



**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER R-42-12**

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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 Acceptance of a Revised Mitigation Plan and Extension Request
required for Compliance with Mandatory Reliability Standard
FAC-009-1 Requirement 1 - Violation ID: BCUC201000004**

BEFORE: **L.F. Kelsey**, Commissioner
D.M. Morton, Commissioner
R.D. Revel, Commissioner
C.A. Brown, Commissioner

July 12, 2012

O R D E R

WHEREAS:

- A. Section 125.2 of the *Utilities Commission Act* (Act) assigns exclusive jurisdiction to the British Columbia Utilities Commission (Commission) to determine whether a “reliability standard,” as defined in the Act, is in the public interest and should be adopted in British Columbia. By Order G-123-09 the Commission approved the Compliance Monitoring Program (CMP) for monitoring and enforcement of adopted reliability standards and appointed the Western Electricity Coordinating Council (WECC) as its Administrator for registration and monitoring compliance as per section 8 of the Act;
- B. Commission Order G-67-09 requires entities subject to approved Mandatory Reliability Standards to file mitigation plans outlining how they plan to achieve compliance;
- C. Pursuant to Section 5.3 of the CMP, a Mitigation Plan with respect to an Alleged Violation may be submitted at any time, and a Mitigation Plan with respect to a Confirmed Violation must be submitted within ten business days following confirmation by the Commission;
- D. On June 30, 2010, British Columbia Hydro and Power Authority (BC Hydro) submitted a Mitigation Plan to address the alleged violation of Reliability Standard FAC-009-1 R1. By Order G-152-10, the Commission approved the Mitigation Plan with a completion date of March 31, 2011, as shown below;

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Possible Noncompliance	Violation ID	Date Initial MP submitted to WECC	MP Approval	Proposed Completion Date
FAC-009-1 R1	BCUC201000004	June 30, 2010	G-152-10	March 31, 2011

- E. On October 16, 2011, BC Hydro submitted an Extension Request for the approved Mitigation Plan addressing the alleged violation of Reliability Standard FAC-009-1 R1. BC Hydro requested the new completion date be December 31, 2011;
- F. Per section 5.2 of the Compliance Monitoring Program (CMP), mitigation plans must have milestones. On November 9, 2011, WECC requested BC Hydro submit a Revised Mitigation Plan by December 9, 2011 in order to add milestones which are no more than ninety days apart. WECC also requested, that in the future, BC Hydro submit Extension Requests prior to completion dates;
- G. On February 1, 2012, BC Hydro submitted a Revised Mitigation Plan to address the alleged violation of Reliability Standard FAC-009-1 R1. The proposed completion date for the Revised Mitigation Plan is December 31, 2012 as per the Extension Request;
- H. By letter dated June 21, 2012, WECC recommended acceptance of the following Revised Mitigation Plan to bring BC Hydro into compliance with the standard listed below:

Reliability Standard	BCUC Violation ID	Completion Date
FAC-009-1 R1	BCUC201000004	December 31, 2012

- I. The Commission has reviewed WECC's recommendation and considers approval is warranted.

NOW THEREFORE pursuant to section 125.2 (10) of the Act and in accordance with the Compliance Monitoring Program, the Commission accepts WECC's recommendation and approves the Mitigation Plan with completion date as listed above.

DATED at the City of Vancouver, in the Province of British Columbia, this 13th day of July 2012.

BY ORDER

Original signed by:

L.F. Kelsey
Commissioner