



**ORDER NUMBER
F-23-25A**

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

and

Pacific Northern Gas Ltd. and Pacific Northern Gas (N.E.) Ltd.
2025 to 2027 Energy Conservation and Innovation Portfolio Funding
Participant Cost Award Application

BEFORE:

M. Jaccard, Panel Chair
B. A. Magnan, Commissioner

on October 7, 2025

ORDER

WHEREAS:

- A. On December 11, 2024, Pacific Northern Gas Ltd. and Pacific Northern Gas (N.E.) Ltd. (collectively, PNG) filed an application for acceptance by the British Columbia Utilities Commission (BCUC) of the Energy Conservation and Innovation (ECI) Portfolio Funding for 2025-2027 (Application), pursuant to section 44.2 of the *Utilities Commission Act*. PNG sought acceptance of Demand Side Measures (DSM) expenditures totalling \$5,250,542 as set out in the Application for the period 2025 to 2027;
- B. PNG also sought approval to continue the program funding transfer rules most recently approved under Order G-171-23, and to record all DSM expenditures in the rate base regulatory asset deferral account consistent with approvals granted under Order G-171-23;
- C. By Order G-7-25 dated January 16, 2025, and as amended by Orders G-32-25, G-64-25, and G-99-25, the BCUC established a public hearing process and regulatory timetable for the review of the Application, which consisted of public notice, intervener registration, one round of information requests (IRs), letters of comment, Panel IRs, and final and reply arguments;
- D. British Columbia Sustainable Energy Association (BCSEA); BC Old Age Pensioners' Organization et al. (BCOAPO); the Commercial Energy Consumers Association of British Columbia (the CEC); the Town of Smithers; and Residential Consumer Intervener Association (RCIA) registered as interveners in this proceeding;
- E. On July 31, 2025, by Order G-188-25 with accompanying decision, the BCUC accepted PNG's DSM expenditures of \$5,250,542 for the period 2025 to 2027 and approved the continued use of PNG's approved DSM funding transfer rules and the recording of all DSM expenditures in the rate base regulatory asset deferral account;

- F. The following interveners filed Participant Cost Award (PCA) applications with the BCUC with respect to their participation in the proceeding:

Date	Participant	Application
July 7, 2025	The CEC	\$11,380.65
July 31, 2025	BCSEA	\$12,586.88
August 7, 2025	RCIA	\$22,112.23
August 8, 2025	BCOAPO	\$22,067.47

- G. By letter dated August 25, 2025, PNG stated that it had no comments, provided the BCUC is satisfied with the applied for amounts in the PCA applications;
- H. The BCUC has reviewed the PCA applications in accordance with the criteria and rates set out in the BCUC's Rules of Practice and Procedure and makes the following determinations; and
- I. On October 3, 2025, the BCUC issued Order F-23-25. The present Order F-23-25A is being issued to correct a typographical error in the amounts claimed by and awarded to BCSEA and the CEC, and replaces Order F-23-25.

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

1. Costs are awarded to the following participants in the listed amounts, inclusive of applicable taxes, for their participation in the 2025 to 2027 ECI Portfolio Funding proceeding:

Participant	Award
The CEC	\$11,380.65
BCSEA	\$12,586.88
RCIA	\$21,310.42
BCOAPO	\$19,912.68

2. PNG is directed to reimburse the above-noted interveners for the awarded amounts in a timely manner.

DATED at the City of Vancouver, in the Province of British Columbia, this 7th day of October 2025.

BY ORDER

Electronically signed by Mark Jaccard

M. Jaccard
Commissioner

DECISION

1.0 Background

On December 11, 2024, Pacific Northern Gas Ltd. and Pacific Northern Gas (N.E.) Ltd. (collectively, PNG) filed an application for acceptance by the British Columbia Utilities Commission (BCUC) of the Energy Conservation and Innovation (ECI) Portfolio Funding for 2025-2027 (Application), pursuant to section 44.2 of the *Utilities Commission Act* (UCA).

On January 16, 2025, the BCUC issued Order G-7-25 setting out a regulatory timetable for the review of PNG's Application. The timetable included intervenor registration, information requests (IRs), letters of comment, Panel IRs, and final and reply arguments.

On February 5, 2025,¹ the Panel provided guidance to interveners, encouraging parties who were also participants in PNG's 2024 Consolidated Resource Plan (CRP) proceeding to avoid unnecessarily duplicating questions related to demand side measures (DSM) which had already been asked in that proceeding. Intervenors were also encouraged to focus questions regarding DSM on issues that were relevant to the current proceeding.

On July 31, 2025,² the BCUC accepted PNG's accepted PNG's DSM expenditures of \$5,250,542 for the period 2025 to 2027 and granted other approvals.

2.0 Legislative Framework

Section 118(1) of the UCA provides that the BCUC may order a participant in a proceeding before the BCUC to pay all or part of the costs of another participant in the proceeding.

Part VI of the BCUC's Rules of Practice and Procedure (Rules) stipulates the eligibility requirements and criteria used in assessing cost awards, including the process for applying for a cost award and eligible costs. The Rules were updated by Order G-192-25, dated August 7, 2025. For proceedings initiated prior to August 7, 2025, but after June 30, 2022, the rates for professional services set out in Attachment A to the Rules adopted by the BCUC in Order G-296-24 apply.

Rule 41 sets out the criteria the BCUC will consider when determining the amount of a cost award, so far as is applicable, which include considering whether the participant:

- is claiming reasonable costs;
- has contributed to a better understanding by the BCUC of one or more of the issues in the proceeding;
- has made reasonable efforts to ensure participation in the proceeding, including IRs, issues raised, evidence, cross-examination, and arguments, was within the scope of the proceeding or not unduly repetitive;

¹ Exhibit A-3.

² Order G-188-25 with accompanying decision.

- has incurred time participating in the proceeding that was proportionate to the scope of the proceeding and/or the complexity or novelty of the proceeding; and
- has complied with the BCUC's orders, directions, and rules.

3.0 PCA Applications

The following participants filed Participant Cost Award (PCA) applications with the BCUC with respect to their participation in the proceeding:

Date	Participant	Application
July 7, 2025	The CEC	\$11,380.65
July 31, 2025	BCSEA	\$12,586.88
August 7, 2025	RCIA	\$22,112.23
August 8, 2025	BCOAPO	\$22,067.47

The following table summarizes the hourly claims for each intervener, and the resulting amount applied for:

Intervener	Legal hours	Consultant hours	Total hours
The CEC	11.4	34.25	45.65
BCSEA	25.5	10.50	36.00
RCIA	15.5	74.41	89.91
BCOAPO	29.5	44.00	73.50

Pursuant to Rule 40.03(b), on August 25, 2025, PNG provided its comments on the PCA applications and stated that it had no comments, provided the BCUC is satisfied with the applied for amounts in the PCA applications.

Panel Determination

The Panel has reviewed the PCA applications in accordance with the criteria and rates set out in the BCUC's Rules and finds that the costs sought by the CEC and BCSEA are reasonable, and that each of these participants contributed to a better understanding by the Panel of the issues in the proceeding. **Accordingly, the Panel grants the CEC's and BCSEA's PCA applications in full and determines that the CEC and BCSEA are awarded \$11,380.65 and \$12,586.88, respectively.**

As the Panel had no concerns with the PCA applications from BCSEA and the CEC and is awarding the full amounts to these interveners, the remainder of the decision focuses on the RCIA and the BCOAPO PCA applications.

3.1 RCIA

RCIA seeks a cost award of \$22,112.23, inclusive of applicable taxes, including fees of \$6,076 for legal counsel and \$16,036.23 in consultant fees, comprising:

- 19.25 hours for a consultant, A. Abomazid;
- 46.75 hours for a consultant, D. Bonin;

- 3.16 hours for a consultant, M. Vaney;
- 5.25 hours for a consultant, B. Ryall; and
- 15.5 hours for legal counsel, B. Peters.

RCIA affirms that all costs incurred were reasonable, prudent, and efficiently managed. RCIA submits in its PCA application that it allocated its time efficiently and in proportion to the scope and complexity of the PNG 2025–2027 ECI Portfolio Funding proceeding without exceeding what was necessary. Given the financial magnitude and policy implications of the PCA application, RCIA submits its level of engagement was both reasonable and justified.

Panel Determination

The Panel determines that RCIA is awarded \$21,310.42, which is a reduction of \$801.81 from the amount applied for.

The Panel finds that RCIA contributed to a better understanding by the BCUC of the issues in the proceeding. However, in the Panel’s view, RCIA failed to use its professional services – notably its consultants – in a cost-effective manner. RCIA’s four consultants billed a total of 74 hours, which the Panel considers excessive relative to the scale and complexity of the proceeding. We consider that a reduction of the consulting fees payable to RCIA by 5 percent is appropriate, resulting in a reduction of \$801.81 to the amount awarded to RCIA.³

3.2 BCOAPO

BCOAPO seeks a cost award of \$22,067.47, inclusive of applicable taxes, including fees of \$11,207.84 for legal counsel and \$10,857 in consultant fees, comprising:

- 18.9 hours for legal counsel, L. Worth;
- 10.6 hours for legal counsel, I. Mis; and
- 44 hours for a consultant, D. Rainkie.

BCOAPO notes in its PCA application that it has attempted to remove, as much as possible, duplicative work as between legal counsel, meaning that the number of hours claimed for some lawyers is less than shown on their timesheets.

Panel Determination

The Panel determines that BCOAPO is awarded \$19,912.68, which is a reduction of \$2,154.79 from the amount applied for.

BCOAPO dedicated a large portion of its final argument to revisiting submissions and findings from the 2024 CRP and prior PNG ECI proceedings. Particularly in light of the Panel’s earlier instruction to avoid unnecessarily duplicating questions related to DSM which had already been asked in PNG’s 2024 CRP proceeding, and to focus questions regarding DSM on issues that were relevant to the current proceeding, we consider much of BCOAPO’s final argument to be unhelpful to the current proceeding, and did not contribute to a better understanding of the issues by the Panel.

³ Total Consultant fees of \$15,272.60 minus 5% = \$14,508.97 + GST = \$15,234.42.

In addition, the Panel considers that the total number of funding hours claimed by BCOAPO is excessive relative to the scale of the proceeding. In consideration of the above, the Panel considers that a reduction of ten percent of the cost award BCOAPO applied for is appropriate, resulting in a reduction of \$2,154.79 to the amount awarded to BCOAPO.⁴

DATED at the City of Vancouver, in the Province of British Columbia, this 7th day of October 2025.

Electronically signed by Mark Jaccard

M. Jaccard
Panel Chair/Commissioner

Electronically signed by Bernard Magnan

B. A. Magnan
Commissioner

⁴ The revised calculation is based on a 10% reduction of both consulting and legal services, before relevant taxes.