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Our File No.: 05497-0216-0000

January 16, 2013

BY EMAIL

British Columbia Utilities Commission
6th floor, 900 Howe Street
Vancouver, BC V6Z 2N3

**Attention: Erica M. Hamilton,
Commission Secretary**

Dear Sirs/Mesdames:

**Re: FortisBC Inc. (FortisBC) – Application for a Certificate of Public
Convenience and Necessity for the Advanced Metering Infrastructure
Project (AMI Project)**

We write further to the Commission's letter dated January 11, 2013 (Exhibit A-26) with respect to whether a third round of information requests (IRs) should be provided on the topics (set out in italics, using the wording in Exhibit A-26) noted below.

With the exception noted below in item 5, FortisBC does not support a further round of IRs on these topics. There have already been two rounds of IRs during which FortisBC has answered approximately 2,500 IRs. This has been a time-consuming and costly process. The further expenditure of time and cost entailed by an additional IR round is not warranted. In various respects the further IRs sought by Interveners are not relevant, are duplicative or are otherwise unnecessary or unproductive.

1) Paper attached by CSTS Coalition by Jeff Gilbert 'on behalf of Itron' and comparison with proposed AMI meters: A third round of IRs should not be provided on this paper. IRs are intended to clarify existing evidence filed by an applicant. FortisBC's evidence does not include Mr. Gilbert's paper which, as is apparent from its face, is dated (it was evidently prepared on or before May 24, 2007) and contains information related to Itron products that are not proposed as part of the AMI application. CSTS' request in Exhibit C9-5 (for FortisBC to provide comparative and additional information) is itself premised on the fact that Mr. Gilbert's paper addresses meters other than those at issue in this proceeding.

Further, the evidentiary record already includes substantial technical information about the meters proposed to be used for the AMI Project. FortisBC has already filed such information in Exhibit B-1 (Appendix C-5: "Status of Research on Radiofrequency Exposure and Health in Relation to Advanced

Metering Infrastructure”, and specifically p. A-2 of Appendix A to that report, entitled “Technical Memorandum: Advanced Metering Infrastructure Exposure Assessment”); FortisBC’s responses to CSTS IR1 57.7 and IR2 43.7; and Appendix BCSEA IR1 55.8.

2) *Location of [wireless] collectors in each community.* The location of collectors has already been addressed in several IRs. The information that FortisBC has provided includes a map depicting preliminary collector locations (Exhibit B-16: FortisBC’s responses to Ms. Postnikoff’s IR 4). Additionally, FortisBC answered other questions regarding the placement of collectors (BCSEA IR1 25.1 and CSTS IR1 59.3, 59.4, 59.5, 59.6, 59.8, 59.11, 63.2, 63.4 and 63.7). There is no need for further IRs on this issue and indeed, until the completion of the Define/Design phase of the AMI Project, there is no further information to provide.

3) *Provision of report entitled “Understanding Radio frequency and BC Hydro’s Smart Meters”.* An internet search shows that the document requested by CSTS is a BC Hydro powerpoint which is available on BC Hydro’s website. If CSTS wishes to view this document, CSTS can obtain it directly from that website. There is no need for a further round of IRs for this purpose.

4) *Information ‘gaps’ around the wired vs. wireless option.* Mr. Shadrack suggests that a third round of IRs would be a means of allowing participants and the Commission to “focus on the remaining gaps” in the wired vs. wireless evidence (Exhibit C13-12).

FortisBC does not agree that a third round of IRs is warranted for this purpose. Interveners have already:

- (a) posed questions to FortisBC about the wired vs. wireless issue in two rounds of IRs, substantial portions of which related to that issue; and
- (b) filed with the Commission various submissions in which they raised concerns about wired vs. wireless evidence. While not formally having the status of IRs, the Commission has treated these submissions as somewhat analogous to a third round of IRs in the sense of raising points for FortisBC to consider. The Commission noted in its decision of December 20, 2012: “Throughout this process, Interveners have filed evidence that raises specific questions and issues that FortisBC, in its own evidentiary filings and final arguments, should address in a thoughtful way” (Exhibit A-19; Appendix A to Order G-198-12, p. 2). The Commission further provided in its December 20 decision: “FortisBC may wish to file, in a timely way, additional information it considers might provide additional insight on this matter and address specific issues and evidence raised by the Interveners in this Proceeding” (Exhibit A-19; Appendix A to Order G-198-12, pp. 2, 6). Pursuant to the Commission’s decision and in consideration of the Interveners’ submissions, FortisBC anticipates a further evidentiary filing early in the coming week addressing the “wired” market and the issues with obtaining comparative information in the absence of a formal PLC-specific RFP process.

While a further evidentiary filing might itself in some circumstances be seen to invite a further round of IRs, in FortisBC’s respectful submission that should not occur here. A further round of IRs would be duplicative of FortisBC’s efforts to address the Intervener submissions and unproductive as, despite its

best efforts, FortisBC's ability to answer further questions that might be posed is necessarily limited (these limitations extend as well to FortisBC's ability to make a further evidentiary filing; FortisBC anticipates that its filing will be relatively brief). The addition of further process does not change the substantive reality that certain gaps perceived by interveners inherently cannot be filled without mounting a PLC-specific RFP process, which would be costly. Instituting a PLC-specific RFP process would also not reflect the market reality. The market reality was reflected, instead, by the fact that no PLC-based bids were provided in response to FortisBC's RFP. There have been few "wired" (PLC and BPL) installations in North America since 2008 and PLC as a percentage of AMI in North America is small and shrinking. In Canada, 2.9 million AMI meters have been installed, with a further 7.2 million planned, and of the total installed/planned, only 4.7% (the 480,000 AMI meters at FortisAlberta) have been PLC. In the United States, 38.3 million AMI meters have been installed, with a further 18.2 million planned. Of the total planned/installed, only 6.4% are PLC. Providing for an additional round of IRs would neither overcome nor take into account the substantive constraints on the data that, in this context, is available to FortisBC.

5) *Opt-out program (ex. Exhibit B-14, BCUC IR 50.2)*. FortisBC set out in its response to BCUC IR2 50.2 its suggestions for an opt-out option if the Commission were to order an opt-out option to be provided. While FortisBC does not see what additional information it could provide on this subject, it also does not object to IRs pertaining to its response to BCUC IR2 50.2 as long as this can be efficiently accommodated within the existing regulatory timetable.

6) *System wide wireless vs. wired (PLC in particular) as distinct from an "opt-out" component*. This statement is from the request of the BC Sustainable Energy Association and the Sierra Club of British Columbia (BCSEA) (Exhibit C4-10). It appears simply to be another way of expressing item 4 (BCSEA used the wording that it did by way of contrast to item 5, which was the first point raised in its list of possible IR topics). FortisBC refers to and adopts its response to item 4 on this point.

7) *Zigbee board in the meter*. This is a possible IR topic raised by BCSEA. In the first two rounds of IRs, approximately 220 questions were already asked and answered on this topic. This 220 total includes approximately 190 posed by BCSEA. The questions that have been asked and the information that FortisBC has provided have already reached a very high level of granularity and technical specificity. Intervenors have had ample opportunity to ask questions on this topic and no further IRs are necessary in order to permit a decision to be reached.

In the event that the Commission provides for a further round of IRs in respect of any of the above topics, FortisBC asks that it be scheduled in such a way as to preserve the dates for the oral hearing and, to the extent possible, the timeline otherwise scheduled.

January 16, 2013

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Yours truly,

FARRIS, VAUGHAN, WILLS & MURPHY LLP

Per: 

Ludmila B. Herbst

LBH/lb

c.c.: Registered Interveners
Boughton Law Corporation – Attention: Gordon Fulton, Q.C.
FortisBC Inc. – Attention: Dennis Swanson