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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER F-24-11**

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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 Award
in the Application by British Columbia Transmission Corporation
for the Review of the Fiscal 2011 Transmission Capital Plan Update Application**

BEFORE: D.A. Cote, Panel Chair/Commissioner November 3, 2011
L.A. O'Hara, Commissioner

O R D E R

WHEREAS:

- A. On January 8, 2010, British Columbia Transmission Corporation (BCTC) applied to the British Columbia Utilities Commission (Commission) for an Order under section 44.2 of the *Utilities Commission Act* (the Act) accepting the expenditure schedules identified in the F2011 Capital Plan Update (the Application) as meeting the requirements of section 45(6) of the Act. These new expenditure schedules include \$27.4 million for Growth Capital, \$5 million for Sustaining Capital and \$3.1 million for BCTC Capital;
- B. On June 2, 2010, the Commission issued Order G-87-10 and Reasons for Decision stating its determinations on the expenditure schedules, with respect to the BCTC Fiscal 2011 Transmission Capital Plan Update Application;
- C. On May 13, 2010, the British Columbia Old Age Pensioners' Association *et al.* (BCOAPO) filed an application for Participant Assistance/Cost Award (PACA) funding;
- D. On June 2, 2010, the Commission forwarded BCOAPO's application for PACA funding to BCTC for comment;
- E. On September 7, 2011, the Commission forwarded the BCOAPO application for PACA funding to British Columbia Hydro and Power Authority (BC Hydro) for comment;
- F. By letter dated September 9, 2011 to the Commission, BC Hydro provided its comment regarding the BCTC F2011 Transmission Capital Plan Update PACA request and recommended the funding request be approved;

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- G. The Commission has reviewed the PACA application with regard to the criteria and rates set out in the PACA Guidelines in Commission Order G-72-07 and has concluded that cost award should be approved for the BCOAPO in the proceeding, as set out in the Reasons for Decision that are attached as Appendix A to this Order.

NOW THEREFORE the Commission orders as follows:

1. Pursuant to section 118(1) of the Act, the Commission awards funding to the British Columbia Old Age Pensioners' Organization, *et al.* in the amount of \$4,853.63 for its participation in the proceeding.
2. BC Hydro is directed to reimburse the British Columbia Old Age Pensioners' Organization, *et al.* for the award amount in a timely manner.

DATED at the City of Vancouver, in the Province of British Columbia, this 3rd day of November 2011.

BY ORDER

Original signed by:

L.A. O'Hara
Commissioner

Attachment

Applications for Participant Assistance/Cost Award
Application by British Columbia Transmission Corporation
for the Review of the Fiscal 2011 Transmission Capital Plan Update Application

REASONS FOR DECISION

1.0 INTRODUCTION

On June 2, 2010, the British Columbia Utilities Commission (Commission) issued Order G-87-10 and Reasons for Decision stating its determinations on the expenditure schedules, with respect to the British Columbia Transmission Corporation (BCTC) Fiscal 2011 Transmission Capital Plan Update Application.

The Commission has received an application from an Intervener pursuant to section 118 of the *Utilities Commission Act* (UCA) for Participant Assistance/Cost Award (PACA) funding in the amount of \$4,853.63 regarding the review of the Fiscal 2011 Transmission Capital Plan Update Application.

The Commission's PACA Guidelines, set out in Appendix A to Order G-72-07, state that the Commission Panel will first consider whether the Participant has a substantial interest in a substantial issue in the proceeding. The Commission Panel will then consider the following:

- (i) Will the Participant be affected by the outcome?
- (ii) Has the Participant contributed to a better understanding of the issues by the Commission?
- (iii) Are the costs incurred by the Participant for the purposes of participating in the proceeding fair and reasonable?
- (iv) Has the Participant joined with other groups with similar interests to reduce costs?
- (v) Has the Participant engaged in any conduct that tended to unnecessarily lengthen the duration of the proceeding? (This criterion will not, by itself, disqualify a Participant for pursuing a relevant position in good faith and with reasonable diligence)
- (vi) Any other matters appropriate in the circumstances.

2.0 PROCEEDING AND PREPARATION DAYS

As outlined in Section 4 of the PACA Guidelines the term 'proceeding day' encompasses the following: workshop days, negotiation days, pre-hearing conference days, hearing days and oral argument days. In addition, the Commission Panel may award costs for preparation days which is typically on a ratio of up to two days per proceeding day. The PACA Guidelines allow for an adjustment to this ratio where there has been adequate justification from Participants.

3.0 PACA APPLICATION

The Commission received an application from the British Columbia Old Age Pensioners' Organization *et al.* (BCOAPO). The original budget and the revised request from BCOAPO are summarized in the table below.

	BUDGET	REQUEST
British Columbia Old Age Pensioners' Organization et al. (BCOAPO)	\$7,313.25	\$4,853.63

On June 2, 2010 BCTC [now British Columbia Hydro and Power Authority (BC Hydro)] was asked to comment on the PACA application. BC Hydro provided comments on the initial PACA application in its letter of September 9, 2011 and noted as follows:

- BCOAPO had a clear and material interest in the BCTC Application proceeding;
- BCOAPO actively participated in the BCTC Application process by asking questions on the proposed capital projects through two rounds of information requests, as well as submitting a final argument in the written hearing process; and
- The fees charged in the PACA funding request are consistent with the BCUC's PACA Funding Guidelines issued through BCUC Order No. G-72-07, and the time increments also appear to be reasonable given the nature of the application and the involvement of the BCOAPO.

As a result, BC Hydro recommends that the Commission approve the BCOAPO PACA funding request of \$4,853.63. BC Hydro apologizes for any inconvenience the delay in processing this PACA funding request may have caused the BCOAPO or its constituents.

4.0 COMMISSION PANEL DETERMINATION

The Commission Panel considers BCOAPO as having a substantial interest and a broad scope with respect to substantial issues in the proceeding and notes that it participated fully. **The BCOAPO cost award amount is \$4,853.63.**