



ORDER NUMBER
G-303-24

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

and

Lake Okanagan Resort
Application to file Permanent Rates

BEFORE:
T. A. Loski, Commissioner

on November 20, 2024

ORDER

WHEREAS:

- A. By Order G-333-19 dated December 18, 2019, the British Columbia Utilities Commission (BCUC) determined that Lake Okanagan Resort (LOR) is a public utility as defined in section 1 of the *Utilities Commission Act* (UCA) and accepted LOR's current rate schedule on an interim and recoverable basis;
- B. By Order G-80-23 dated April 13, 2023, the BCUC established the Application to file Permanent Rates proceeding (Proceeding) and directed LOR to file a submission as to whether (i) permanent rates for LOR should remain the same as the interim rate or (ii) a different permanent rate should be set for LOR along with the basis for the new rate (Permanent Rates Application) by May 15, 2023. This filing deadline was subsequently extended to August 15, 2023, subject to a monthly reporting requirement;
- C. By Order G-202-23 dated July 27, 2023, the BCUC denied LOR's request for a further extension to the filing deadline and directed LOR to file its Permanent Rates Application by August 15, 2023, or to file the application with the assistance of a BCUC-approved consultant by November 30, 2023;
- D. On August 21, 2023, the BCUC adjourned the Proceeding until further notice due to serious developments in wildfires in the Okanagan and Southern Interior region. LOR sustained extensive damage in these wildfires;
- E. On October 30, 2023, following a review of LOR's current circumstances and plans, the BCUC issued Order G-294-23 requiring LOR to cease and desist the construction of any public utility electrical equipment (e.g., power poles) that would be used by LOR in the transmission, sale, delivery or provision of electricity to or for the public or a corporation for compensation. As such, LOR is not currently providing electrical services;
- F. LOR is required to obtain a Certificate of Public Convenience and Necessity prior to the construction or operation of any public utility electrical equipment at the resort. To date, the BCUC has received no such application; and
- G. The BCUC considers the following determinations to be warranted.

NOW THEREFORE the BCUC orders as follows:

1. The Proceeding is closed.
2. LOR must file an application for permanent rates prior to resuming public utility service at the resort.

DATED at the City of Vancouver, in the Province of British Columbia, this 20th day of November 2024.

BY ORDER

Electronically signed by Tom Loski

T. A. Loski
Commissioner