SECTION 5
TRANSMISSION INQUIRY EXHIBIT C1-12

SECTION 5
TRANSMISSION INQUIRY EXHIBIT C72-6

SECTION 5
TRANSMISSION INQUIRY EXHIBIT C83-6

SECTION 5
TRANSMISSION INQUIRY EXHIBIT C84-7

SECTION 5
TRANSMISSION INQUIRY EXHIBIT C89-7

SECTION 5
TRANSMISSION INQUIRY EXHIBIT C97-6

SECTION 5
TRANSMISSION INQUIRY EXHIBIT C98-3

SECTION 5
TRANSMISSION INQUIRY EXHIBIT C99-2

SECTION 5
TRANSMISSION INQUIRY EXHIBIT C103-4

SECTION 5
TRANSMISSION INQUIRY EXHIBIT C105-8

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CERTAIN MEMBERS OF THE FIRM ARE ALSO CALLED TO THE BARS OF ALTA., SASK., MAN., ONT., N.W.T., NUNAVUT, AND TEXAS

October 5, 2009 File No. 09-0017

British Columbia Utilities Commission
Box 250
Sixth Floor, 900 Howe Street
Vancouver, BC, V6Z 2N3

VIA FACSIMILE: 604-660-1102

Attention: Erica Hamilton, Commission Secretary

Dear Ms Hamilton:

Re: First Nations Phase – Commission Order G-108-09

The Commission has asked for submissions from Participants on the conduct of a proposed First Nations Phase by October 7. Legal counsel for many of the First Nations Participants recognize that there would be value to the Commission process in developing a common or joint approach, and are meeting to discuss this.

We believe that identifying the content, structure, timing and location of the First Nations Phase as difficult to determine at this time. First Nations counsel generally believe that the issues of structure, timing, and potentially location should be determined by the nature of evidence to be presented at that Phase, and the purpose of that portion of the hearing. That nature of the evidence to be presented by First Nations cannot be identified at this stage, as it will depend upon community consultations and the retainer of experts (for which funding has not yet been received). We also suggest that the appointment of a First Nations Advisory Council should precede design of the First Nations Phase. We therefore believe that it is premature to make submissions in respect to the First Nations Phase at this time.

We would ask that the Commission reconsider the proposed date for comments of October 7, 2009, and that this matter be further addressed at the Procedural Hearing set for October 28, when more substantive comments could be made.

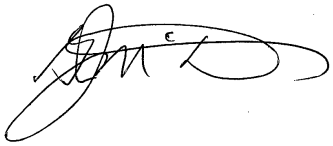
We have been authorized to make this submission on behalf of legal counsel for the following Participants:

Squamish Nation, Lax Kw'alaams Indian Band, and Carrier Sekani Tribal Council (G. McDade)
Haisla Nation, We Wai Kai Nation (Cape Mudge Indian Band) (J. Griffith)

Nlaka'pamux Nation Tribal Council, Okanagan Nation Alliance, Shishalh Nation and Tahltan Central Council, (B. Stadfeld, B. Gaertner)
Hwitsum First Nation (M. Muir)
Treaty 8 Tribal Association (C. Devlin, A. Rana)
Toquaht Nation (S. Nixon, Leah Mack, Derek Christ)
FN Energy and Mining Council (P. Dimitrov)
Sto:lo Tribal Council(Mark Underhill)

Yours truly,

RATCLIFF & COMPANY LLP



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