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Via: E-filingBritish Columbia Utilities Commission
Sixth Floor, 900 Howe Street
Vancouver, BC V6Z 2N3**Attention: Laurel Ross, Acting Commission Secretary**

Dear Ms. Ross:

**Re: British Columbia Hydro and Power Authority
Inquiry of Expenditures related to the adoption of the SAP Platform
British Columbia Utilities Commission Action on Complaint**

We continue to represent the intervenor Mr. Adrian Dix, MLA.

We write further to the March 20, 2017 correspondence of Ms. Kelly Slade-Kerr, counsel for an anonymous individual who filed a Code of Conduct complaint with BC Hydro's Code of Conduct Advisor on April 1, 2010 (the "Complaint"). For the reasons that follow, we ask that the Commission direct BC Hydro to release the Complaint and provide further witness statements as set out further below.

The Code of Conduct Complaint should be disclosed

There can be little doubt that the Complaint is relevant to the matters at issue in this Inquiry. Ms. Slade-Kerr's correspondence describes the Complaint as "directly relevant to the issues under consideration in the SAP Inquiry" and notes that BC Hydro itself has referred to the Complaint as a "relevant Human Resource (HR) matter that arose in 2010". Given that Ms. Slade-Kerr's client has consented to the Complaint's release, we can see no principled reason for continued non-disclosure.

BC Hydro's handling of the Code of Conduct Complaint should be scrutinized

In light of the Complaint's apparent relevance to SAP-related issues, the Commission and the public deserve to know what, if anything, BC Hydro did in response to the Complaint after receiving it in April 2010. They also deserve to know why the Complaint was not brought to the Commission's attention at that time and BC Hydro should further explain why the Complaint has not been brought to the Commission's attention earlier in this Inquiry. While it is true that in its September 30, 2016

correspondence BC Hydro referred to a "relevant Human Resource (HR) matter" which was being excluded "[d]ue to the confidentiality of such matters", such an opaque description effectively withheld the fact of the Complaint's existence.

We now know from Mr. Webb's March 15, 2017 letter that BC Hydro reviewed the Complaint while preparing its very first response to the Commission in this Inquiry. Despite the Complaint's apparent relevance to the Inquiry, BC Hydro made no mention of the Complaint in its response or in any subsequent submissions. It is difficult to imagine a compelling reason why BC Hydro would not disclose, at a minimum, the *existence* of a contemporaneous internal complaint relevant to matters in issue in the SAP Inquiry.

Given that one of the central issues in this Inquiry is whether BC Hydro failed to make full and accurate disclosures to the Commission, the content of the Complaint and BC Hydro's handling of it are highly relevant. For these reasons, we ask that the Commission issue the following directions.

1. BC Hydro is to disclose the Code of Conduct Complaint to the Commission and the participants.
2. BC Hydro is to provide at least one statement from a witness who was a member of the Audit and Risk Management Committee in 2010, addressing the Committee's discussion(s) of the Complaint and response(s) to the Complaint, if any.
3. For each witness statement already provided by BC Hydro, the witness is to provide an additional statement addressing (i) whether or not they were aware of the Complaint, (ii) any discussion(s) of the Complaint and (iii) any response(s) to the Complaint.

As a result of Ms. Slade-Kerr's revelation we suggest that the deadline of April 4, 2017 for Information Requests on BC Hydro's Witness Statements be suspended until the Commission determines the relevance of the Complaint to these proceedings.

Yours truly,

CAROLINE + GISLASON LAWYERS LLP



Gary Caroline

- c. Client
eFiling List of Participants