



**ORDER NUMBER
G-125-16**

IN THE MATTER OF
the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

Spirit Bay Utilities Ltd.
Exemption Pursuant to Section 88(3) of the *Utilities Commission Act*

BEFORE:

N. E. MacMurphy, Panel Chair/Commissioner

on July 29, 2016

ORDER

WHEREAS:

- A. On June 1, 2016, Spirit Bay Utilities Ltd. filed an application with the British Columbia Utilities Commission (Commission) for an exemption pursuant to section 88(3) of the *Utilities Commission Act* (UCA) from the application of Part 3, Regulation of Public Utilities, of the UCA with respect to the proposed provision of electricity, propane, heat and cooling delivered through local distribution systems by the Spirit Bay Utilities Ltd. to the Spirit Bay Community (Application);
- B. In the event that the section 88(3) exemption is denied, the Application requests that, pursuant to section 72 of the UCA, that the Commission issue a declaration that the Beecher First Nation is a municipality or regional district for the purpose of the UCA;
- C. The Spirit Bay Community is a new development located on Beecher Bay First Nation reserve land approximately 20 kilometers southwest of Victoria, BC;
- D. By Order G-95-16, the Commission established a regulatory timetable for the review of the Application through a written hearing process including provision for a procedural conference on Tuesday, August 2, 2016;
- E. On July 25, 2016, Spirit Bay Utilities Ltd. provided its responses to the first round of information requests;
- F. By letter dated July 27, 2016, the Commission established a procedural conference for Tuesday, August 2, 2016 and requested that the parties address specific items at the procedural conference;
- G. All registered interveners have advised the Commission that the evidentiary record is adequate and that they wish to proceed with the review of the Application by written submissions; and
- H. The Commission finds that an amendment to the Regulatory Timetable is warranted.

NOW THEREFORE the British Columbia Utilities Commission orders as follows:

1. The Procedural Conference scheduled for Tuesday, August 2, 2016 is cancelled.
2. The amended Regulatory Timetable for the review of the Spirit Bay Utilities Ltd. application for an exemption pursuant to section 88(3) of the *Utilities Commission Act* is set out as attached as Appendix A to this order.

DATED at the City of Vancouver, in the Province of British Columbia, this 29th day of July 2016.

BY ORDER

Original Signed By:

N. E. MacMurchy
Commissioner

Attachment

Spirit Bay Utilities Ltd.
Exemption Pursuant to Section 88(3) of the *Utilities Commission Act*

REGULATORY TIMETABLE

ACTION	DATE (2016)
Spirit Bay Utilities Ltd. Final Argument	Tuesday, August 9
Intervener Final Arguments	Tuesday, August 16
Spirit Bay Utilities Ltd. Reply Argument	Tuesday, August 23