



ORDER NUMBER
G-261-20

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

and

Kyuquot Power Ltd.
Investigation into the Safety and Reliability of the KPL System

BEFORE:

D. M. Morton, Commissioner
C. Brewer, Commissioner
T. A. Loski, Commissioner

on October 19, 2020

ORDER

WHEREAS:

- A. By email dated February 13, 2020, a representative of the Ka:'yu:'k't'h' / Che:k'tles7et'h' First Nations (KCFN) filed a complaint with the British Columbia Utilities Commission (BCUC) concerning, amongst other things, a safety matter regarding Kyuquot Power Ltd. (KPL) (Complaint);
- B. The KPL power distribution system (KPL System) is interconnected to the British Columbia Hydro and Power Authority (BC Hydro) electric system and supplies customers, including KCFN, the Village of Hupsitas and others on the outer coast of Kyuquot Sound, with electricity;
- C. In the Complaint, the KCFN representative stated concerns regarding the reliability, service and maintenance of the KPL System;
- D. On February 14, 2020, the BCUC contacted KPL regarding the Complaint and subsequently requested KPL to provide a written response to the Complaint;
- E. On February 21, 2020, KPL responded, indicating that all but one item that had been identified in the Complaint had been corrected. KPL submitted that the single remaining item would be corrected within 30 days as permitted by Technical Safety British Columbia;
- F. On March 8, 10, 11, and 12, 2020, the KCFN representative contacted the BCUC regarding ongoing power outages of the KPL System;
- G. On March 15, 2020, the BCUC issued Order G-50-20, which among other things directed KPL to provide the BCUC with daily updates starting from March 16, 2020, for the following 15 days on the status of the KPL System, including its operational status, work performed, work planned for the KPL system and a KPL System Stabilization Plan, which included a high-level technical assessment of the KPL System by a qualified

professional engineer. The KPL System Stabilization Plan included action items for KPL to undertake to maintain system stability;

- H. On March 17 and 26, 2020, KPL submitted letters to the BCUC requesting an extension to the filing of compliance directives pursuant to Order G-50-20 to March 30, 2020, because of resource availability following the COVID-19 pandemic. The BCUC granted KPL the extension requests and, on March 30, 2020, KPL submitted all of the compliance directives in accordance with Order G-50-20;
- I. In accordance with the BCUC's Complaint Guidelines, the KCFN made submissions in response to KPL's compliance directives on April 28, 2020;
- J. On May 15, 2020, by Order G-115-20, the BCUC established a regulatory timetable to review the safety and reliability of the KPL system;
- K. On June 15, 2020, the BCUC submitted BCUC Information Request (IR) No. 1 to KPL;
- L. On June 21 and 24, 2020 respectively, the KCFN and British Columbia Old Age Pensioners' Organization et al. (BCOAPO) submitted their requests to intervene;
- M. On June 30, 2020, KCFN submitted a letter requesting a one-day extension to the filing of Intervener IR No. 1. The Panel considered the KCFN request and granted the extension;
- N. On July 7, 2020, KPL submitted a letter requesting a one-week extension of the July 20, 2020 deadline to submit KPL's response to the KCFN IR No. 1;
- O. On July 27, 2020, KPL submitted their response to BCUC and KCFN IR No. 1;
- P. On August 21, 2020, BCUC amended the regulatory timetable to include another round of BCUC IRs. On August 28, 2020, the BCUC submitted BCUC IR No. 2 to KPL and BCUC IR No. 1 to KCFN;
- Q. On September 23, 2020, KCFN submitted responses to BCUC IR No. 1 and on September 25, 2020, KPL submitted responses to BCUC IR No. 2;
- R. The BCUC has reviewed the evidence submitted to date and determines that critical items remain incomplete, including urgent vegetation and maintenance work identified in KPL's System Stabilization Plan; and
- S. Given the uncertainty on what effects inclement weather could have on the safety and reliability of KPL's system, especially due to the lack of vegetation management and maintenance work completed, the BCUC determines that an interim order is warranted.

NOW THEREFORE, pursuant to sections 23, 25, 38, and 90 of the *Utilities Commission Act*, the BCUC orders as follows:

- 1. KPL is directed to provide the BCUC with a vegetation management plan identifying all urgent vegetation work on the KPL System (Vegetation Plan) within 21 days of the issuance of this Order. The Vegetation Plan shall be approved by a qualified utility arborist and shall include:
 - a. An action plan to complete priority items by November 20, 2020; and
 - b. An action plan and schedule to complete all remaining urgent vegetation work.

2. KPL is directed to provide the BCUC with a report demonstrating the completion of the action items identified in Directive 1(a) (Vegetation Plan Completion Report) by no later than November 27, 2020. The Vegetation Plan Completion Report shall be approved by a qualified utility arborist.
3. KPL is directed to provide the BCUC with a plan identifying all outstanding maintenance work on the KPL System (Maintenance Plan) within 21 days of the issuance of this Order. The Maintenance Plan shall be approved by a qualified professional engineer and shall include:
 - a. An action plan to complete priority items by November 20, 2020; and
 - b. An action plan and schedule to complete all remaining outstanding maintenance work.
4. KPL is directed to provide the BCUC with a report demonstrating the completion of the action items identified in Directive 3(a) (Maintenance Plan Completion Report) by no later than November 27, 2020. The Maintenance Plan Completion Report shall be approved by a qualified professional engineer.
5. KPL is directed to provide the BCUC with a detailed scope and timeframe to complete KPL's full safety and condition assessment report (Assessment Report), which was included in KPL's March 30, 2020 System Stabilization Plan within 21 days of the issuance of this Order.
6. KPL is directed to conduct a review of its maintenance and safety management procedures under the guidance of a qualified professional engineer. KPL is directed to provide a report to the BCUC outlining the findings of the review and plans to implement any recommended changes to its maintenance and safety management procedures by November 27, 2020.

DATED at the City of Vancouver, in the Province of British Columbia, this 19th day of October 2020.

BY ORDER

Original signed by:

D. M. Morton
Commissioner