



ORDER NUMBER
G-35-23

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

and

Lake Okanagan Resort
Application to file Permanent Rates

BEFORE:

T. A. Loski, Commissioner

on February 16, 2023

ORDER

WHEREAS:

- A. By Order G-333-19 dated December 18, 2019, the British Columbia Utilities Commission (BCUC) determined that Lake Okanagan Resort (LOR) is a public utility as defined in section 1 of the *Utilities Commission Act* (UCA) and is therefore subject to regulation by the BCUC under the UCA;
- B. LOR purchases electricity from British Columbia Hydro and Power Authority (BC Hydro) under Residential Service 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. Further in Order G-333-19, the BCUC accepted LOR's current rate schedule on an interim and recoverable basis, and directed LOR to file, as soon as possible, an application for its permanent rates, electric tariff, and general terms and conditions (Permanent Rate Application);
- D. By Letter L-26-20, LOR was directed to re-file comprehensive interim tariff pages for endorsement and to provide an update as to the progress and expected filing date of LOR's Permanent Rate Application by May 29, 2020. Further, LOR was directed to file with the BCUC a Certificate of Public Convenience and Necessity (CPCN) application and the Permanent Rate Application by June 15, 2020;
- E. By letters dated November 3 and 19, 2020, respectively, LOR filed its proposed filing dates of the CPCN application, permanent rate application and interim tariff pages. LOR further submitted that a consultation process with stakeholders would be established and that a subsequent update would be provided to the BCUC;

- F. On March 8, 2021, LOR submitted to the BCUC an application for interim tariff rates, which was approved by Order G-112-21, dated April 14, 2021;
- G. On January 18, 2022, LOR submitted an application seeking approval for exemption from section 71 and Part 3, except for sections 25, 38, 41 and 42 of the UCA (Exemption Application);
- H. By Order G-16-23 dated January 26, 2023, the BCUC denied LOR's Exemption Application; and
- I. The BCUC considers the following determinations are warranted.

NOW THEREFORE the BCUC orders as follows:

- 1. Pursuant to sections 45 and 58-61 of the UCA, LOR is directed to file with the BCUC, an application seeking the following within thirty (30) days of this Order:
 - a. Permanent Rates Application; and
 - b. CPCN application.

DATED at the City of Vancouver, in the Province of British Columbia, this 16th day of February 2023.

BY ORDER

Original signed by:

T.A. Loski
Commissioner