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April 24, 2012

**VIA ELECTRONIC MAIL**

British Columbia Utilities Commission  
Sixth Floor, 900 Howe Street  
Vancouver, BC  
V6Z 2N3

**Attention: Alanna Gillis, Acting Commission Secretary**

Dear Sirs/Mesdames:

**Re: British Columbia Hydro and Power Authority (BC Hydro) ~ Certificate of Public Convenience and Necessity for the Dawson Creek/Chetwynd Area Transmission Project ~ Project No. 3698640**

We are counsel to the Commercial Energy Consumers Association of British Columbia (CEC). Our client has reviewed BC Hydro's letter response dated April 17, 2012 and the Exhibit B-22 evidence filed by BC Hydro. The CEC's response to the BC Hydro proposals for dealing with the hearing are as follows. The CEC will have further comments at the procedural conference scheduled for May 2, 2012.

BC Hydro acknowledges that some of the questions asked in Information Request (IR) #3 may not be fully answered. Nevertheless, the CEC submits that it would be most efficient for this proceeding to accept BC Hydro's Exhibit B-22 evidence as its response to the CP and Intervener round 3 questions.

BC Hydro asks to be relieved from any further obligation to respond to these questions in this proceeding. The CEC is concerned that the Commission should not grant such a request because there is no clear reason why either an IR #4 or an oral hearing might not involve answering questions in regard to these IR #3 questions and or for that matter any other matter of evidence before the Commission. The CEC does not believe the Commission can suitably define a bright line exclusion from further questions if the evidence filed is to be tested.

BC Hydro is prepared to answer any remaining IR#3 questions as part of a final round of responses. BC Hydro asks that interveners confirm requests for replies to unanswered questions. The CEC accepts that BC Hydro may complete its response to questions as part of the further processes to be defined in this proceeding. As BC Hydro knows what it claims to have answered and what it has not, it would be useful for BC Hydro to inform each intervener of the list it

considers to have not been answered. The CEC requests the Commission direct that this list be required. The CEC would then be satisfied that it could respond expeditiously to BC Hydro as to whether or not it wishes to drop its interest in obtaining responses to unanswered questions.

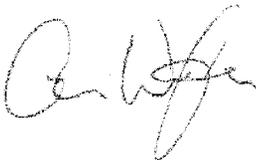
BC Hydro submits that a fourth round of IRs is not required but if there is to be one BC Hydro requests that it be restricted to the material filed March 23, 2012, exclude IRs to which BC Hydro has objected, but include IRs to which BCUC has overruled BC Hydro's objection after the Procedural Conference. The CEC submits that the supplemental evidence (SE) is quite extensive and for some interveners may give rise to questions that fall between the SE and preceding evidence. The CEC submits that the blanket restrictions proposed could be problematic and recommends that the Commission rely on the usual procedure that the interveners ask questions and the applicant decides what the nature of its response will be. The CEC does not believe it is useful for the Commission to be making broad blanket exclusionary rulings except where the Commission intentionally intends to limit scope.

BC Hydro sets up its proposal with regard to the remainder of the process and the nature of that process as conditional on whether or not the Commission agrees with BC Hydro that a fourth round of information requests is not needed and suggests that if the Commission agrees with the precondition that the process move to either a written process or an oral hearing. The CEC does not agree with BC Hydro's premise condition. Instead, the CEC submits that whether or not the Commission believes that a fourth round of IRs is necessary the process may proceed to either an oral hearing or a written process. The CEC is prepared to forgo a fourth round of information requests but submits that in this case and or if the Commission finds it useful to have a fourth round of IRs the Commission would be well served by having the evidence tested in an oral proceeding.

If you have any questions regarding the foregoing, please do not hesitate to contact the undersigned or David Craig at (604) 568-4904.

Yours truly,

**OWEN BIRD LAW CORPORATION**



Christopher P. Weafer  
CPW/jlb  
cc: CEC  
cc: BC Hydro  
cc: Registered Intervenors