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November 1, 2018

British Columbia Utilities Commission
Suite 410, 900 Howe Street
Vancouver, BC, V6Z 2N3
Attn: Patrick Wruck, Commission Secretary
By Email: commission.secretary@bcuc.com

Dear Sir:

Re: BCUC Project No. 1598958,
BC Hydro Application to Amend Net Metering Service under Rate Schedule (RS) 1289
Compliance with Commission Order No. G-100-18 Directive 4, Extension Request
SCBC Request for Further Process

I am writing on behalf of the Sierra Club British Columbia with reference to BC Hydro's October 10, 2018 letter to the Commission requesting an extension of the filing date for its Net Metering application. BC Hydro asks for an extension to July 31, 2019 of the December 15, 2018 filing date set out in Decision and Order G-100-18 dated June 1, 2018.

1. SCBC Request

SCBC respectfully requests that the Commission:

- (a) move this proceeding from Archived Proceeding list to the Active Proceeding list, and
- (b) provide an opportunity for comments on BC Hydro's Extension Request, and for BC Hydro to reply, before the Commission makes a decision on the Extension Request.

The purpose of the request is to promote transparency and fairness. SCBC takes no position in this letter regarding the merits of BC Hydro's Extension Request.

The *status quo* is that the public has reason to expect¹ that BC Hydro will file a Net Metering amendment application by December 15, 2018 and that the Commission's ensuing proceeding will be an opportunity for net metering stakeholders to provide input to the Commission regarding net metering topics including but not limited to whether final approval should be given to the interim approval of the rule that the program is not available to new participants proposing a generating facility with an estimated annual energy output that is greater than their estimated annual load.

2. Background

On April 20, 2018, BC Hydro wrote to the Commission to seek approval to amend RS 1289 such that participation in the Net Metering program would no longer be available to new participants proposing a generating facility with an estimated annual energy output that is greater than their estimated annual load. BC Hydro said the application to amend the NM tariff was "an interim

¹ Decision and Order G-100-18

step to address the issue of oversized generating facilities while BC Hydro undertakes a broader review of the [NM] Program and its requirements.”² BC Hydro said it intended to conduct stakeholder consultation and was targeting an application to the Commission for approval of further amendments by the end of calendar 2018.³

On May 23, 2018, the Commission appointed a panel to conduct a review.⁴ A web page for the proceeding was opened on the Commission’s website.⁵

The application attracted public concern and media attention. Between May 24 and May 31, 2018, some 18 letters of comment were received by the Commission and posted on the proceeding page.⁶ In that time period, BCSEA and SCBC were involved in discussions about the application and were awaiting a proceeding order before making submissions to the Commission.

On June 1, 2018, the Commission issued Decision and Order G-100-18.⁷ The Commission gave interim approval effective April 20, 2018 to the requested tariff amendments until such time as the BCUC rules on the next BC Hydro Net Metering application or orders otherwise. The Commission also directed BC Hydro to file its next Net Metering amendment application by no later than December 15, 2018. The Commission’s proceeding web page was moved to the Archived Proceedings list, where it is now.

In the Fall of 2018, BCSEA and SCBC asked BC Hydro about the status of consultation toward NM amendments. In early October, BC Hydro and BCSEA and SCBC discussed BC Hydro’s evolving plans.

On October 10, 2018, BC Hydro wrote to the Commission asking for an extension of the filing date for a Net Metering amendment application from December 15, 2018 to July 2019. BC Hydro referred to the BC Government’s comprehensive review of BC Hydro that had been announced in June 2018. BC Hydro said the review’s terms of reference include issues related to Net Metering “such as Revenues and Load Forecasting and Cost of Energy.” BC Hydro said a Phase 1 report, and the Government’s response, is expected “in the coming months.” BC Hydro said it “believes that waiting for the release of results from Phase 1 of the comprehensive review would help to facilitate the development and assessment of options and would result in more meaningful and informed stakeholder engagement.” BC Hydro said it expected to start stakeholder engagement in January 2019. In the October 10, 2018 letter, BC Hydro included a paragraph on page 2 acknowledging concerns about the interim amendment and the possibility of concerns about extension of the December 15, 2018 filing date. BC Hydro said the interim

² Exhibit B-1, https://www.bcuc.com/Documents/Proceedings/2018/DOC_51643_B-1-BCH_RS1289_NetMeteringServiceAmendmentApplication.pdf

³ Exhibit B-1,

⁴ Exhibit A-1, https://www.bcuc.com/Documents/Proceedings/2018/DOC_51644_A-1-Panel.pdf

⁵ <https://www.bcuc.com/ApplicationView.aspx?ApplicationId=629>

⁶ E-series letters of comment.

⁷ Exhibit A-2, https://www.bcuc.com/Documents/Proceedings/2018/DOC_51734_A-2_G-100-18_InterimApproval-Reasons.pdf

amendment had not had a negative impact on the NM Program, citing increased numbers of NM applications and connections to the grid.

3. Limited notice of extension request

SCBC notes that the proceeding webpage remains on the Archived Proceedings list, and BC Hydro's October 10, 2018 extension request is not posted on it.

BC Hydro's October 10, 2018 letter indicates that it is copied to: "BCUC Project No. 3698662 (BC Hydro 2014 Application to Amend Rate Schedule 1289 for Net Metering Service) Registered Intervener Distribution List." BCSEA-SCBC were interveners in the 2014 NM Amendment proceeding and did receive a copy of the October 10, 2018 letter.

However, SCBC notes that many of the individuals and groups whose May 2018 letters of comment are posted on the now-archived proceeding website were not interveners in the 2014 NM Amendment proceeding.⁸ SCBC is aware of at least one such commenter who had not been aware of the October 10, 2018 extension request (until informed by SCBC). To be clear, while it appears that the May 2018 commentators have not received notice of the extension request, SCBC has no direct confirmation that that is the case.

4. Conclusion

SCBC recommends that the Commission move the proceeding webpage from the Archived Proceedings list to the Active Proceedings, post BC Hydro's October 10, 2018 extension request, and provide a reasonable date for comments and a reply by BC Hydro. In SCBC's view, this would provide transparency and fairness.

Yours truly,

William J. Andrews



Barrister & Solicitor

cc. Fred James, BC Hydro, Chief Regulatory Officer (bhydroregulatorygroup@bhydro.com)
Chris Sandve (Chris.Sandve@bhydro.com)

⁸ In most of the May 2018 letters of comment the email addresses are redacted.