



**bcuc**  
British Columbia  
Utilities Commission

**Sara Hardgrave**  
Acting Commission Secretary

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August 22, 2022

Sent via email

**Letter L-33-22**

Gabriel Bouvet-Boisclair  
Deputy Corporate Officer  
City of Nelson  
Suite 101, 310 Ward Street  
Nelson, BC V1L 5S4  
dco@nelson.ca

**Re: Nelson Hydro – Cost of Service Analysis and Rate Design Application – Project No. 1599166 – Request for Extension to File Reconsideration**

Dear Mr. Bouvet-Boisclair:

By letter dated August 16, 2022, Nelson Hydro filed a letter<sup>1</sup> with the British Columbia Utilities Commission (BCUC) seeking permission pursuant to Section 27.02 of the BCUC's Rules of Practice and Procedure to extend and preserve its right to file an application for reconsideration of Decision and Order G-196-22 dated July 19, 2022, from 60 days of their issuance to 60 days after a determination on Nelson Hydro's rate design proposal is made.

In its August 16, 2022 letter, Nelson Hydro states that it believes there are adequate grounds to seek reconsideration of some aspects of Decision and Order G-196-22. However, until a final determination on rates is made, Nelson Hydro is not in a position to determine whether it is necessary to pursue such relief. Nelson Hydro notes that as Decision and Order G-196-22 were issued on July 19, 2022, and that it has been granted an extension until September 16, 2022 to file the modified cost of service analysis (COSA), the 60-day period to request reconsideration of Decision and Order G-196-22 will have elapsed by the time Nelson Hydro files the modified COSA. Accordingly, Nelson Hydro requests that the time for filing an application for reconsideration of Decision and Order G-196-22 be extended to 60 days following a determination on Nelson Hydro's rate design proposal.

As the BCUC expects Nelson Hydro to file a proposed modified rate design based on the modified COSA, it considers the extension request to be reasonable in the circumstances. Accordingly, the BCUC grants Nelson Hydro permission to file a reconsideration of Decision and Order G-196-22 within 60 days of the BCUC's determination on Nelson Hydro's modified rate design proposal.

Sincerely,

*Original signed by:*

Sara Hardgrave  
Acting Commission Secretary

MS/nm

Enclosure

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<sup>1</sup> A copy of Nelson Hydro's letter dated August 16, 2022 is attached



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Suite 101, 310 Ward Street, Nelson, British Columbia, V1L 5S4

August 16, 2022

British Columbia Utilities Commission  
Suite 410, 900 Howe Street  
Vancouver, BC V6Z 2N3

Attention: Sara Hardgrave, Acting Commission Secretary

**RE: Nelson Hydro – Cost of Service Analysis and Rate Design Application – Project No. 1599166 – Decision and Order G-196-22 – Request to Preserve Right to File for Reconsideration Until Rate Determination is Issued**

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Dear Ms. Hardgrave,

Nelson Hydro writes to respectfully request that its right to file an application for reconsideration with regard to the matters arising out of the Commission's Decision and Order G-196-22 be preserved until 60 days after a determination on Nelson Hydro's rate design proposal is made. Order G-196-22 directed Nelson Hydro to recalculate the 2019 COSA in a manner compliant with the accompanying Decision. At this time, the Commission has made no determination on Nelson Hydro's rate design proposal<sup>1</sup>, but has noted that the recalculated 2019 COSA is expected to "have a material effect on the ultimate allocation of costs between the Rural and Urban customer classes, and consequently on Rural customers' rates."<sup>2</sup> Nelson Hydro believes that there are adequate grounds to seek reconsideration of some aspects of Decision and Order G-196-22. However, until a final determination on rates is made, Nelson Hydro is not in a position to determine whether it is necessary to pursue such relief.

Rule 27.02 of the Commission's Rules of Practice and Procedure as set out in Order G-178-22 provides that "unless prior permission of the BCUC is obtained, an application for reconsideration must be filed with the BCUC within 60 days of the issuance of the order or the reasons for decision, whichever is later."<sup>3</sup> As Decision and Order G-196-22 were issued July 19, 2022 and Nelson Hydro has been granted an extension until September 16, 2022 to file the modified COSA, Nelson Hydro will not have a final determination on rates until after the 60 day period to request reconsideration of Decision and Order G-196-22 will have expired. Accordingly, in the interest of both fairness and efficiency, Nelson Hydro is respectfully requesting that its window to file an application for reconsideration of Decision and Order G-196-22 be extended to 60 days following a determination on Nelson Hydro's rate design proposal.

If there are any questions with regard to the above, please do not hesitate to contact the undersigned.

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<sup>1</sup> Decision and Order G-196-22 dated July 19, 2022, p. 3.

<sup>2</sup> Decision and Order G-196-22 dated July 19, 2022, p. 1.

<sup>3</sup> Decision and Order G-178-22, dated June 30, 2022, p. 16.

Sincerely,

A handwritten signature in black ink, appearing to be 'GB' followed by a stylized flourish.

Gabriel Bouvet-Boisclair  
Deputy Corporate Officer  
City of Nelson  
Email: [dco@nelson.ca](mailto:dco@nelson.ca) | Phone: 250-352-8254

cc: Scott Spencer, Nelson Hydro General Manager