



**ORDER NUMBER**  
**F-13-25**

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

and

British Columbia Utilities Commission  
Mandatory Reliability Standards Planning Coordinator  
Function Registration and Planning Coordinator Issues  
Participant Assistance/Cost Award Application

**BEFORE:**

A. K. Fung, KC, Panel Chair  
C. M. Brewer, Commissioner  
W. M. Everett, KC, Commissioner

on April 24, 2025

**ORDER**

**WHEREAS:**

- A. By Order R-8-22 dated March 14, 2022, the British Columbia Utilities Commission (BCUC) initiated a proceeding to review the Planning Coordinator (PC) Function Registration and PC Issues (PC Proceeding);
- B. By Orders R-8-22, R-21-22, R-23-22, R-33-22, R-35-22, R-2-23, R-5-23, R-11-23, R-39-23, R-51-23, R-56-23, R-14-24, R-16-24 and R-20-24, the BCUC established, amended and furthered a regulatory timetable for the review of the PC function registration and associated issues, which included, among other things, intervenor registration, written submissions, two rounds of BCUC and intervenor information requests, and a streamlined review process;
- C. FortisBC Inc. (FBC), British Columbia Hydro and Power Authority (BC Hydro), Movement of United Professionals (MoveUP), the Commercial Energy Consumers Associations of British Columbia (the CEC), Residential Consumer Intervenor Association (RCIA) and Cape Scott Wind LP (CSWLP) registered as intervenors in the PC Proceeding;
- D. By Order R-23-24 and the accompanying decision dated November 6, 2024, the BCUC approved FBC's registration for the PC function and made directives related to the implementation of a dual PC model in British Columbia;

- E. The following participants filed Participant Assistance/Cost Award (PACA) applications with the BCUC with respect to their participation in the PC Proceeding:

Date	Participant	Application
December 18, 2024	RCIA	\$31,615.99
February 21, 2025	The CEC	\$19,473.61
February 17, 2025	CSWLP	\$13,877.67

- F. On March 21, 2025, the BCUC issued a letter to the BC Hydro and FBC for comments on the PACA applications, whether BC Hydro, FBC or both entities should pay for any or all of the PACA awards, and a potential allocation of any PACA amounts awarded between BC Hydro and FBC;
- G. On March 31, 2025, the BCUC provided BC Hydro and FBC with CSWLP's revised PACA application, dated March 31, 2025. CSWLP's revised PACA application increased the requested PACA amount to \$14,093.18.
- H. On April 4, 2025, BC Hydro and FBC filed its comments. No filings were submitted by PACA participants in response to BC Hydro's or FBC's comments; and
- I. The BCUC has reviewed the PACA applications in accordance with the criteria and rates set out in the PACA Guidelines, attached to Order G-97-17, and makes the following determinations.

**NOW THEREFORE** pursuant to section 118(1) of the *Utilities Commission Act*, and for the reasons outlined in the decision accompanying this order, the BCUC orders the following:

1. PACA costs are awarded to the following interveners in the listed amounts for their respective participation in the PC Proceeding:

Participant	Award
RCIA	\$26,515.29
The CEC	\$19,473.61
CSWLP	\$14,093.18

2. BC Hydro is directed to pay the amounts set out below to PACA participants, determined by its 2023 energy sales data as set out in Order G-141-24, on a timely basis:

Participant	BC Hydro
RCIA	\$25,189.53
The CEC	\$18,499.93
CSWLP	\$13,388.52

3. FBC is directed to pay the amounts set out below to PACA participants, determined by its 2023 energy sales data as set out in Order G-141-24, on a timely basis:

Participant	FBC
RCIA	\$1,325.76
The CEC	\$973.68
CSWLP	\$704.66

**DATED** at the City of Vancouver, in the Province of British Columbia, this 24<sup>th</sup> day of April 2025.

BY ORDER

*Electronically signed by Anna Fung*

A. K. Fung, KC  
Commissioner

British Columbia Utilities Commission  
Mandatory Reliability Standards Planning Coordinator  
Function Registration and Planning Coordinator Issues  
Participant Assistance/Cost Award Application

## DECISION

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### 1.0 Background

On February 24, 2022, the British Columbia Utilities Commission (BCUC) initiated this proceeding to address Planning Coordinator (PC) issues and registration under the Mandatory Reliability Standards (MRS) Program (PC Proceeding).<sup>1</sup>

The regulatory process for the PC Proceeding included, among other things, procedural submissions, a round of BCUC and intervener information requests, a Streamlined Review Process, final arguments regarding the Transmission Planner review of the PC Proceeding, submissions of PC function proposals, intervener comments on the proposals, and another round of BCUC and intervener information requests.

By Order R-23-24 and the accompanying decision dated November 6, 2024, the BCUC directed FBC to register for the PC function, resulting in a dual PC model in British Columbia.

The BCUC received applications for Participant Assistance/Cost Awards (PACA) (collectively, the PACA Applications) from the following participants: the Commercial Energy Consumers Association of BC (the CEC), Cape Scott Wind LP (CSWLP), and Residential Consumer Intervener Association (RCIA).

### 2.0 Legislative and Regulatory Framework

Section 118(1) of the *Utilities Commission Act* provides that “The commission may order a participant in a proceeding before the commission to pay all or part of the costs of another participant in the proceeding.”

The PACA Guidelines as set out in Appendix A attached to BCUC Order G-97-17 dated June 20, 2017, stipulate the eligibility requirements and criteria used in assessing cost awards, including the process for applying for a cost award, eligible costs and rates.

Section 3.1 of the PACA Guidelines outlines the considerations to determine participant eligibility for a cost award. If the participant is eligible for a cost award, the Panel then considers the following in determining the amount of a participant’s cost award in accordance with Section 4.3 of the PACA Guidelines:

- (a) Has the participant contributed to a better understanding by the BCUC of the issues in the proceeding?
- (b) To what degree will the participant be affected by the outcome of the proceeding?
- (c) Are the costs incurred by the participant fair and reasonable?
- (d) Has the participant joined with other groups with similar interests to reduce costs?
- (e) Has the participant made reasonable efforts to avoid conduct that would unnecessarily lengthen the duration of the proceeding, such as ensuring participation was not unduly repetitive?
- (f) The funding day calculation for funding in accordance with Sections 4.1 and 4.2, if one is provided.
- (g) Any other matters which the BCUC determines appropriate in the circumstances.

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<sup>1</sup> By Orders R-8-22, R-21-22, R-23-22, R-33-22, R-35-22, R-2-23, R-5-23, R-11-23, R-39-23, R-51-23, R-56-23, R-14-24, R-16-24 and R-20-24, the BCUC established, amended and furthered a regulatory timetable for the proceeding.

### 3.0 PACA Applications received

The following interveners submitted PACA applications, as summarized in the table below:

Date	Participant	Application
December 18, 2024	RCIA	\$31,615.99
February 21, 2025	The CEC	\$19,473.61
Revised March 31, 2025	CSWLP	\$14,093.18

#### *Panel Determination*

The BCUC's PACA Guidelines govern the Panel's review of the PACA applications. The Panel is satisfied that all the PACA applicants meet the eligibility criteria outlined in the BCUC's PACA Guidelines for a cost award in this proceeding.

The Panel finds that both the CEC and CSWLP made substantive contributions to the PC Proceeding, contributed to the Panel's better understanding, and the funding amounts requested are consistent with the rates established in the PACA Guidelines. **The Panel therefore approves in full the following interveners' funding requests as set out below:**

Participant	Award
The CEC	\$19,473.61
CSWLP	\$14,093.18

The Panel reviews RCIA's PACA application below.

### 4.0 RCIA'S PACA APPLICATION

RCIA seeks a cost award of \$31,615.99 in its PACA Application, which includes:

- 5.16 days for consultant Mr. Matthew Good;
- 0.88 days for consultant Mr. Chris Oakley;
- 0.19 days for consultant Mr. Peter Helland;
- 4.69 days for consultant and 0.09 days for case manager Mr. Matthew Matusiak;
- 0.06 days for consultant Mr. Rory McGregor; and
- 4.28 days for legal counsel Mr. Sven Hombach.

#### *Panel Determination*

The Panel is satisfied that RCIA is eligible for a cost award in accordance with the PACA Guidelines. However, in light of the award sought and the breakdown of the time incurred, especially with respect to the claimed consultant and case manager days, the Panel finds the amount claimed by RCIA to be excessive relative to the Panel's assessment of RCIA's contribution. While the Panel takes no issue with the disbursements, requested daily rates or number of days claimed by RCIA for legal services, the Panel finds that the total number of days claimed by RCIA for its consultants and case manager (11.06 days) is not reasonable. Overall, the Panel considers RCIA's total PACA claim for its use of consultants and case manager excessive based on its level of contribution

to the PC Proceeding. We note that although RCIA's level of contribution is similar to that of the CEC, RCIA's total consultant and case manager days claimed are more than 80 percent higher than those of the CEC.

The Panel therefore reduces RCIA's claim for consulting and case manager services to \$11,776.41, which is a level comparable to the CEC's award for similar services, resulting in a fair and reasonable award. **The Panel awards RCIA \$26,515.29, inclusive of taxes, representing the adjusted funding for its consultants and case manager and the full funding requested for legal services.**

## 5.0 PACA ALLOCATION

On March 21, 2025, the BCUC requested comments from the British Columbia Hydro and Power Authority (BC Hydro) and FortisBC Inc. (FBC) on the amounts requested in the PACA Applications, whether BC Hydro, FBC or both entities should pay for any or all of the PACA amounts awarded, and a potential allocation of any PACA amounts awarded between BC Hydro and FBC.

On March 31, 2025, CSWLP filed with the BCUC a revised PACA application. In its application, CSWLP increased its requested PACA amount from \$13,877.67 to \$14,093.18. On March 31, 2025, the BCUC provided BC Hydro and FBC with CSWLP's revised PACA application.

On April 4, 2025, BC Hydro and FBC filed their comments on the various PACA applications. BC Hydro submits that it believes that all three applicants are eligible to receive a cost award and has no objection to the specific PACA amounts they have requested. FBC submits that if the BCUC is satisfied that the participants have met the eligibility requirements, the time and amounts claimed for participation are reasonable and appropriate in the circumstances of this proceeding, and the level of participation has met the BCUC's criteria in accordance with the PACA Guidelines, then FBC has no further comment. However, FBC notes the disparity in the various amounts claimed by the participants.

BC Hydro and FBC view that they both should contribute to the costs for any PACA awards. BC Hydro submits that both utilities recommended the initiation of the PC Proceeding and focused on matters related to the functions role of both utilities. FBC submits that both utilities own aspects of the British Columbia bulk power system and the PC Proceeding resulted in a dual model with BC Hydro and FBC registering as Planning Coordinators in the Province. In terms of allocation, both BC Hydro and FBC submit it would be reasonable and appropriate for the PACA allocation to be determined by the most recent year of actual pro-rata energy sales volumes as set out in Order G-141-24, regarding the recovery of BCUC costs and the resulting BCUC levy calculation for the 2024/2025 fiscal year. BC Hydro and FBC add that this allocation is consistent with the approach used in the most recent Generic Cost of Capital proceeding<sup>2</sup>.

FBC also submits that, in the event the BCUC determines that an alternative allocation method is appropriate, of the three PACA Applications, CSWLP's participation in the PC Proceeding was related to its interest as a generator owner entity in the BC Hydro service area, while the CEC and RCIA represent the interest of customers in both the BC Hydro and FBC service areas. Accordingly, CSWLP's claim may more appropriately be allocated only to Hydro.

### *Panel Determination*

The Panel has reviewed the submissions from BC Hydro and FBC and find that it is appropriate for BC Hydro and FBC to bear the responsibility of paying the PACA amounts approved above. The Panel supports the allocation of PACA costs between BC Hydro and FBC based on the determination of each entity's 2023 energy sales data as

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<sup>2</sup> Order F-3-25 Generic Cost of Capital Stage 2 Participant Cost Awards Application.

set of in Order G-141-24. The Panel considered FBC's observation that CSWLP represented its interests as an entity in BC Hydro's service area. However, the Panel finds that the PACA cost allocation should not distinguish the degree to which payees are directly affected by the participants' contributions, but rather should reflect the level of the participants' contributions to matters raised in the proceeding. The Panel finds that all the PACA participants contributed equally with submissions affecting both BC Hydro and FBC, which ultimately resulted in the Panel's determination to adopt a dual PC model in British Columbia. **Accordingly, the Panel directs BC Hydro and FBC to pay the following awarded PACA costs on a timely basis, as set out in the table below:**

Participant	BC Hydro	FBC
RCIA	\$25,189.53	\$1,325.76
The CEC	\$18,499.93	\$973.68
CSWLP	\$13,388.52	\$704.66

**DATED** at the City of Vancouver, in the Province of British Columbia, this 24<sup>th</sup> day of April 2025.

*Electronically signed by Anna Fung*

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A. K. Fung, KC  
Panel Chair/Commissioner

*Electronically signed by Carolann Brewer*

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C. M. Brewer  
Commissioner

*Electronically signed by William Everett*

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W. M. Everett, KC  
Commissioner