



**ORDER NUMBER
G-80-23**

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 April 13, 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. 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);
- E. By Order G-16-23 dated January 26, 2023, the BCUC denied LOR's Exemption Application;
- F. By Order G-35-23, dated February 16, 2023, the BCUC directed LOR to file its Permanent Rate Application and Certificate of Public Convenience and Necessity Application (CPCN) within 30 days of the date of the Order;

- G. By letter dated March 15, 2023, LOR requested an extension to file its Permanent Rate Application and CPCN, citing it had engaged British Columbia Hydro and Power Authority (BC Hydro) to explore delegating the utility management from LOR to BC Hydro; and
- H. The BCUC has reviewed the extension request and noting the Permanent Rate Application has been outstanding since the issuance of G-333-19, therefore the following determinations are warranted.

NOW THEREFORE the BCUC orders as follows:

- 1. LOR is directed to file with the BCUC, within thirty (30) days of this Order, a submission outlining the following:
 - a. whether the permanent rates for LOR should remain the same as the interim rate; or
 - b. whether a different permanent rate should be set for LOR along with the basis for the new rate.
- 2. The CPCN is deferred pending further determination of the BCUC or the outcome of LOR's discussions with BC Hydro, whichever occurs earlier.

DATED at the City of Vancouver, in the Province of British Columbia, this 13th day of April 2023.

BY ORDER

Original signed by:

T.A. Loski
Commissioner

Lake Okanagan Resort
Application to file Permanent Rates

REGULATORY TIMETABLE

Action	Date (2023)
Submission regarding Permanent Rates	Monday, May 15
Further Process	To be determined