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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER G-20-13**

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

and

Application by British Columbia Hydro and Power Authority
to Amend the Tariff Supplement No. 82

BEFORE: L.F. Kelsey, Commissioner
C.A. Brown, Commissioner February 7, 2013
B.A. Magnan, Commissioner
D.M. Morton, Commissioner
R.D. Revel, Commissioner
C. van Wermeskerken, Commissioner

O R D E R

WHEREAS:

- A. On October 16, 2009, British Columbia Hydro and Power Authority (BC Hydro) filed with the British Columbia Utilities Commission (Commission) its Large General Service (LGS) Rate Application (LGSRA) seeking orders to establish new energy rates for LGS customers;
- B. The LGSRA was reviewed by way of a negotiated settlement process. On June 29, 2010, the Commission approved the LGSRA Negotiated Settlement Agreement (LGSRA NSA) in Order G-110-10;
- C. The LGSRA NSA provided for, among other things, a two-part rate that credits customers when they reduce their electricity consumption below their historic energy consumption (HBL), or charges them if they consume more than their HBL;
- D. Clause 13 of the LGSRA NSA allows for customers who anticipate significant, permanent increases in energy consumption, as defined in clause 13, to apply for relief from the two-part rate on a prospective basis;
- E. Tariff Supplement (TS) No. 82, which was approved by the Commission on December 13, 2011 and February 29, 2012, in Orders G-213-11 and G-22-12 respectively, describes the rules that apply to LGS customer applications for prospective growth adjustments under clause 13 of the LGSRA NSA. Thirteen customers currently receive service under TS No. 82;

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- F. On November 6, 2012, BC Hydro applied for approval of certain amendments to TS No. 82 (the Application); specifically, BC Hydro is seeking to:
- Amend Section 3.4 (V) to remove an inadvertent and unnecessary restriction on the eligibility of customer demand-side management projects that may be used to adjust otherwise non-qualifying increases in energy consumption;
 - Amend Sections 4.4, 4.5, and 4.6, that account for the unforeseen possibility of monthly energy consumption less than pre-investment consumption, which under the current tariff language can provide unanticipated and unprincipled financial benefits to customers; and
 - To revise some unclear language to provide further clarity.
- G. On November 15, 2012, the Commission issued Order G-174-12 establishing a Regulatory Timetable for the written review of the Application;
- H. B.C. Sustainable Energy Association and the Sierra Club of British Columbia and Commercial Energy Consumers Association of British Columbia intervened in the proceeding. As detailed in their final submissions both of the Interveners support the Commission's approval of the Application in its entirety;
- I. The Commission has reviewed the Application and determines that approval of the Application is in the public interest.

NOW THEREFORE the Commission orders as follows:

1. The proposed amendments to Tariff Schedule No. 82, as applied for in the Application, are approved.
2. BC Hydro must file amended Tariff Rate Schedules in accordance with the terms of this Order within 30 days.

DATED at the City of Vancouver, in the Province of British Columbia, this 7th day of February 2013.

BY ORDER

Original signed by:

D.M. Morton
Commissioner