payments on the Equity Advances and the utility was unable to pay.
3. Please confirm, or explain otherwise, that KPL’s proposed future application for a revised deemed interest on notional debt (Rate Application)¹ is meant to be an application for a deemed interest rate for rate setting purposes, and not an application for a security pursuant to section 50(1) of the UCA. For further clarity, please describe what KPL plans to include in the proposed future application.
4. Please explain KPL’s request for an extension to the filing deadline of Directive 4 to July 3, 2024, given that the deadline for the final arguments of utilities in Stage 2 of the BCUC’s current generic cost of capital proceeding (GCOC Stage 2) is July 3, 2024. Further, please explain whether it would be regulatory efficient for the filing deadline of Directive 4 to be based on the date the BCUC’s renders its final decision in the GCOC Stage 2 proceeding.
5. Please provide the proposed effective date for rates of the following:
 - (i) If the BCUC approves the compliance filing included as Exhibit A2-1 in this proceeding such that that the deemed interest rate on notional debt is set at 5.00 percent for interim rates; and
 - (ii) If the BCUC approves the requested change in scope and extension to the filing deadline of Directive 4 of Order G-53-24.

¹ Exhibit B-1, PDF p. 4.