



**ORDER NUMBER
F-38-23**

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

and

British Columbia Hydro and Power Authority
Complaint filed by Gitga'at First Nation regarding Remote Community Electrification Program Fees
Participant Cost Award Application

BEFORE:

C. M. Brewer, Panel Chair
A. K. Fung, KC, Commissioner
T. A. Loski, Commissioner

on October 30, 2023

ORDER

WHEREAS:

- A. On April 6, 2022, Gitga'at First Nation (GFN) filed a complaint with the British Columbia Utilities Commission (BCUC) concerning an annual charge of approximately \$85,000, paid to British Columbia Power and Hydro Authority (BC Hydro) in relation to an electricity service agreement (Complaint);
- B. By Order G-272-22 dated September 28, 2022, the BCUC established a public proceeding to hear the Complaint (Complaint Proceeding);
- C. The regulatory timetable for the Complaint Proceeding included, amongst other things, public notice, intervener registration, letters of comment, and information requests;
- D. By letter dated September 29, 2022, GFN requested eligibility for a cost award in the Complaint Proceeding pursuant to Rule 34.03 of the BCUC's Rules of Practice and Procedure (PCA Eligibility Request);
- E. By Order G-290-22 dated October 18, 2022, the BCUC granted GFN's PCA Eligibility Request;
- F. On September 18, 2023, the BCUC issued Decision and Order G-247-23 finding the annual charge to be an unapproved rate and directing BC Hydro to refund GFN the amounts collected since the inception of the electricity service agreement, plus interest;
- G. On September 19, 2023, GFN filed a participation cost award application with the BCUC with respect to GFN's participation in the Complaint Proceeding for a total of \$33,892.50 (PCA Application);
- H. By letter dated October 6, 2023, BC Hydro provided its comments on the PCA Application, stating that it has no objection to GFN receiving the cost award requested; and

I. The BCUC concludes that the cost award requested by GFN should be granted.

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

1. Costs are awarded to GFN for the requested amount of \$33,892.50 for its participation in the Complaint Proceeding.
2. BC Hydro is directed to reimburse GFN for the awarded amount in a timely manner.

DATED at the City of Vancouver, in the Province of British Columbia, this 30th day of October 2023.

BY ORDER

Original signed by:

C. M. Brewer
Commissioner