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July 18, 2019

VIA ELECTRONIC MAIL

British Columbia Utilities Commission
 6th Floor, 900 Howe Street
 Vancouver, B.C.
 V6Z 2N3

**Attention: Patrick Wruck, Commission Secretary
 and Manager, Regulatory Support**

Dear Sirs/Mesdames:

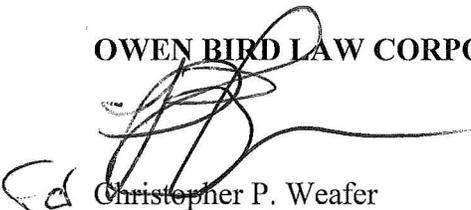
**Re: Ravens Landing Industrial Park Ltd. Application for an Exemption from Part 3 of
 the Utilities Commission Act**

We are counsel to the Commercial Energy Consumers Association of British Columbia (the "CEC"). Attached please find the CEC's first set of Information Requests with respect to the above-noted matter.

If you have any questions regarding the foregoing, please do not hesitate to contact the undersigned.

Yours truly,

OWEN BIRD LAW CORPORATION


 Christopher P. Weafer

CPW/jj
 cc: CEC
 cc: Ravens Landing Industrial Park Ltd.
 cc: Registered Interveners

COMMERCIAL ENERGY CONSUMERS ASSOCIATION
OF BRITISH COLUMBIA (“CEC”)

INFORMATION REQUEST NO. 1

Ravens Landing Industrial Park Ltd. Application for an Exemption from Part 3 of the
Utilities Commission Act

July 18, 2019

1. Reference: Exhibit B-1, page 1 and Exhibit B-1, page 1 and 2 and Utilities
Commission Act Part 3 Section 22 and BCUC Order G-191-16

Re: Ravens Landing Industrial Park Ltd.
1763 Sean Heights, Saanichton, BC

Partial Relief / Exemption from Public Utility under *Utilities Commission Act (UCA)*
Part 3 Section 22 and Part 6 Sections 88(3) and 89

To whom it may concern;

Please consider this as formal application for a partial exemption from Part 3, Section 22 from the
Utilities Commission Act (UCA), and consideration for partial relief per Part 6, Sections 88(3) and 89.

Exemption Precedents

RLIP acknowledges it meets the definition of a public utility through the sale of electricity via 3rd
party meters.

1 | Page

Referring to BCUC Order No G-191-16 the matter of providing a class exemption under certain lease
conditions is being determined, or has now been finalized. For a certain class of tenants we would
like this potential exemption to apply to our long-term leases that may exceed the 5-year rule.

Exemptions

22 (1) In this section, "**minister**" means the minister responsible for the administration
of the *Hydro and Power Authority Act*.

(2) The minister, by regulation, may

(a) exempt from any or all of section 71 and the provisions of this Part

(i) a public utility, or

(ii) a public utility in respect of any equipment, facility, plant, project, activity, contract, service or system of the public utility, and

(b) in respect of an exemption made under paragraph (a), impose any terms and conditions the minister considers to be in the public interest.

(3) The minister, before making a regulation under subsection (2), may refer the matter to the commission for a review.

On August 4, 2015, By Order G-131-15, the Commission, with advanced approval from the Lieutenant Governor in Council, ordered that Templeton Designer Outlet Centre Limited Partnership (Templeton LP) be exempt from Part 3 of the UCA except for sections 25, 38, 41 and 42, for the purpose of resale of electricity to its lessees, with a term of exceeding five years, at the Regional Designer Outlet Centre located at Vancouver International Airport in Richmond, British Columbia. Also, the Commission Order exempted , both Templeton LP and its tenant lessees provided that the lessees are not reselling electricity, from section 71 of the UCA (collectively, Templeton LP Exemption). These exemptions were conditional on Templeton LP's compliance with the BC Hydro Electric Tariff Terms and Conditions for the Resale of Electricity. The Templeton LP Exemption remains in effect until the Commission, after conducting a hearing, orders the exemption no longer applies;

On XX, by Order XX, the Commission initiated a proceeding to consider a class exemption for all BC Hydro customers with lease arrangements, where the Lessor, not otherwise a public utility, provides electricity only to the Lessee, where the lease period is greater than five years, if the service or commodity is not resold to or used by others and meets the criteria of BC Hydro Electric Tariff Terms and Condition for the Resale of Electricity and where all other requirements of the UCA are met;

- 1.1. The CEC is unclear on the specific exemptions being requested by Raven's Landing. Is Raven's Landing seeking to be exempt from Part 3 of the Utilities Commission Act except for Sections 25, 38, 41 and 42?
 - 1.1.1. If no, please provide the specific exemptions that Raven's Landing is seeking.
- 1.2. Please see Commission order G-177-18 and comment on the applicability of the order to Raven's Landing application and any variances that would be required.

2. Exhibit B-1, page 2

Partial Relief – Part 6 Section 89

The challenge with this specific situation is the fact that there are some owned units that RLIP is selling electricity to that cannot be included in any potential class exemption granted by the BCUC.

The extent of the relief being sought is limited to excluding RLIP from the public hearing process with input from outside stakeholders and rate payers, and filing schedules with the BCUC.

Because we are a small public utility and are billing at the same approved tariff rates, it does not seem necessary for the BCUC to establish rates that would likely be the same, or to invite public non-affected parties to have a potential impact on how our business operates.

The annual public process would be onerous for our company, but we also feel it would not be the best use of time and resources for the BCUC and its' staff.

- 2.1. Raven's Landing states that it does not seem necessary for the BCUC to establish rates that 'would likely' be the same. Please explain and comment on any exceptions that Raven's Landing believes could occur.
- 2.2. Does Raven's Landing commit to be continuously consistent with BC Hydro's approved electric tariff, or does Raven's Landing expect to allow for there to be some variation? Please explain.
- 2.3. What form(s) of input does Raven's Landing expect for its customers to have with regard to rates, service, delivery, regulations, etc.?
- 2.4. How does Raven's Landing propose to resolve issues with customers regarding the resale of electricity?

3. Exhibit B-1, page 2 and Part 6 Section 89 of the UCA

Partial Relief – Part 6 Section 89

The challenge with this specific situation is the fact that there are some owned units that RLIP is selling electricity to that cannot be included in any potential class exemption granted by the BCUC.

The extent of the relief being sought is limited to excluding RLIP from the public hearing process with input from outside stakeholders and rate payers, and filing schedules with the BCUC.

Because we are a small public utility and are billing at the same approved tariff rates, it does not seem necessary for the BCUC to establish rates that would likely be the same, or to invite public non-affected parties to have a potential impact on how our business operates.

The annual public process would be onerous for our company, but we also feel it would not be the best use of time and resources for the BCUC and its' staff.

PARTIAL RELIEF

89 On an application under this Act, the commission may make an order granting the whole or part of the relief applied for or may grant further or other relief, as the commission considers advisable.

- 3.1. Is Raven's Landing requesting the Commission to grant relief for specific 'owned units' pursuant to Section 89? Please explain.
 - 3.1.1. If yes, please provide the specific 'owned units' to which Raven's Landing is referring.
- 3.2. Please comment on how Raven's Landing would like the Commission to resolve the issue of units that cannot be included in a potential class exemption.