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February 8, 2018

British Columbia Utilities Commission
Suite 410, 900 Howe Street
Vancouver, BC
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Attention: Mr. Patrick Wruck, Commission Secretary and Manager, Regulatory Support

Dear Mr. Wruck:

Re: BC Hydro and Power Authority (BC Hydro) – Waneta 2017 Transaction Application (the Application) ~ Project No. 1598933
FortisBC Inc. (FBC) Comments on Exhibit A-12

On February 6, 2018, the British Columbia Utilities Commission (the Commission) issued Exhibit A-12, requesting submissions from Interveners on BC Hydro's proposed timetables as set out in Exhibit B-15. In this letter FBC provides its responses to the Commission's questions.

Proposed Timetable for Information Requests on Intervener Evidence and BC Hydro Rebuttal Evidence

FBC takes note of BC Hydro's comments on page 2 of Exhibit B-15 regarding the status of FBC's request for access to the currently-redacted information. BC Hydro rightly identifies the effect of this issue on the timetable for the Application. With respect, it is FBC's position that the unresolved nature of this issue has implications for the currently-scheduled actions in the Regulatory Timetable (as set out in Exhibit A-10) in addition to BC Hydro's proposed additions. Assuming a resolution in favour of FBC's position (that is, FBC's subject matter experts are granted access to the redacted information), it is FBC's view that a two-week period in which to review the information and to formulate Information Requests (IRs) is reasonable and necessary. Working back from the currently-scheduled deadline of February 22, 2018 for Intervener Information Request No. 2 (IR2), FBC's staff and counsel would need to have the unredacted information (related to both the application itself and the several

confidential filings, including confidential responses to Interveners, since FBC first sought access) no later than February 8, 2018, a clearly impossible occurrence. In the event that FBC's subject matter experts are not granted access, FBC will consider possible future actions regarding this issue.

FBC also notes that the proposed timetable, in which intervenor evidence follows on BC Hydro's responses to IR2, would not permit FBC a second round of IRs on the redacted information, a process that has been afforded to other intervenors who have received earlier access to the redacted information. In FBC's view this is procedurally unfair.

This sequence argues for either of (a) a delay in the submission of intervenor Round 2 IRs or (b) a separate round of IRs from FBC to BC Hydro on the redacted information. In either case, a delay in the response to Interveners' IR2 or to a separate FBC IR on the redacted information would also necessitate a delay in the filing of Intervenor Evidence by FBC and of course the IR process on Intervenor Evidence.

For the reasons stated, FBC has concerns about the currently scheduled and proposed regulatory timetable based on its ability to submit its IR2 on February 22, 2018 and on the possible need for a follow-up round of IRs to BC Hydro on the redacted information. FBC does not object to the sequencing of the milestones in which: intervenor evidence follows BC Hydro's IR2 responses by 8 working days, the receipt of IRs on intervenor evidence one week later, and a two-week response period. FBC has no comment on the timing of BC Hydro's rebuttal evidence, if any, other than to note that BC Hydro makes no provision for the testing of rebuttal evidence through information requests. FBC would be prepared to defer this issue until after the receipt of the rebuttal evidence but suggests that it would be more efficient to schedule IRs on rebuttal evidence now and to later accelerate the proceeding if IRs are not required.

Proposed Timetable for Procedural Conference

On February 7, 2018, the Commission issued Exhibit A-13 identifying certain issues to be addressed at the procedural conference scheduled for February 16, 2018, subject to comments by the parties to the proceeding. FBC supports the February 16, 2018 procedural conference. The nature of the issues raised is such that delaying consideration of them could hinder the efficiency of the review process. For example, suppose it were to be determined in late April, assuming BC Hydro's proposed timetable, or later based on the considerations above, that an oral public hearing is required. Parties (including intervenors who had filed evidence) would require a certain amount of time for preparation, and this would be likely to result in a later hearing date, compared to what may be achieved by way of the February 16, 2018 procedural conference. In addition, again given the uncertainties arising from the timing issues identified above, FBC believes that a resolution to the regulatory timetable would be more easily achieved by a collective discussion among the parties to the proceeding.

FBC submits that BC Hydro's suggested dates for submissions regarding the need for a second procedural conference and a second procedural conference date will also be impacted by the timing issues identified. Indeed, given the scope of the February 16, 2018 procedural conference identified in Exhibit A-13, FBC is uncertain that a second procedural

conference would be necessary. Nevertheless, with regard to the sequencing of the submissions and the (second) procedural conference itself, BC Hydro proposes that submissions by the parties on a Friday could be followed by a procedural conference as early as the following Monday. Such a schedule does not provide sufficient time for the Commission to issue a decision such that FBC can arrange for representatives to attend the procedural conference. FBC therefore proposes a minimum of three working days between the Commission order scheduling the procedural conference, if any, and the conference itself.

In summary, the existing regulatory timetable, and the further steps and timeline proposed by BC Hydro, do not afford a fair opportunity for FBC to adequately examine and test the Application. FBC does not wish to delay the proceeding unnecessarily, however faced with the apparent likely loss of a critical transmission path and the material financial impacts that would result, FBC is obligated to vigorously defend the interests of its customers by way of its active participation in the Waneta Transaction proceeding.

If further information is required, please contact Joyce Martin at (250) 368-0319.

Sincerely,

FORTISBC INC.

Original signed:

Diane Roy

cc (email only): Registered Parties