

**DARRYL CARTER & COMPANY**  
Barristers & Solicitors

LATE INTERVENER REGISTRATION

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Our File No.: 63,496JDC/IZ

December 12, 2011

**British Columbia Utilities Commission**  
6<sup>th</sup> Floor, 900 Howe Street, Box 250  
Vancouver, BC V6Z 2N3

Attention: Alanna Gillis, Acting Secretary  
Via Email: commission.secretary@bcuc.com

Dear Ms. Gillis:

**Re: BC Hydro – Dawson Creek/ Chetwynd Transmission Project CPCN  
Gary and Marilyn Robinson – NW 17-78-16, W6M  
Order Number G-132-11 - Request for Intervenor Status**

As you are aware, we represent Gary and Marilyn Robinson with respect to BC Hydro's application for the Dawson Creek/ Chetwynd Transmission Project which has been temporarily suspended. In a letter dated November 23, 2011 (copy attached) we inquired whether our client's objections to the Site 1 option for the proposed Bear Mountain Terminal ("BMT") expansion had been conveyed to BC Hydro and to the Commission. We also inquired what process the Commission would follow to ensure that our clients and other landowners involved would have an opportunity to be involved in the process. We received your response in a letter dated December 6, 2011 (copy attached) which advised that the Commission had not received any information from BC Hydro regarding the Robinsons. In this letter you outlined three possible courses of action that our client could take to become involved in the process. Further to the first of these options, please consider this letter our formal request for late registration for intervenor status.

Our client's interest in this application, as indicated in our earlier letter is that the proposed site 1 option for the BMT expansion is on their land. Our clients, while questioning the necessity of the expansion in any event, are absolutely opposed to the site 1 option proposed by BC Hydro. In making this application for intervenor status, we are seeking the opportunity to participate in the proceedings, including an oral hearing (if one is established) and to make a final submission outlining our client's concerns with the proposed project. We would also appreciate the Commission's permission to ask questions of BC Hydro in hopes of gaining more information about the proposed project and its impact on their land.

Thank you for your time and consideration of our request and I look forward to hearing from you.

Yours truly,

**DARRYL CARTER & COMPANY**

Per:

  
\_\_\_\_\_  
J. DARRYL CARTER, Q.C.

:jw

Enclosures

cc: Gary & Marilyn Robinson  
via Email: [kellnorthbc@hotmail.com](mailto:kellnorthbc@hotmail.com)

cc: British Columbia Hydro and Power Authority  
*Attention: Ms. Janet Fraser, Chief Regulatory Officer*  
Via Email: [bhydroregulatorygroup@bchydro.com](mailto:bhydroregulatorygroup@bchydro.com)

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Our File No.: 63,496 JDC/lz  
Your File No.:

November 23, 2011

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

Attention: Alanna Gillis, Acting Secretary  
via email: [commission.secretary@bcuc.com](mailto:commission.secretary@bcuc.com)

Dear Ms. Gillis:

**Re: BC Hydro**  
**Gary & Marilyn Robinson – NW 17-78-16, W6**

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I was just recently contacted by Gary and Marilyn Robinson of Dawson Creek, British Columbia. They are the owners of the NW 17-78-16-W6, Peace River District, excepting Plans H572 and B7610.

The Robinsons were seeking advice regarding a request by BC Hydro to acquire a large parcel out of their land for a proposed substation site, called the Bear Mountain Terminal. My clients are opposed to this proposal and advise me that they have told BC Hydro that on a number of occasions.

I did a search on the British Columbia Utilities Commission website and found the application filed by BC Hydro for the Dawson Creek/Chetwynd Area Transmission Project. The proposed Bear Mountain Terminal ("BMT") is discussed at pages 4-19 to 4-21 and two options are presented. The Site 1 Option would be on my clients' land. The Site 2 Option would not. My clients question the need for the BMT at all, but in any event they are opposed to the Site 1 Option.

I learned from the Commission website that it has been considering this application for some time and had issued a revised timetable for the review on November 8, 2011. I then asked my clients if they had intervened in the proceedings and they said they had not. They said that several months ago, after receiving an information packet from BC Hydro about its proposed routes and asking for input, they asked the BC Hydro Property Representative if they needed to voice their opinions in any other way. The representative answered that they did not, that they were being dealt with one on one as landowners and that their input was being duly noted and passed on.

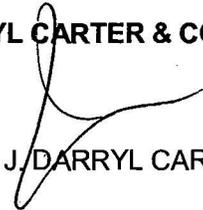
I would like to know if the objections my clients have to the proposed BMT have been conveyed by BC Hydro to the Commission and, if so, in what way.

I would also like to know what process the Commission would follow to resolve this issue. It seems to me that fairness would require that the owners of the land affected by the Site 2 Option would have to be given an opportunity to be involved in the process as well.

Yours truly,

**DARRYL CARTER & COMPANY**

Per:

  
J. DARRYL CARTER, Q.C.

JDC/lr

cc: Gary & Marilyn Robinson  
via email: [kellnorthbc@hotmail.com](mailto:kellnorthbc@hotmail.com)

cc: British Columbia Hydro and Power Authority  
*Attention: Ms. Janet Fraser, Chief Regulatory Officer*  
via email: [bhydroregulatorygroup@bhydro.com](mailto:bhydroregulatorygroup@bhydro.com)



ALANNA GILLIS  
ACTING COMMISSION SECRETARY  
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Log No. 38263

VIA EMAIL

December 6, 2011

[Darryl@carterco.ab.ca](mailto:Darryl@carterco.ab.ca)

Mr. Darryl Carter, Q.C.  
Darryl Carter & Company  
Barristers & Solicitors  
103 – 10134-97 Avenue  
Grande Prairie, Alberta T8V 7X6

Dear Mr. Carter:

Re: Gary & Marilyn Robinson  
British Columbia Hydro and Power Authority  
Certificate of Public Convenience and Necessity Application  
for the Dawson Creek/Chetwynd Area Transmission Project

The British Columbia Utilities Commission (Commission) writes in response to your November 23, 2011 letter on the above subject wherein you posed two questions:

1. *If the Robinsons' objections have been conveyed by BC Hydro to the Commission?*  
The Commission has not received any information from BC Hydro regarding the Robinsons.
2. *The process the Commission would follow to resolve this issue?*

The Robinsons could take one of three options:

- a) apply for late Intervener status for consideration by the Commission Panel charged with reviewing the Application; or
- b) join with some other Intervener group; or
- c) submit a letter of comment for consideration by the Commission Panel (which could simply be your November 23, 2011 letter should you so advise).

The process with respect to each option is as follows:

- a) Providing the Robinson are granted Interveners status, they will be entitled to participate in the proceeding on a going forward basis, including participating in an Oral hearing (if one is established) and making a Final Submission that outlines their principle concerns about the Project. Please note that by letter dated November 30, 2011 (attached) the Commission temporarily suspended the DCAT Project review process. In the meantime, the Robinsons could also request permission of the Commission Panel to ask questions of BC Hydro regarding the Project and its impact on their property. This Information Request and the Applicant's response will be placed on the evidentiary

record of the proceeding. The Commission Panel will consider this evidence (the Information Request and response) and also the Robinson Final Submission when it makes its determination on granting a Certificate of Public Convenience and Necessity (CPCN) for the Project in accordance with sections 45 and 46 of the *Utilities Commission Act* (copy attached).

- b) This is essentially the same process as above, wherein the Robinsons would contact a registered Intervener and obtain their agreement to represent the Robinsons. This Intervener would then, with Commission Panel approval, submit a late Information Request on the Robinsons' behalf and address the Robinsons' concerns in its Final Submission. A list of registered Interveners in this Proceeding is attached for reference.
- c) Any individual or group may, at any time during the evidentiary period, submit a letter of comment which is placed on the record of the Proceeding without further process. This evidence is also taken under consideration by the Commission Panel in arriving at a decision on the CPCN Application.

Regarding the owners of the land affected by the Site 2 Option:

- The Commission ensures that adequate notice is provided to the public about an application and a proceeding, but does not solicit input on a proceeding.
- Should the owners wish to become involved in the subject proceeding, they have the same process options as outlined above open to them.

Yours truly,



Alanna Gillis

RB/dg

Enclosures

cc: Ms. Janet Fraser  
Chief Regulatory Officer  
British Columbia Hydro and Power Authority  
[bchydroregulatorygroup@bchydro.com](mailto:bchydroregulatorygroup@bchydro.com)

Gary & Marilyn Robinson  
[kellnorthbc@hotmail.com](mailto:kellnorthbc@hotmail.com)