



LETTER L-88-10

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VIA EMAIL

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November 2, 2010

**BIRDS EYE COVE - CPCN
REVENUE REQUIREMENTS & TARIFF EXHIBIT A-14**

Mr. Larry Higginson
Manager
Birds Eye Cove Estates Ltd.
Box 355
Burns Lake, BC V0J 1E0

Dear Mr. Higginson:

Re: Birds Eye Cove Estates Ltd.
Project No. 3698589
Application for a Certificate of Public Convenience and Necessity
Revenue Requirements and Tariffs

On October 6, 2010, the British Columbia Utilities Commission (Commission) requested Birds Eye Cove Power (BECP) and Interveners to file submissions by Friday, October 29, 2010 on whether to hold a Negotiated Settlement Process (NSP) and to indicate whether BECP and Interveners would be agreeable to an informal mediated settlement process.

On October 29, 2010, BEPC filed its response to the October 6, 2010 Commission Letter L-85-10 (Exhibit A-13). BEPC believes that informal mediation may be the most efficient and effective means to resolve this matter. BEPC is prepared to outline its position to the Commission by November 12, 2010. Finally, BEPC can confirm that either of the potential times for a mediated settlement, being late November or early December, would be agreeable to BEPC.

On October 27, 2010, Mr. H.T. Stamper filed the Interveners' (Coalition) response to the Commission request on whether to hold a NSP and to indicate whether BECP and Interveners would be agreeable to the informal mediated settlement process being proposed. The Coalition's letter addresses three issues: possible extension request if the negotiations are protracted, the opportunity to file written evidence and other concerns and questions.

If the Coalition wishes to submit written evidence to the Commission and BECP, it must advise the Commission and BECP by not later than Thursday, November 18, 2010. The Commission advises the Coalition that if evidence is submitted then BECP and the Commission staff may ask information requests on the evidence and the Coalition will have to provide responses.

Mediated Settlement Process (MSP) will follow the guidelines of a Negotiated Settlement Process (NSP) except the process will be more informal.

In consideration of the Coalition's requests, the Commission grants the Coalition an extension until Thursday, November 18, 2010 to respond as to whether or not it wishes to submit evidence after which time the Commission will issue an amended regulatory timetable. The Coalition must provide the Commission with an indication of a reasonable amount of time that it requires to file its evidence.

Yours truly,

Erica M. Hamilton

DJF/ac

cc: Registered Interveners
(*Birds Eye-RI*)