

Via Email:

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British Columbia Utilities Commission
Att'n: Mr. Patrick Wruck, Commission Secretary
Suite 410, 900 Howe Street
Vancouver, BC V6Z 2N3
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Re: British Columbia Utilities Commission – An Inquiry into the Regulation of Municipal Energy Utilities – Project No. 1599027 – Regulatory Timetable - Order G-316-19

Dear Mr. Wruck

By Order G-316-19, the Panel requested Interveners to provide written submissions on further process by Thursday, January 16, 2020, including any comments on the proposed timetable, attached as Appendix B to the Order.

The Panel requests that submissions address the most appropriate further process or processes and that the submissions should address the regulatory timetable laid out in Appendix B to this Order.

Participants are also requested to provide a proposed regulatory timetable; advise as to their periods of unavailability and include whether they intend to file evidence (The role of evidence in BCUC hearings is attached to Order G-316-19 as Appendix C).

The Exclusion

To acquire a more useful insight into the municipal and regional district exclusion, it may assist the interveners for the Panel to provide some background, purpose and rationale that resulted in the original exclusion being included in the UCA.

I believe it started with the 1945 Electric Power Act that also established the BC Power Commission that was created to consolidate the smaller utilities throughout the province and to install the infrastructure necessary to provide service to more remote communities leading to the creation of BC Hydro in 1961.

As the Legislative Assembly created the Commission in 1980 to protect the interests of ratepayers, while still allowing utility companies to earn a fair return, why was a municipal exclusion included in the wording of the UCA? Also, what might the impact to those utilities be if the municipal exclusion was removed from the UCA and the then public utilities applied for exemptions from certain parts of the UCA? The scope of the Inquiry has not addressed the removal of the exclusion from the UCA and perhaps it should explore this in Final Argument.

Written Submission

Further process could be limited to submissions already filed in the Inquiry and one round of written information requests, if necessary. A move directly to final argument is also acceptable. However, if the Panel feels a need for more information or additional evidence, a second written evidence-based submission may be appropriate.

If the Panel considers it necessary for further process, I have no objections to the proposed regulatory timetable laid out in Appendix B to Order G-316-19.

Currently, I have no availability issues.

As the Panel states, "Evidence can take many forms, including witness statements (written, in person) and written documents." In which case, my evidence may be limited to submissions of others, certain relevant sections of the UCA, Local Government Act, the Community Charter and other Acts; as I believe the remedy may be found in those documents which mostly likely already exist on the record. However, I will examine other interveners' evidence through information requests and/or cross-examination if additional evidence is appropriate.

Regards,
D.J. Flintoff