



**ORDER NUMBER**  
**G-197-20**

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

and

Nelson Hydro  
COVID-19 Relief Program Application

**BEFORE:**

A. K. Fung, QC, Panel Chair  
E. B. Lockhart, Commissioner

on July 21, 2020

**ORDER**

**WHEREAS:**

- A. On May 13, 2020, Nelson Hydro filed an application with the British Columbia Utilities Commission (BCUC) seeking approval for the relief program it has made available to its customers due to the COVID-19 pandemic (Application);
- B. Nelson Hydro is owned and operated by the City of Nelson and is exempt from regulation under the *Utilities Commission Act* (UCA) to the extent it is serving customers within its municipal boundaries. Accordingly, the BCUC's review of the Application pertains solely to Nelson Hydro's non-municipal, or rural, ratepayers;
- C. In the Application, Nelson Hydro is seeking approval of the following:
  - (i) The temporary suspension of the existing late-payment penalty for any amounts owed from May 4, 2020 and June 30, 2020;
- D. On May 20, 2020, Nelson Hydro submitted an amendment to the May 13<sup>th</sup> application requesting that the BCUC approve the request on an interim basis until a final decision is made;
- E. On May 29, 2020, the BCUC issued information requests to Nelson Hydro regarding the Application and Nelson Hydro filed its responses on June 3, 2020;
- F. By Order G-138-20 dated June 4, 2020, the BCUC granted interim approval and established a public hearing process for the review of the Application. By Order G-177-20, dated June 30, 2020, the BCUC established the remainder of the regulatory timetable which included, among other items, the opportunity for interested parties to submit comments;
- G. On June 24, 2020, a letter of comment was received from J. Lojpur (Lojpur). Nelson Hydro submitted a final argument on July 8, 2020 addressing Lojpur's letter of comment, stating Lojpur's submission was out of scope for the proceeding. Lojpur submitted a further letter of comment on July 20, 2020; and

H. The BCUC has completed its review of the Application, the evidence filed, the letters of comment from Lojpur, Nelson Hydro's final argument and makes the following determinations on the Application.

**NOW THEREFORE**, pursuant to sections 59 to 61 of the UCA, the BCUC orders as follows:

1. Nelson Hydro is granted final approval to temporarily suspend the existing late-payment penalty for any amounts owed by Nelson Hydro's non-municipal or rural ratepayers between May 4, 2020 and June 30, 2020; and
2. The issues raised by Lojpur are out-of-scope in the current proceeding as they involve a private dispute between himself and the City of Nelson; and Lojpur has recourse to other avenues of relief.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 21<sup>st</sup> day of July 2020.

BY ORDER

*Original signed by:*

A. K. Fung, QC  
Commissioner