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Via BCUC Submit Documents

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

Attention: **Ms. Laurel Ross**  
**Acting Commission Secretary and Director**

**Dear Ms. Ross,**

**Re: Commission Letter A-13 dated December 2<sup>nd</sup> 2016**  
The British Columbia Hydro and Power Authority

*During Procedural Conference no. 2 held on November 29, 2016 for the above noted proceeding, the Commission Panel determined that parties are to provide written submissions on: "...whether some or all of the issues should be heard by way of an oral hearing, including sufficient specific detail on the focus and scope of any oral component.*

*The Panel expects during the preparation of the second round of information requests, the parties should be able to narrow the focus of the issues with sufficient specificity to identify whether a further oral process is required to assist the Panel in its review of the application. The Panel expects parties advocating for any matters to be addressed in an oral hearing, to clearly identify what specific elements or issues require oral evidence and why those elements or issues could not have been dealt with through the written process. Parties are reminded to recognize the legislative parameters and to focus on the aspects of the application over which the Commission retains discretion.*

**Submission:**

1. Burrard Thermal Plant, BTP has changed its operating capabilities by de-commissioning (moth-balled) all six steam drive generators, with all six high pressure steam boilers, including many ancillary system support assets in 2015/16.
2. The BC Government Directions 6 and 7, and the Clean Energy Act - 2010 collectively and explicitly name the Burrard Thermal Plant (BTP), and the Burrard Thermal Generating Plant (BTGP). Effective F2016 while also looking forward through the 3 Year Test Period F2017 to 2019, and on through to 2025, this facility will operate as Synchronous Condense Facility (BSCF). This modified operating function is a "Non-Generating" function, which does not contribute any generating capacity onto the overall BC Hydro Power Grid in British Columbia.

Ms. L. Ross - BCUC:

3. During the first round of Information Requests, BC Hydro provided many answers, that have required extensive Information Requests in this second round of IRs. While some IRs were answered, and I expect more clarity from the second round of IRs, I have grave reservations my IRs in the second round, 3.1 through to 9.2 will yield the clarity sort, based on BC Hydro's filed first round responses.
4. In my final argument I shall be petitioning the Commission Panel to recommend to the British Columbian Government the removal of the BTP and the BTGP and the new BSCP from the three noted pieces of Legislation and Directions.
5. The Oral Hearing platform will give not only the Commission Panel the opportunity to question BC Hydro and myself on the petition noted above, by seeking greater clarity to the pros and cons in regard to the "Public Necessity" for however the new Burrard Synchronous Condense Facility will serve the best interests of the British Columbian public et al, the BC Government, and the safe operations of the facility through to 2025.
6. Currently the Commission Panel and the BCUC do have jurisdiction as provided for in Direction 7 Section 15 (b), to set and approve the Burrard Thermal asset depreciation rates as given in Table 8-1 of the application, which makes no reference to BSCF.
7. From my personal experience in another BCUC / Crown Corporation Regulatory Hearing processes, whether there were full open hearing that included an oral hearing component, or a streamlined hearing process, after two rounds of information requests, interveners no longer have access to question, and to seek answers of the applicant. I mean no negative dispersions by this observation. But quite frankly in this current application my skills in crafting the correctly worded IR has proven legitimacy to my grave concerns that all the necessary facts and factors relating to the BTP, BTGP and the new BSCF will not be asked and answered in a written form. This denies the Commission Panel and myself as the intervener, the clarity necessary to form a decision based on well founded Written Q&A. (I regret that this point is my problem, and not of the Commission Panel or the Applicant) Nevertheless, in an Oral Q&A, the process of focussed cross-examination will divulge evidence not necessarily apparent from the Written Q&A gathered from 2 rounds of information requests.
8. I believe the BCUC as the independent public regulator in matters of "Oversight" has the mandate with the authority to make well informed recommendations to the BC Government on behalf of all British Columbians. Regulatory Hearings provides the venue for different hearing formats such as, Public Letters, Interveners, Written IRs, and Oral Q&A, submissions, all organized through regulatory hearing timetables. Which set out through agreed upon procedural content at Procedural Conferences, where all parties recognised by the Commission Panel having input.
9. It is from this hearing backdrop the Commission Panel gains the appropriate facts leading to their final decision, which can also include at the Commission Panel's discretion, make recommendations to the British Columbian Government.
10. "In the Public Interest" I seek the protection of the BCUC as provided for in their Mission Statement, their Vision and Value statements published 2016/17-2018/19 BCUC BUSINESS PLAN March31, 2016.

Respectfully



Richard T. Landale