

Commission Secretary BCUC:EX

From: Hans Karow <hansk@telus.net>
Sent: Friday, January 8, 2016 3:48 PM
To: Commission Secretary BCUC:EX
Cc: bchydroregulatorygroup@bchydro.com; wjandrews@shaw.ca; daa@cwilson.com; support@bcpiac.com; pvla@xplornet.com; Buchanan, Jack MEM:EX; rcarle@newwestcity.ca; roger@fsconline.com; linda@dongassociates.com; cbefire@telus.net; jejaervin@telus.net; gas.regulatory.affairs@FortisBC.com; Jo-Anne.Frank@prrd.bc.ca; mgood@midgard-consulting.com; lguenther@novuscom.net; thackney@shaw.ca; bharper@econanalysis.ca; william.harper4@sympatico.ca; orion.henderson@ubc.ca; iknowjanis@shaw.ca; cdalori@shaw.ca; paul.kariya@cleanenergybc.org; mdk@bht.com; skhan@bcpiac.com; peter_kletas@yvr.ca; mildredl@telus.net; cao@hudsonshope.ca; eplusbcgroup@gmail.com; Kieran.McConnell@vancouver.ca; dsnoble@shaw.ca; apeacock@telus.net; mark.pinney@capp.ca; epritchard@bcpiac.com; acpullman@shaw.ca; jqmail@aqwlaw.ca; dramage@shaw.ca; emcinnestrakin@yahoo.ca; ireeve@cope378.ca; s.ridout@shaw.ca; diane.roy@FortisBC.com; marvshaffer@gmail.com; Sopinka, Amy MEM:EX; roninconsult@live.com; rsue@sfu.ca; bob@creativeharmonicsolutions.com; info@coastalfirstnations.ca; rbw@bht.com; cweafer@owenbird.com; jweimer@telus.net; fredweislaw@gmail.com; lworth@aqwlaw.ca; hansk@telus.net
Subject: BC Hydro 2015 Rate Design Application
Attachments: DOC_9432_C1-2_Karow Comments & Preliminary IR to FBC.pdf

Hans Karow
8918 Canyon View Road
Summerland, BC, V0H 1Z2
hansk@telus.net

Ms. Erica Hamilton
Commission Secretary
British Columbia Utilities Commission
Sixth Floor, 900 Howe Street
Box 250
Vancouver, BC V6Z 2N3
Commission.Secretary@bcuc.com

January 8, 2016

Without Prejudice

Dear Ms. Hamilton,

1. As stated in my request for registering as intervener (see [C1-2](#)) I am interested and concerned about any rate changes affecting my innocent/naïve tenants and myself as non-commercial ratepayers. I have asked for and stated the reason why I needed a hard copy of the application, however at the discretion of the BCUC's office I have been denied a hard copy. Having participated a few times in BCUC hearings (powerlines'-, rates'- change of ownerships'- application) for the first time a charge has been set on a hard copy--- copy's paper paid by the very ratepayers 100%. By all due respect, I found this deterrent in the first place!

Besides, I have never ever applied compensation via BCUC's PACA program I always was rightfully entitled for as intervener. My volunteered denials fort PACA (to mainly avoid \$\$\$-COI) has saved the PACA reserve fund way much more over what the cost of on hard copy of the subject application would be.

2. The voluminous subject application (4900+ pages) and the language used in it, makes it impossible for the laymen (who are the very ratepayers) to even be interested looking at the application and to find out how/whether someone would be affected by the application and the possible decision by the Commission. Although I have attended and volunteered many times as reg. intervener (since 1997) I have never before come across such hard to read and to understand application like this one. I have difficulties to understand the whole concept and mechanism of the rate application.

3. Why are application procedurals allowing utility companies acting with their very ratepayers –especially residential ones - in an such an obscure way? One must get the impression, that BHydro and (FortisBC alike) along with the Commission (former head of BCUC was a former head of FortisBC regulatory director) like to go *the path of least resistance*, the very law of physics in the case of subject matter: electricity. Although subscribing to Okanagan papers (includes weekends deliveries) I have not come over a single notification add about subject application in our area. As also stated in my application, there was even not one notification about the application in any of previous three hydro bills (often consisting of two pages, with the second page mostly blank or not containing any important data or notices). Just by coincidence I found out by a friend of mine I am working with regard of smart meter issues.

4. In consideration of aforesaid, the Commission has been asked already years ago, that the application processes should be more transparent and with much more flexibility mainly for the ratepayers who should be able to find out quickly whether they are indeed affected or not and in case, to make himself available participating in a hearing. Even normal notification adds in the media (with the eye-drawing BCUC coat of arms) will not attract the interests of the average ratepayer, that again due to the urbane language used. By now I doubt about that "...*The Commission's primary responsibility is the regulation of the energy utilities under its jurisdiction to ensure that the rates charged for energy are fair, just and reasonable, and that utilities provide safe, adequate and secure service to their customers....*- ...*The Commission values public input in the issues for which it is responsible...*"(cited out of *A Participant's Guide to the B.C. Utilities Commission*, http://www.bcuc.com/Documents/Guidelines/2011/DOC_3939_ParticipantGuide_July2002.pdf).

Attached comments and recommendations from a 2005 hearing submitted by

- Concerned Citizens South Slokan, Shoreacres, Glade, Tarrys & Thrums,
- Kootenay-Okanagan Electric Consumers Association, and
- Helmut Wartenberg

[see [PDF -Attachment](#) , also filed as [C1-2](#) in <http://www.bcuc.com/ApplicationView.aspx?ApplicationId=93>]

obviously have not been listened to nor dealt with either by the utility companies nor by the Commission's office.

5. REQUESTS

5.1. As I was not yet able to work through the voluminous application, however, what I so far understand from communications between the parties, I am concerned about the high manual reconnection charge, which I feel very unreasonable.

I also wonder why and object that the Tariff Amendments were initially not included in the application.

I strongly support Sharon Noble's and Janis Hofmann's letter dated December 27, 2015 and January 7, 2016 respectively, see **ENCLOSURE** and ask to have Sharon Noble and Janis Hoffmann reinstated as reg. intervener as their expressed concern are indeed within the scope of the application.

5.2 Since I have similar concerns as Sharon Noble and Janis Hoffmann, I ask the Commission for **extension of the regulatory time table** so that we can seek representation by a lawyer.

A few attempts have been already made, so far however in vain.

In case we are still not able to solicit a lawyer, I ask the Commission to approve that we can **join a lawyer already in this proceeding** to represent our concerned issues, and that this lawyer is **allotted some of the PACA** due to the work share on our behalf.

5.3. In order to get the full picture of all issues that might affect ratepayers, I ask the Applicant to provide a **summary of all issues**. This summary in layman's language, and very concise so that even ratepayers without accredited degrees understand what the subject application is all about.

5.4 Furthermore I respectively ask that **recent correspondences between all parties being posted on the Commission's website in a more expeditious way** in the appropriate order of the particular intervenor's "C" Exhibits number, also including the correspondences after intervenors have been rescinded.

5.5. I also herewith ask the Commission's office that a **Distribution List is posted to the application's website** below the Hearing and Other Documents section, which also contains the Email List. With a posted Distribution List (which is normally posted in hearing procedures) one is able to see easily which party or intervener is representing whom.

Respectfully submitted,

Hans Karow

ENCLOSURE (not yet posted in BCUC's website)

From: Janis Hoffmann [REDACTED]

Sent: January-07-16 6:46 PM

To: Dennis and Sharon Noble; wjandrews@shaw.ca; acpullman@shaw.ca; amy.sopinka@gov.bc.ca; apeacock@telus.net; bchydroregulatorygroup@bchydro.com; bharper@econanalysis.ca; bob@creativeharmonicsolutions.com; cao@hudsonshope.ca; cbefire@telus.net; cdalori@shaw.ca; cweafer@owenbird.com; daustin@cwilson.com; dramage@shaw.ca; emcinnestrankin@yahoo.ca; epritchard@bcpiac.com; fredweislaw@gmail.com; gas.regulatory.affairs@fortisbc.com; gillian@pinna.ca; hansk@telus.net; IReeve@cope378.ca; jack.buchanan@gov.bc.ca; jaynepriest@gmail.com; jejaervin@telus.net; jo-anne.frank@prrd.bc.ca; jqmail@aqwlaw.ca; jweimer@telus.net; Kieran.McConnell@vancouver.ca; lguenther@novuscom.net; linda@dongassociates.com; lworth@aqwlaw.ca;

mark.pinney@capp.ca; marvshaffer@gmail.com; mdk@bht.com; mgood@midgard-consulting.com; mildredl@telus.net; orion.henderson@ubc.ca; paul.kariya@cleanenergybc.org; peter_kletas@yvr.ca; pmiller@boughtonlaw.com; pveacoordinator@gmail.com; pvla@xplornet.com; rbw@bht.com; rcarle@newwestcity.ca; roger.bryenton@earthlink.net; roger@fsconline.com; roninconsult@live.com; rsue@sfu.ca; s.ridout@shaw.ca; skhan@bcpiac.com; support@bcpiac.com; thackney@shaw.ca; william.harper4@sympatico.ca; Commission Secretary BCUC:EX

Subject: Re: FW: BC Hydro 2015 Rate Design Application

Dear Ms. Hamilton,

I too wish to express my concerns about BC Hydro's application and agree there are issues that need to be addressed regarding the revisions to the Tariff, many of which seem to be outside the scope of the current application. This is another official request for an extension of the deadline for review and to include Sharon Noble's comments and concerns as outlined in her email dated Dec. 27.

Sincerely

Janis Hoffmann

On 2016-01-07 3:38 PM, Dennis and Sharon Noble wrote:

As those copied above are interveners and individuals with concerns about BC Hydro's application, I am sharing a letter I've submitted to the BCUC. There are issues that need to be addressed regarding the revisions to the Tariff, many of which seem to be outside the scope of the current application. In addition, there are issues surrounding this application process which I believe warrant review:

- A 4000 page application with little notice available to the public for review. Certainly a summary with significant points identified should be required. An application of this length, with a short timeframe, appears to be designed to deliberately discourage public participation.
- If there was public notification of the application, it was not readily accessible. Why isn't BC Hydro required to include notice of applications in clients' bills? It was only by accident that I learned of this application only one week prior to the last date for registration as an intervener.
- Many who have questions about the meter choice program that were never answered or which have arisen since the implementation of the program were refused intervener status on the basis that there was nothing in the application pertaining to the smart meter or meter choice program. Clearly this is not true. The \$700 reconnection fee would pertain primarily to those in this program. Despite the requirement that no fee or rate should be discriminatory, there is no question that this fee is indeed discriminatory and even punitive. Those who asked to intervene and were rejected should be allowed to participate in this review.

- The Tariff Amendments filed on Dec. 21, 2015 appear, in some instances, to have nothing to do with Rate Design, and it seems that these should be considered as a separate application, with sufficient notice and time to allow for complete review and debate. The public deserves input on such meaningful changes to this unilateral contract which they must accept as a condition for receiving an essential service – electricity.
- It appears from the schedule that there is to be no public hearing which would give the public and interested persons an opportunity to participate. Considering the magnitude of the changes being requested by BC Hydro this seems unusual.

I am lodging an official request for an extension of the deadline for review and for reconsideration of my status of intervener and that of others who have expressed concerns about BC Hydro's application.

I hope that those who have been accepted as interveners will support my request, and ask that, at the minimum, they include my comments and concerns as outlined in my email dated Dec. 27 in their comments.

Regards,
Sharon Noble

From: Dennis and Sharon Noble [REDACTED]
Sent: January 6, 2016 11:11 PM
To: 'Commission Secretary BCUC:EX' <Commission.Secretary@bcuc.com>
Subject: RE: BC Hydro 2015 Rate Design Application

Dear Ms. Hamilton,

I do not know the procedures, but I believe my questions and concerns included in my letter below (Dec. 27) warrant a reconsideration of my request for intervener status.

- 1) The Tariff Amendments were not included in the initial application.
- 2) The statement that explained my rejection, that the meter choice program was not included in the rate redesign application proved not to be accurate. In fact, there are several issues that pertain to the meter choice and smart meter program, including the definition of the opt out meter and the new reconnection fee.

This Tariff amendment application is very significant. The public deserves time to review it and to respond. I ask that time be allowed, and consideration be given to accepting my request for reinstatement of my intervener status.

Thank you.

Regards,

Sharon Noble

From: Commission Secretary BCUC:EX [<mailto:Commission.Secretary@bcuc.com>]
Sent: December 30, 2015 4:29 PM
To: 'Dennis and Sharon Noble' [REDACTED]
Subject: RE: BC Hydro 2015 Rate Design Application

Dear Ms. Noble,

Thank you for your email dated December 27, 2015, regarding the BC Hydro 2015 Rate Design Application. In your email you state you are an intervener in the Commission's review of this application; however, your intervener status was rescinded pursuant to Commission Order G-175-15, Directive 7. Although you are no longer an intervener in this process, you can still submit a letter of comment. Letters of comment must contain the commenter's name, contact information and a statement of their position on the application. Letters of comment form part of the public record for the proceeding and are posted on the Commission's website. Prior to posting your submission to the website, your contact information will be removed unless requested otherwise. A copy will be provided to the Commission Panel and all participants will be notified of your submission.

Regards,

Laura Sharpe
Manager, Information Services Group
British Columbia Utilities Commission
Phone: 604.660.4700 | Fax: 604.660.1102 | Toll Free: 1.800.663.1385

The information being transmitted may contain confidential and/or privileged material and is intended only for the person or organization to which it is addressed. If you receive this e-mail in error, please delete the material from the receiving computer and contact the sender.

From: Dennis and Sharon Noble [REDACTED]
Sent: Sunday, December 27, 2015 9:59 PM
To: Commission Secretary BCUC:EX
Cc: wjandrews@shaw.ca; daa@cwilson.com; support@bcpiac.com; pvla@xplornet.com; Buchanan, Jack MEM:EX; rcarle@newwestcity.ca; roger@fsconline.com; linda@dongassociates.com; cbefire@telus.net; jejaervin@telus.net; gas.regulatory.affairs@FortisBC.com; Jo-Anne.Frank@prrd.bc.ca; mgood@midgard-consulting.com; lguenther@novuscom.net; thackney@shaw.ca; bharper@econalysis.ca; william.harper4@sympatico.ca; orion.henderson@ubc.ca; iknowjanis@shaw.ca; cdalori@shaw.ca; paul.kariya@cleanenergybc.org; hansk@telus.net; mdk@bht.com; skhan@bcpiac.com; peter_kletas@yvr.ca; mildredl@telus.net; cao@hudsonshope.ca; eplusbcgroup@gmail.com; Kieran.McConnell@vancouver.ca; pveacoordinator@gmail.com; dsnoble@shaw.ca; apeacock@telus.net; mark.pinney@capp.ca; epritchard@bcpiac.com; acpullman@shaw.ca; jquail@aqwlaw.ca; dramage@shaw.ca; emcinnrankin@yahoo.ca; ireeve@cope378.ca; s.ridout@shaw.ca; diane.roy@FortisBC.com; gas.regulatory.affairs@FortisBC.com; marvshaffer@gmail.com; Sopinka, Amy MEM:EX; roninconsult@live.com; rsue@sfu.ca; bob@creativeharmonicsolutions.com; info@coastalfirstnations.ca; rbw@bht.com; cweafer@owenbird.com; jweimer@telus.net; fredweislaw@gmail.com; lworth@aqwlaw.ca; 'Cc:': bchydroregulatorygroup@bchydro.com
Subject: RE: BC Hydro 2015 Rate Design Application

Dear Ms. Hamilton,

As an intervener in BC Hydro's application for Rate Design I have the following questions and comments:

- 11) **11.3 Minimum Reconnection Charges.** I can find no justification for the introduction of the new category of fees pertaining to Manual reconnections because the customer failed to provide access to the meter. How does this service differ from the reconnection of service for those disconnected for other reasons?

Under sections 59(1 and 2) and 60(1) of the *Utilities Commission Act* it states that "a rate must not be unduly discriminatory". I submit that if the Commission were to allow this fee structure that the essence of the "unduly discriminatory" portion of the Act would be breached. Further the Act states that "similarly situated customers must be treated similarly." A newly scheduled fee that is 2.5 times higher than the closest one, and 23.33 times higher than the second fee is obviously punitive toward those to whom it is directed.

The Meter Choice program is not being considered as part of this redesign, yet this fee is directed exclusively toward those in the Meter Choice Program. I ask that the consideration of this new fee be reserved for consideration when the Meter Choice program is reviewed in its entirety.

These increased fees appear to be justified solely as a means of reducing BC Hydro's budgetary deficiencies and bear no relationship to the actual work involved.

With regard to BC Hydro's application for review of the Electrical Tariff, I have the following questions and comments:

- 11) **Definitions (1.5) Radio-Off Meter.** *"The Smart Meter adjusted so that the meter's components **that transmit data by radio are deactivated.**"*

Clarification is required to include the ability of the meter's components to receive data by radio. Customers who are paying the "opt out" fee have been assured that all wireless functions will be deactivated, and this includes any and all reception and transmission of microwave radio signals.

Including both transmission and reception of data is consistent with the definition of a Smart Meter:

"Smart Meter **An Electricity meter that:**
1. Meets the requirements set out in section 2 of the Smart Meters and Smart Grid Regulation, B.C. Reg. 368/2010, and
2. Has components that **transmit and / or receive data by radio and those components are activated**

2 2) **9.5 Liability of BC Hydro:** The current provision reads:

“BC Hydro will endeavour to provide a regular and uninterrupted supply of Electricity but does not guarantee a constant supply of Electricity or the maintenance of unvaried frequency or voltage and will not be responsible or liable for any loss, injury, damage or expense caused by or resulting from any interruption, termination, failure or defect in the provision of Electricity, whether caused by the negligence of BC Hydro, or its representatives or agents or otherwise, except to the extent that the loss, injury, damage or expense results directly from the wilful misconduct of BC Hydro or its representatives or agents, provided, however, that neither BC Hydro, nor any of its representatives or agents is responsible for any loss of profit, loss of revenue or other economic loss, even if the loss arises directly from the wilful misconduct of BC Hydro or its representatives or agents.”

As a customer of BC Hydro I would like an explanation regarding the exclusion of all liability regardless even if BC Hydro or its employees cause the damage, whether by accident, negligence or through deliberate act. I know of no other business or corporation that would be allowed to include such a waiver in a contract. Would this stand up in court? I doubt it.

3 3) **Service Agreement 2.1** As it currently reads says:

“BC Hydro serves Customers solely in accordance with the Electric Tariff, including Terms and Conditions and Rate Schedules. Individuals, persons or other entities seeking to become Customers and purchase Electricity shall apply for service.”

BC Hydro is applying to remove this statement entirely.

This is the crux of the unilateral contract between BC Hydro and its customers. BC Hydro is held to account and limited by this Service Agreement, and only this Agreement. If this statement's removal is allowed to stand there is no limit to BC Hydro's power or actions.

Likewise, this being a contract between the 2 parties, if one party is not held to it, then the second party is released from commitments as well. A unilateral contract without joint commitments cannot be binding except by a monopoly that determines, perhaps arbitrarily, how and when to provide service and at what cost. To any logical person it appears that the purpose of this Tariff is to ensure that all customers of BC Hydro are treated fairly, equitably, safely, and in a manner that is consistent and reliable.

This “contract” is written by and for the benefit and protection of BC Hydro, and is amended at BC Hydro's request. This statement, that BC Hydro must abide by the

Electric Tariff, is the most important one for the protection of the customer. Without this limitation, BC Hydro will be able to act without constraint by the law, and without BC Utilities Commission oversight. **The customer will be entirely at the mercy, and whim, of BC Hydro.**

Sincerely,
Sharon Noble

From: BC Hydro Regulatory Group [<mailto:bchydroregulatorygroup@bchydro.com>]

Sent: December 21, 2015 3:37 PM

To: wjandrews@shaw.ca; daa@cwilson.com; support@bcpiac.com; pvla@xplornet.com; jack.buchanan@gov.bc.ca; rcarle@newwestcity.ca; roger@fsconline.com; linda@dongassociates.com; cbefire@telus.net; jejaervin@telus.net; gas.regulatory.affairs@FortisBC.com; Jo-Anne.Frank@prrd.bc.ca; mgood@midgard-consulting.com; lguenther@novuscom.net; thackney@shaw.ca; bharper@econalysis.ca; william.harper4@sympatico.ca; orion.henderson@ubc.ca; iknowjanis@shaw.ca; cdalori@shaw.ca; paul.kariya@cleanenergybc.org; hansk@telus.net; mdk@bht.com; skhan@bcpiac.com; peter_kletas@yvr.ca; mildredl@telus.net; cao@hudsonshope.ca; eplusbcgroup@gmail.com; Kieran.McConnell@vancouver.ca; pveacoordinator@gmail.com; dsnoble@shaw.ca; apeacock@telus.net; mark.pinney@capp.ca; epritchard@bcpiac.com; acpullman@shaw.ca; jquail@aqwlaw.ca; dramage@shaw.ca; emcinnestrankin@yahoo.ca; ireeve@cope378.ca; s.ridout@shaw.ca; diane.roy@fortisbc.com; gas.regulatory.affairs@fortisbc.com; marvshaffer@gmail.com; amy.sopinka@gov.bc.ca; roninconsult@live.com; rsue@sfu.ca; bob@creativeharmonicsolutions.com; info@coastalfirstnations.ca; rbw@bht.com; cweafer@owenbird.com; jweimer@telus.net; fredweislaw@gmail.com; lworth@aqwlaw.ca

Cc: roninconsult@live.com; bchydroregulatorygroup@bchydro.com

Subject: BC Hydro 2015 Rate Design Application

Notice of Regulatory Filing

BC Hydro 2015 Rate Design Application

The following has been filed by BC Hydro:

Filed Documents: [Proposed Electric Tariff Amendments and Related Documents](#)

Please note that this link will expire within seven days.

Date Filed: December 21, 2015

Hard copies only available upon request.

[LINK TO BCUC WEBSITE](#)

You are receiving this email for information only. If you no longer wish to receive emails regarding this matter or if you feel there are others who should receive these emails going forward, please notify bchydroregulatorygroup@bchydro.com.

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Regulatory Compliance & Filings
BC Hydro
bhydroregulatorygroup@bhydro.com

Smart about power in all we do.