



**ORDER NUMBER**  
**F-35-22**

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

and

British Columbia Hydro and Power Authority  
Open Access Transmission Tariff Generator Interconnection Amendments  
Participant Assistance/Cost Award Application

**BEFORE:**

A. K. Fung, KC, Panel Chair  
A. C. Dennier, Commissioner  
B. A. Magnan, Commissioner

on December 20, 2022

**ORDER**

**WHEREAS:**

- A. On January 27, 2022, British Columbia Hydro and Power Authority (BC Hydro) filed an application with the British Columbia Utilities Commission (BCUC) seeking approval to Amend Attachment M-1, Rate Schedule (RS) 05, Attachment B, and Attachment L of the Open Access Transmission Tariff (OATT) pursuant to sections 58 to 61 of the *Utilities Commission Act* (UCA) (Application);
- B. By Order G-33-22, dated February 15, 2022, the BCUC established a regulatory process for the proceeding, which was subsequently amended by BCUC Orders G-101-22, G-139-22, G-191-22, G-215-22, and G-255-22. The regulatory process included two rounds of written information requests, final arguments, and reply to final arguments;
- C. Commercial Energy Consumers Association of BC (the CEC), and BC Solar and Storage Industries Association (BCSSIA) registered as interveners in the proceeding;
- D. By Order G-304-22, the BCUC approved the Application;
- E. Each of the CEC and BCSSIA filed a Participant Assistance/Cost Award (PACA) application with the BCUC, with respect to its participation in the proceeding, as follows:

| Date             | Participant | Application |
|------------------|-------------|-------------|
| October 12, 2022 | The CEC     | \$22,928.11 |
| October 20, 2022 | BCSSIA      | \$30,026.50 |

- F. By letter correspondence dated November 10, 2022, BC Hydro provided its comments on the PACA applications requesting the BCUC to reduce the amount of the applied for cost awards;
- G. By email dated December 5, 2022, BCSSIA provided its reply comments to BC Hydro's comments;
- H. By letter dated December 9, 2022, BC Hydro stated it had no further comments to add pertaining to the PACA Applications; and,
- I. The BCUC has reviewed the PACA applications in accordance with the criteria and rates set out in the PACA Guidelines, attached to BCUC Order G-97-17, and concludes that approval of the cost awards is warranted.

**NOW THEREFORE** pursuant to section 118(1) of the *Utilities Commission Act*, the BCUC orders as follows:

1. For the reasons outlined in Appendix A to this order, funding is awarded to the CEC and BCSSIA in the listed amounts below for their participation in the proceeding:

| Participant | Award       |
|-------------|-------------|
| The CEC     | \$22,928.11 |
| BCSSIA      | \$30,026.50 |

2. BC Hydro is directed to reimburse the CEC and BCSSIA in a timely manner.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 20<sup>th</sup> day of December 2022.

BY ORDER

*Original signed by:*

A. K. Fung, KC  
Commissioner

Attachment

British Columbia Hydro and Power Authority  
Open Access Transmission Tariff Generator Interconnection Amendments

---

REASONS FOR DECISION

---

**1.0 Background**

On January 27, 2022, British Columbia Hydro and Power Authority (BC Hydro) filed an application with the British Columbia Utilities Commission (BCUC) seeking approval to Amend Attachment M-1, Rate Schedule (RS) 05, Attachment B, and Attachment L of the Open Access Transmission Tariff (OATT) pursuant to sections 58 to 61 of the Utilities Commission Act (UCA) (Application).<sup>1</sup>

By Order G-304-22, dated October 27, 2022, the BCUC approved the application.

BC Solar and Storage Industries Association (BCSSIA) and Commercial Energy Consumers Association of BC (the CEC) registered as interveners in the proceeding.

The BCUC received applications for Participant Assistance/Cost Award (PACA) from both interveners with respect to their participation in the proceeding.

**2.0 Legislative Framework**

Section 118(1) of the *Utilities Commission Act* (UCA) provides that “The commission may order a participant in a proceeding before the commission to pay all or part of the costs of another participant in the proceeding.”

The PACA Guidelines as set out in Appendix A attached to BCUC Order G-97-17 dated June 15, 2017, stipulate the eligibility requirements and criteria used in assessing cost awards, including the process for applying for a cost award, eligible costs and rates.

Section 3.1 of the PACA Guidelines outlines the considerations to determine participant eligibility for a cost award. If the participant is eligible for a cost award, the Panel then considers the following in determining the amount of a participant’s cost award in accordance with section 4.3 of the PACA Guidelines:

- (a) Has the participant contributed to a better understanding by the BCUC of the issues in the proceeding?
- (b) To what degree will the participant be affected by the outcome of the proceeding?
- (c) Are the costs incurred by the participant fair and reasonable?
- (d) Has the participant joined with other groups with similar interests to reduce costs?
- (e) Has the participant made reasonable efforts to avoid conduct that would unnecessarily lengthen the duration of the proceeding, such as ensuring participation was not unduly repetitive?
- (f) The funding day calculation for funding in accordance with sections 4.1 and 4.2, if one is provided.
- (g) Any other matters which the BCUC determines appropriate in the circumstances.

---

<sup>1</sup> Exhibit B-1

### 3.0 PACA Applications

On October 12, 2022, the CEC filed a Participant Assistance/Cost Award (PACA) application with the BCUC seeking \$22,928.11 with respect to its participation in the proceeding.

On October 20, 2022, BCSSIA CEC filed a Participant Assistance/Cost Award (PACA) application with the BCUC seeking \$30,026.50 with respect to its participation in the proceeding.

In accordance with Section 14.2 of the PACA Guidelines, BC Hydro was afforded the opportunity to comment on the PACA applications.

On November 10, 2022, BC Hydro submitted to the BCUC its comment to the PACA applications requesting the BCUC to revise the total amount of PACA awards downwards “based on the nature of the application and the low level of revenue BC Hydro receives from transmission generator interconnections”.<sup>2</sup>

On November 30, 2022, BCUC Staff requested supporting documentation from BCSSIA pertaining to its PACA application.

On December 5, 2022, BCSSIA submitted the additional requested information and provided additional comment to BC Hydro’s comment on November 10, 2022. BC Hydro was afforded the opportunity to reply to BCSSIA’s additional submission and replied stating it did not have further comment. CEC and BCSSIA were provided an additional opportunity provide comment on BC Hydro’s submission. Neither participant provided additional correspondence.

### 4.0 BCUC Determination

**The Panel finds the amounts in the PACA applications to be fair and reasonable and awards the respective funding as applied for.**

The Panel, in its review of the PACA applications, is guided by the PACA Guidelines. The Panel is satisfied that the CEC and BCSSIA meet the eligibility criteria outlined in the BCUC’s PACA Guidelines for a cost award in this proceeding. The Panel finds that all participants are eligible for PACA funding in this proceeding as they represent the direct interests of ratepayer groups and considers that each applicant contributed to a better understanding of the issues raised in this proceeding. Further, the Panel notes that the CEC and BCSSIA actively participated in the proceeding and finds that the number of funding days claimed for legal counsel and consulting is reasonable.

The Panel does not agree with BC Hydro that the PACA awards should be revised downward “based on the nature of the application and the low level of revenue BC Hydro receives from transmission generator interconnections”<sup>3</sup>. As indicated in BCSSIA’s letter of comment, the amount of revenue generated resulting from an application is not relevant in the BCUC’s determination on the amount of funding sought by interveners. Rather, Interveners are required to demonstrate that the amount of the PACA award is appropriate in accordance with the criteria set out in the PACA Guidelines, none of which limits the nature of the application or considers the amount of revenue generated as a result of the application. As already noted above, the Panel finds that the CEC and BCSSIA are both eligible for costs awards and contributed to a better understanding of the issues. Nothing in the PACA Guidelines supports a reduction in the amount of the awards claimed by the interveners. **Therefore, the Panel awards the CEC and BCSCIA the respective funding as applied for.**

---

<sup>2</sup> BC Hydro email to the BCUC Commission Secretary, dated September 10, 2022.

<sup>3</sup> *Ibid.*