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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER G-144-09**

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

and

British Columbia Transmission Corporation
Reconsideration of the
Interior to Lower Mainland Transmission Project

BEFORE: A.J. Pullman, Commissioner
A.A. Rhodes, Commissioner
P.E. Vivian, Commissioner
December 3, 2009

O R D E R

WHEREAS:

- A. On November 5, 2007, the British Columbia Transmission Corporation ("BCTC") applied pursuant to sections 45 and 46 of the *Utilities Commission Act* ("the Act") for a Certificate of Public Convenience and Necessity ("CPCN") for the Interior to Lower Mainland ("ILM") Transmission Project (the "ILM Project"); and
- B. On August 5, 2008 the British Columbia Utilities Commission ("Commission") issued its Decision accompanied by Order C-4-08 that granted BCTC the CPCN for the ILM Project subject to conditions; and
- C. The Court of Appeal for British Columbia released its decision in *Kwikwetlem First Nation v. British Columbia (Utilities Commission)*, 2009 BCCA 68 on February 18, 2009. Madam Justice Huddart, on behalf of the Court, stated at paragraph 15:

"I would remit the scoping decision to the Commission for reconsideration in accordance with this Court's opinion, once certified, and direct that the effect of the CPCN be suspended for the purpose of determining whether the Crown's duty to consult and accommodate the Appellants had been met up to that decision point"; and
- D. On April 7, 2009 the Commission issued a letter that scheduled a Procedural Conference on April 15, 2009; and
- E. After the Procedural Conference the Commission, by Order G-38-09, issued a Regulatory Timetable that included BCTC and British Columbia Hydro and Power Authority ("BC Hydro") tendering evidence and submission on that evidence; and
- F. The Commission by Order G-83-09 determined that it will consider Supplemental Evidence existing up to August 5, 2008. The Revised Regulatory Timetable included deadlines for Commission and Intervenor information requests, BCTC responses, and Budget Estimates for participant assistance. The Order also set a Second Procedural Conference; and

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- G. On August 25, 2009 the Commission issued Order F-21-09 that approved Interim Cost Awards to five participants in the proceeding; and
- H. On August 28, 2009 the Commission held the Second Procedural Conference; and
- I. On August 31, 2009 the Commission issued Order G-98-09 that established a revised Regulatory Timetable that included a Third Procedural Conference, Oral Public Hearing dates (unless determined otherwise at the Third Procedural Conference), and a tentative date for a Registration Deadline for a Participant Assistance Budget Estimate based on the anticipated regulatory process for a Second Interim Cost Award; and
- J. On November 25, 2009 the Commission issued the Third Procedural Conference Agenda; and
- K. On November 30, 2009 the Commission held the Third Procedural Conference; and
- L. The Commission has considered the submissions made at the Third Procedural Conference.

NOW THEREFORE the Commission orders that:

1. The Revised Regulatory Timetable is attached as Appendix A to this Order.
2. Revised Participant Assistance Budget Estimates for a Second Interim Cost Award are due on Monday, December 7, 2009. They must be consistent with the Commission's Participant Assistance/Cost Award Guidelines and Order G-72-07 and should cover the estimated costs from the commencement to the conclusion of the proceeding, including the Oral Public Hearing, written arguments, and a one day Oral Phase of Argument. The Commission will address requests for Second Interim Cost Awards after they are submitted.
3. The deadlines for Rebuttal Evidence by BCTC and BC Hydro, Intervenor Submissions on the Rebuttal Evidence, and BCTC and BC Hydro Reply to the Submissions of Intervenors on the Rebuttal Evidence are as shown in the Revised Regulatory Timetable attached as Appendix A to this Order. The Commission will issue a decision on Rebuttal Evidence by Friday, January 8, 2010.
4. The deadlines for identification of Witness Panels and filing of Direct Evidence for the Oral Public Hearing are as shown in the Revised Regulatory Timetable attached as Appendix A to this Order.
5. The Oral Public Hearing will commence on Monday, January 11, 2010 at 9:00 a.m. at the Commission Hearing Room, Twelfth Floor, 1125 Howe Street, Vancouver, BC, V6Z 2K8 and is set for three weeks to conclude on Friday, January 29, 2010.

DATED at the City of Vancouver, in the Province of British Columbia, this 3^d day of December 2009.

BY ORDER

Original signed by:

A.J. Pullman
Commissioner

Attachment

Orders/G-144-09_BCTC ILM Reconsider_Revised_RegTimetable

British Columbia Transmission Corporation
Reconsideration of
Interior to Lower Mainland ("ILM") Transmission Project

REVISED REGULATORY TIMETABLE

ACTION	DATE
Registration Deadline for Revised Participant Assistance Budget Estimate - Second Interim Award	Monday, December 7, 2009
Rebuttal Evidence by BCTC and BC Hydro, if any	Monday, December 7, 2009
Intervenor Submissions on Rebuttal Evidence	Monday, December 21, 2009
Identification of Witness Panels	Monday, December 21, 2009
BCTC and BC Hydro Reply to Intervenors Submissions on Rebuttal Evidence	Thursday, December 31, 2009
Filing of Direct Evidence	Thursday, January 7, 2010
Oral Public Hearing	Commences on Monday, January 11, 2010 at 9:00 a.m. If necessary, scheduled to Friday, January 29, 2010

Location of Oral Public Hearing:

Commission Hearing Room
Twelfth Floor, 1125 Howe Street
Vancouver, BC V6Z 2K8