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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER** F-12-03

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**IN THE MATTER OF
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473**

and

**Applications for Participant Assistance Cost Awards
Regarding the Inquiry into the Heritage Contract for British Columbia Hydro and Power Authority's
Existing Generation Resources, Stepped Rates and Transmission Access**

BEFORE: R.H. Hobbs, Inquiry Chair)
and Chair) December 8, 2003
P.G. Bradley, Commissioner)
K.L. Hall, Commissioner)

O R D E R

WHEREAS:

- A. On March 25, 2003 the Province, by Order in Council No. 0253, issued Terms of Reference for an Inquiry related to a Heritage Contract for British Columbia Hydro and Power Authority's ("BC Hydro") Existing Generation Resources and to Stepped Rates and Transmission Access ("the Heritage Inquiry"). The Terms of Reference directed the Commission to conduct an Inquiry pursuant to Section 5 of the Utilities Commission Act ("the Act") and report its recommendations and reasons to the Lieutenant Governor in Council ("LGIC") by October 17, 2003; and
- B. On April 1, 2003 the Commission, by Order No. G-23-03, directed BC Hydro to file by April 30, 2003 a proposal identifying the detailed recommendations and reasons that it believes should be contained in the report to the LGIC; and
- C. Order No. G-23-03 issued a Regulatory Agenda and Timetable for the Inquiry establishing a Workshop, Pre-hearing Conference, Regional Inquiry Sessions and a Public Hearing. The public hearing phase of the Inquiry concluded on August 13, 2003; and

- D. On October 17, 2003, the Commission issued its Heritage Inquiry Report and Recommendations to the LGIC; and
- E. The Commission advised participants in the Heritage Inquiry that a total maximum upper limit to Participant Funding requests would be limited to \$500,000 for the proceeding; and
- F. The Commission received participant funding requests from the Alberni-Clayoquot Regional District (“ACRD”), BC Citizens for Public Power (“BCCPP”), British Columbia Public Interest Advocacy Centre (“BCPIAC”), CBT Energy, Commercial Energy Consumers (“CEC”), Joint Industry Electricity Steering Committee (“JIESC”), Independent Power Producers Association of British Columbia (“IPABC”), and Mr. Alan Wait totaling \$557,978.54, in excess of the \$500,000 cap the Commission had set; and
- G. The Commission has reviewed the applications for cost awards in accordance with the rates set out in Order No. G-23-01 and the upper limit cap on participant funding.

NOW THEREFORE the Commission orders as follows:

1. The Commission approves the pro-rating of the cost awards to participants to 89.61% of the total corrected invoices so that the total funding awards do not exceed \$500,000.
2. The Commission approved the following adjustments to participant funding applications prior to pro-rating:

BCCPP: Costs of \$5,000 for two papers by Dr. Melanie Griffith-Cohen were disallowed; this reduces the total allowed award to \$11,351.50.

CBT Energy: The number of days for consultants was adjusted to reduce the total for consulting, including GST, to \$100,117.76 and reducing the overall total to \$150,915.87.

CEC: The rate for legal counsel in the application was reduced to the maximum under the guidelines (\$1,200/day) and the number of hours for one of the consultants was reduced to 312 hours (39 days) to reduce the total to \$99,028.50.

JIESC: The applied-for award for the case manager was reduced by one-half, bringing the total award granted to \$115,621.61.

IPABC: Hotel expenses in the applied-for award were reduced by \$280.80 to be consistent with the Participant Assistance Guidelines. This reduces the total award to \$119,440.16.

3. Pursuant to Section 118(1) of the Act, the Commission awards funds to the following for their participation in the Heritage Inquiry:

<i>Applicant</i>	<i>Before Pro-rating</i>	<i>After Pro-rating</i>
ACRD	\$ 2,400.00	\$ 2,150.63
BC Citizens for Public Power	\$ 11,351.50	\$ 10,171.99
BCPIAC	\$ 55,971.67	\$ 50,155.76
CBT Energy	\$150,915.87	\$135,234.47
Commercial Energy Consumers	\$ 99,028.50	\$ 88,738.63
JIESC	\$115,621.61	\$103,607.57
IPABC	\$119,440.16	\$107,029.34
A. Wait	\$ 3,249.23	\$ 2,911.61
TOTAL	\$557,978.54	\$500,000.00

4. Pursuant to Commission Order No. F-8-03 and Section 118(2) of the Act, the IPABC received an interim award of \$47,488.14. The above-noted award to IPABC of \$107,029.35 is reduced by this prepaid amount to \$59,541.21.
5. As a result of an earlier agreement between BC Hydro and the Commission, the Commission will fund \$250,000 of participant funding costs through its approved budget under Section 118(2) of the Act. Funds to IPABC in the amount of \$47,488.14 were paid in August 2003 to that participant, by Order No. F-8-03. The Commission, therefore, funds an additional \$202,511.86 and will pay the amount to BC Hydro on the undertaking that BC Hydro will issue cheques to the above-noted participants for the full approved amounts, after Pro-rating.

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6. BC Hydro is directed to reimburse the above-noted participants for the total amounts awarded in a timely fashion.

DATED at the City of Vancouver, in the Province of British Columbia, this 18th day of December 2003.

BY ORDER

Original signed by:

Robert H. Hobbs
Chair