



ORDER NUMBER
G-46-22

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

and

Lake Okanagan Resort (2013) Ltd.
Application for Exemption under Section 88(3) of the *Utilities Commission Act*

BEFORE:

E. B. Lockhart, Panel Chair
T. A. Loski, Commissioner
B. A. Magnan, Commissioner

on February 22, 2022

ORDER

WHEREAS:

- A. On January 18, 2022, Lake Okanagan Resort (2013) Ltd. (LOR) applied to the British Columbia Utilities Commission (BCUC) pursuant to section 88(3) of the *Utilities Commission Act* (UCA) seeking approval for exemption from section 71 and Part 3, except for sections 25, 38, 41 and 42 of the UCA (Application);
- B. In the Application, LOR states that it purchases electricity from British Columbia Hydro and Power Authority (BC Hydro) under Rate Schedule 1611 and resells electricity to four Strata Corporations that operate on the grounds of LOR's resort located on Lake Okanagan:
- Strata Corporation KAS 3858;
 - Strata Corporation KAS 287;
 - Strata Corporation KAS 322; and
 - Strata Corporation KAS 316 (together, Strata Corporations);
- C. LOR acknowledges that it owns and operates equipment or facilities for the transmission, sale, delivery and provision of electricity to the public or corporation for compensation and falls under the definition of a public utility in the UCA;
- D. In the UCA, a public utility is defined in section 1, in part, as:

A person, or the person's lessee, trustee, receiver or liquidator, who owns or operates in British Columbia, equipment or facilities for the (a) production, generation, storage, transmission, sale, delivery or provision of electricity, natural gas, steam or any other agent for the production of light, heat, cold or power to or for the public or a corporation for compensation; and

- E. The Panel determines that the establishment of a written comment process for review of the Application is warranted.

NOW THEREFORE the BCUC orders as follows:

1. A public written comment process is established in accordance with the regulatory timetable as set out in Appendix A to this order.
2. LOR is directed, as soon as reasonably possible, but no later than Tuesday, March 8, 2022, to provide notice of the Application and a copy of this order, electronically where possible, to all affected or potentially affected parties, including:
 - a. the Strata Corporations, BC Hydro, the Regional District of Central Okanagan, the City of Kelowna; and
 - b. the Westbank First Nation, the Okanagan Indian Band, the Okanagan Nation Alliance, and all band offices for First Nations communities located fully or partially within the area.
3. LOR is directed to provide to the BCUC, by Wednesday, March 9, 2022, a list of all parties notified of the Application, as directed in Directive 2 of this order.
4. In accordance with [BCUC's Rules of Practice and Procedure](#), parties who wish to participate in the proceeding may submit a letter of comment by the date established in the regulatory timetable attached as Appendix A to this order. Letters of comment must be in the Letter of Comment Form available on the BCUC's website at: <http://www.bcuc.com/forms/letterof-comment.aspx>

DATED at the City of Vancouver, in the Province of British Columbia, this 22nd day of February 2022.

BY ORDER

Original signed by:

E. B. Lockhart
Commissioner

Attachment

Lake Okanagan Resort
Application for Exemption under Section 88(3) of the *Utilities Commission Act*

REGULATORY TIMETABLE

Action	Date (2022)
LOR to provide notice of Application	Tuesday, March 8
LOR to provide to the BCUC a list of all parties notified of the Application	Wednesday, March 9
BCUC Information Request (IR) No. 1 to LOR	Thursday, March 17
LOR Responses to BCUC IR No. 1	Thursday, March 31
Deadline to submit letters of comment	Thursday, April 7
LOR response to letters of comment	Thursday, April 14
Further process	To be determined