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**BRITISH COLUMBIA  
UTILITIES COMMISSION**

**ORDER  
NUMBER G-138-12**

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

and

An Application by British Columbia Hydro and Power Authority  
for a Certificate of Public Convenience and Necessity  
for the John Hart Generating Station Replacement Project

**BEFORE:** M.R. Harle, Commissioner  
N.E. MacMurchy, Commissioner October 2, 2012  
R.D. Revel, Commissioner

## **O R D E R**

### **WHEREAS:**

- A. On May 25, 2012, British Columbia Hydro and Power Authority (BC Hydro) applied pursuant to section 46(1) of the *Utilities Commission Act* (the Act), for a Certificate of Public Convenience and Necessity (CPCN) (the Application) to construct and operate the John Hart Generating Station Replacement Project (the Project) as described in the Application;
- B. The Project Expected Amount is \$1,014.3 million, which includes costs to date, contingency, Interest During Construction (IDC) and capital overhead, but does not include the estimated \$15 million net book value of those assets retired as a result of the Project;
- C. The Project has two main components: 1) the replacement of the existing three penstocks with an underground tunnel incorporating a bypass facility to reduce flow interruptions to fish; and (2) the installation of three generating units in a new Powerhouse. The target in-service date is November 2018;
- D. On May 28, 2012, the Commission established a written process for the review of the Application having two rounds of Information Requests in accordance with the Regulatory Timetable in Appendix A to Commission Order G-68-12;
- E. On August 24, 2012, the Commission notified Registered Interveners that a Procedural Conference would be held on September 26, 2012 in Vancouver, BC (Exhibit A-6);

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- F. On September 21, 2012 BC Hydro advised the Commission that it had canvassed all remaining Registered Interveners on the need for a Procedural Conference. BC Hydro advised that all five of BC Hydro's customer interveners will not be submitting evidence, that they see no need for a third round of IRs and consequently do not see a need for a Procedural Conference. BC Hydro further stated that, Mr. Aikman, a BC Hydro customer advised that he had "no objection to proceeding directly to the legal arguments." However, Clean Energy Association of British Columbia (CEBC) representing independent power producers, and Mr. Alan Wait, a private ratepayer of FortisBC Inc., are of the view that a Procedural Conference was necessary (Exhibit B-9);
- G. BC Hydro submitted that a Procedural Conference was not needed on the basis that: (1) no intervener has indicated it intends to file evidence; (2) a third round of IRs was not necessary; and (3) that disagreements can and should be addressed through Final Submissions, subject to BC Hydro following up with CEBC regarding the adequacy of a tunnel-related response (Exhibit B-9);
- H. On September 21, 2012, the Commission advised all Registered Interveners that it considered BC Hydro's letter regarding the need for a Procedural Conference, and concluded that the Procedural Conference scheduled for September 26, 2012, was not required and therefore was cancelled (Exhibit A-7).

**NOW THEREFORE** the Commission orders as follows:

1. The Evidentiary Period is now closed for the submission of further evidence in this proceeding.
2. The Argument phase will proceed according to the Regulatory Timetable as set out in Appendix A to this Order.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 2<sup>nd</sup> day of October 2012.

BY ORDER

*Original signed by:*

M.R. Harle  
Commissioner

Attachment

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**REGULATORY TIMETABLE**

<b>Action</b>	<b>Date</b>
BC Hydro Final Submissions	Thursday, October 11, 2012
Intervener Final Submissions	Thursday, November 1, 2012
BC Hydro Reply Submissions	Thursday, November 22, 2012