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October 31, 2019

VIA ELECTRONIC MAIL

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

Dear Sirs/Mesdames:

Re: Creative Energy Vancouver Platforms Inc. ("Creative Energy") ~ Application for a Certificate of Public Convenience and Necessity for the Beatty-Expo Plants and Reorganization ~ Project No. 1598962 (the "Proceeding") – Farris LLP Requests for Relief

We are counsel to the Commercial Energy Consumers Association of British Columbia (the "CEC") in the above-noted proceeding. We herein provide our client's response to the request set out by the Commission Panel in Exhibit A-36.

We have reviewed the Farris LLP submissions on grounds for reconsideration filed Thursday, October 24, 2019, and circulated by Commission Staff as Exhibit A2-2 (the "Request for Relief"). We have also been provided with a copy of the submissions filed by Lawson Lundell on behalf of Creative Energy dated October 30, 2019, and have reviewed those submissions.

The CEC participated in the Proceeding and, as noted in Creative Energy's October 30, 2019 letter at paragraph 1, its "participation in the proceeding included a heavy focus on issues related to land ownership". Notwithstanding those pursuits, the CEC was unaware of the right of first purchase ("ROFP") which is now the subject of the Request for Relief and related litigation.

The CEC submits that the existence of the ROFP is a matter which the Commission and the participants should have been made aware of in a more forthright manner by Creative Energy in the Proceeding. If it had been, an assessment as to whether the costs and efforts undertaken by Creative Energy to structure the application in a manner intended to avoid the triggering of the ROFP would have been properly and fairly pursued. The key concern being whether the approach of Creative Energy impacted ratepayers, or the public interest, in any negative way. In

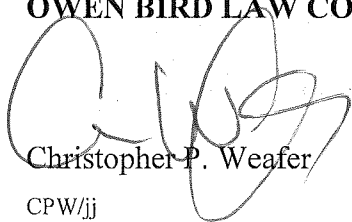
the event the relief sought by Farris is granted, the CEC would reserve the right to pursue those concerns in any subsequent proceeding.

The CEC otherwise takes no position on the Farris LLP Request for relief.

All of which is respectfully submitted.

Yours truly,

OWEN BIRD LAW CORPORATION



Christopher P. Weafer

CPW/jj

cc: CEC

cc: Creative Energy

cc: Registered Interveners