

February 5, 2014

Erica Hamilton
Commission Secretary
BC Utilities Commission
Sixth Floor, 900 Howe Street, Box 250
Vancouver, BC V6Z 2N3

Re: British Columbia Hydro and Power Authorities
Approval for Approval of Changes Related to Meter Choices Program
Application for Reconsideration from Mr. John Hurd

As an intervener I hope my lay understanding of the Commissions process is correct as I submit my response to participants being invited to provide comments to the Commission that address the following specific questions:

1) Should there be reconsideration by the Commission?

My answer is yes, for the reason the Mr. Hurd has outlined in his point 2.) " In accordance with Section 75 of the BC Utilities Act I would like to file a Formal Complaint that the BCUC did not make its decision with respect to the approval of BC Hydros recommended fees for legacy meters and radio off smart meters in accordance with Section 75 in that they did not perform due diligence in its assessment of the proposed and/or alternative fee structures such that the BCUC would be in a position to 'make its decision on the merits and justice of the case" as is prescribed by the Act. I contend that, in this case, by not properly considering or requesting additional information from BC Hydro on the merits and justification of alternate fee structures and the impact lower fees would have on the general publics level of acceptance or rejection of Legacy and Radio off meters the Commission was in violation of Section 75 of the Act which consequently resulted in tens of thousands of individuals to involuntarily accept the smart meters due to their inability to afford the exorbitant monthly fees proposed by BC Hydro which had the effect of increasing the cost to those individuals who were not coerced by the high fees and ultimately did not accept the smart meters."

2) If there is to be reconsideration, should the Commission hear new evidence and should new parties be given the opportunity to present evidence?

My answer is yes. There is no way to determine how many interveners, or interested parties, may have spoken to this issue had BCUC acted upon Mr. Hurd's

points or my December 13, 2013 letter C-29-4-1 regarding how alternate fee structures, more realistic and democratic to the number of BCH customers actually opting out, would have affected the overall MCP outcome. Therefore a new willingness on the part of BCUC to address this issue should reflect a new willingness of interveners and/or new parties to present evidence.

3) If there is to be a reconsideration, should it focus on the items from the application for reconsideration, a subset of these items or additional items?

Mr. Hurd has addressed the appropriate focus quite well and I support his assertion.

4) Are there any other pertinent facts or issues regarding Mr. Hurd's application that the Commission reconsiders the Order and vary it accordingly?

To what level of detail the Commission is referring is unclear. I would assume in reconsidering its decision to allow the interim fees by looking at alternative fee structures that the Commission would include as pertinent 'facts or issues' figures and/or alternative fee structures, such as outlined in C-29-4-1, offered by any interveners, public or interested parties.

I believe the threshold for reconsideration has been met. To reply to your further two question;

1) The claim of error appears to be substantiated on a prima facie basis.

I support Mr. Hurd's assertion in this regard.

2) The error has significant material implications. If the Commission agrees to reconsider its decision, the parties will be allowed to address the substance of the request.

In as much as this error has likely directly affected the 48,000 BCH customers that would not or could not pay the proposed MCP fees I would say it clearly has significant material implications. **AND TO THIS POINT** I do hope BCUC has instructed BCH not to destroy the 48,000 analog meters BCH is no doubt currently removing from these customers.

Sincerely, John Mansell