

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER** G-131-07

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

and

An Application by FortisBC Inc.
for a Certificate of Public Convenience and Necessity
for the Ootischenia Substation Project

BEFORE: A.W.K. Anderson, Panel Chair
and Commissioner
N.F. Nicholls, Commissioner
October 30, 2007

O R D E R

WHEREAS:

- A. On September 7, 2007, FortisBC Inc. ("FortisBC") applied (the "Application") to the British Columbia Utilities Commission (the "Commission") for a Certificate of Public Convenience and Necessity ("CPCN") for the Ootischenia Substation Project ("the Project"); and
- B. On September 18, 2007 Commission Order No. G-110-07 established an oral public hearing for the regulatory review of the Application, commencing on Wednesday, November 14, 2007, at 9:00 a.m. in the Sandman Hotel in Castlegar, B.C.; and
- C. FortisBC has published, in accordance with Order No. G-110-07, a Notice of Hearing in local news publications to provide adequate notice to the public in Ootischenia and the Castlegar area with respect to the Application; and
- D. The only party registering as an intervenor, the British Columbia Public Interest Advocacy Centre representing the British Columbia Old Age Pensioners' Organization *et al.* ("BCOAPO"), advised that they are not opposed to this Application being dealt with through a written proceeding and suggested that FortisBC be required to notify residents of Castlegar and Ootischenia of this change in procedure; extend the time limit for interventions; and allow for an additional round of information requests; and
- E. On October 23, 2007, FortisBC submitted a request for an amendment to Order No. G-110-07, citing the comprehensive public consultation undertaken with respect to this Project, and proposed that the Application be addressed by way of a written proceeding; and

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- F. As part of its submission, FortisBC notes that the Ministry of Transportation (“MOT”), in its request for Interested Party status (Exhibit D-1), stated that it does not intend to participate in the public hearing, and requested information regarding the expected volume of traffic generated by the construction and FortisBC advises that it supplied this information to MOT on October 15, 2007 and that, as stated in Exhibit D-1 and identified in the Application at page 42, a Permit for Access to a Controlled Access Highway will be sought prior to commencement of construction; and
- G. FortisBC submits that its public consultation has been comprehensive as described in Appendix E of its Application. FortisBC further advises that following the Open House on May 9 and 10, 2007 exit surveys were received from a number of attendees including three from landowners within a 500 metre radius of the proposed site, one of whom expressed a negative opinion. FortisBC has advised that the dissenting individual has stated that if his views could be heard through the written proceeding he would be satisfied; and
- H. FortisBC representatives have met with a group of Ootischenia community leaders, as discussed in the Application, to discuss possible alternate sites for the substation including the selected site; and
- I. FortisBC mailed a follow-up letter, included as Attachment E to the Application, to the Open House attendees identifying the sites investigated and the selected site and FortisBC received no comments in response to this letter; and
- J. No other parties or individuals have registered as intervenors in the process and no comments or inquiries were received following the distribution of Order No. G-110-07. FortisBC submits that the opportunity to participate in the process, including submission of Information Requests, has been made available, was not acted upon by area residents, and need not be repeated; and
- K. FortisBC requests that if the proposed proceeding cannot be concluded within the timeframe originally determined, the process and schedule set out in the Commission Order No. G-110-07, including an Oral Public Hearing, be retained; and
- L. The Commission has considered the submissions that it has received on the matter and has concluded that amending the Order No. G-110-07 to convert the Oral Public Hearing to a written proceeding is in the public interest.

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NOW THEREFORE the Commission orders as follows:

1. The oral public hearing for the regulatory review of the Application, commencing on Wednesday, November 14, 2007, at 9:00 a.m. in the Sandman Hotel in Castlegar, B.C. established by Order No. G-110-07 is cancelled.
2. A written proceeding for the regulatory review of the Application is established. The Amended Regulatory Timetable for the written proceeding is attached as Appendix A to this Order.
3. Intervenors and Interested Parties are to register with the Commission, in writing, by the date indicated in the Amended Regulatory Timetable for the written proceeding that is attached as Appendix A to this Order. Intervenors are requested to specifically state the nature of their interest in the Application and to identify the issues that they intend to pursue during the proceeding.
4. FortisBC will publish, as soon as possible, in display-ad format, the Notice of Cancellation of the Oral Public Hearing and the change to a written proceeding attached as Appendix B to this Order in such appropriate local news publications as may properly provide adequate notice to the public in Ootischenia and the Castlegar area.
5. FortisBC will use reasonable efforts to provide a copy of this Order and the Executive Summary from the Application to local government and key stakeholders, persons who attended the open houses, and landowners within a 500 metre radius of the proposed site, including an area map showing clearly the specific selected site of the Project.
6. The Application together with any supporting materials, including materials related to the change to a written proceeding, will be made available for inspection at the FortisBC Kelowna Head Office, the FortisBC website and at the Commission's office and website.

DATED at the City of Vancouver, in the Province of British Columbia, this 29th day of October 2007.

BY ORDER

Original signed by:

A.W.K. Anderson,
Panel Chair and Commissioner

Attachments

FORTISBC INC.
Certificate of Public Convenience and Necessity Application
for the Ootischenia Substation Project

AMENDED REGULATORY TIMETABLE

ACTION	DATE (2007)
Commission Information Request No. 2 to FortisBC	Tuesday, October 30
Intervenor and Interested Party Registration (for those not already registered for the cancelled Oral Hearing)	Tuesday, November 6
FortisBC Responses to Commission Information Request No. 2 and Intervenor Information Requests	Tuesday, November 6
Commission Information Request No. 3 to FortisBC and Additional Information Requests by Intervenors (if necessary)	Thursday, November 8
FortisBC Responses to Information Requests and Final Argument	Wednesday, November 14
Intervenor Argument	Monday, November 26
FortisBC Reply Argument	Monday, December 3

FORTISBC INC.
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY APPLICATION
FOR THE OOTISCHENIA SUBSTATION PROJECT

NOTICE OF APPLICATION AND WRITTEN PUBLIC HEARING

THE APPLICATION

On September 7, 2007 FortisBC Inc. ("FortisBC") applied (the "Application") to the British Columbia Utilities Commission (the "Commission") for a Certificate of Public Convenience and Necessity ("CPCN") for the Ootischenia Substation Project ("the Project"). FortisBC states that the Project is estimated to cost \$8.16 million and is required to serve the growing electrical load in the Castlegar area and to meet system backup planning criteria under contingency conditions. The Project consists of a new distribution substation, with a 63 kV/13 kV 16 MVA transformer and connection to two distribution feeder circuits. The Project is scheduled to go into service in the fourth quarter of 2008.

THE REGULATORY PROCESS

Commission Order No. G-131-07 established the Amended Regulatory Timetable for the review of the Application by way of a Written Public Hearing.

The detailed Regulatory Timetable can be reviewed on the Commission's website <http://www.bcuc.com> >Proceedings&Agendas>Current Applications.

INTERVENTIONS

Persons who expect to actively participate in the proceeding should register as Intervenors with the Commission, in writing, by Tuesday, November 6, 2007, identifying their interest in the Application. Intervenors will receive copies of the Application as well as all correspondence and filed documentation and should provide an e-mail address if available.

Persons not expecting to actively participate in the proceeding, but who have an interest in the Application, should register as Interested Parties with the Commission, in writing, by Tuesday, November 6, 2007, identifying their interest in the Application. Interested Parties will receive a copy of the Executive Summary of the Application and all Orders issued.

All submissions and/or correspondence received from active participants or the general public relating to the Application will be placed on the public record and posted to the Commission's web site.

PUBLIC INSPECTION OF THE DOCUMENTS

The Application and supporting materials will be available for inspection at the following locations:

FortisBC Inc.

Head Office
Fifth Floor 1628 Dickson Avenue
Kelowna, B.C. V1Y 9X1
<http://www.fortisbc.com>

British Columbia Utilities Commission

Sixth Floor, 900 Howe Street
Vancouver, B.C. V6Z 2N3
Telephone: 1-800-663-1385
<http://www.bcuc.com>

FortisBC Inc.

Trail Office
1290 Esplanade
Trail, B.C. V1R 4L4

FURTHER INFORMATION

For further information, please contact the Commission Secretary, Ms. Erica Hamilton or Mr. Donald Flintoff, Senior Electrical Engineer as follows:

Commission Secretary

Telephone: (604) 660-4700
Facsimile: (604) 660-1102
E-mail: Commission.Secretary@bcuc.com
BC Toll Free: 1-800-663-1385

Mr. Donald Flintoff

Email: don.flintoff@bcuc.com
Telephone: (604) 660-4700