



**bcuc**  
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Utilities Commission

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August 28, 2020

Sent via email/eFile

**KPL – SAFETY AND RELIABILITY INVESTIGATION**  
**EXHIBIT A-9**

Andrew Crabtree  
Counsel to Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations  
Crabtree Law  
andrew@crabtreelaw.ca

**Re: Kyuquot Power Ltd. – Investigation into the Safety and Reliability of the KPL System – Project No. 1599094 – BCUC Information Request No. 1 to KCFN**

Dear Mr. Crabtree,

Further to the above-noted matter, enclosed please see British Columbia Utilities Commission Information Request No. 1. Please file your responses by Friday, September 25, 2020.

Sincerely,

*Original signed by Ange-Christelle Irakarama for:*

Marija Tresoglavic  
Acting Commission Secretary

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Enclosure



Kyuquot Power Ltd.  
Investigation into the Safety and Reliability of the KPL System

**INFORMATION REQUEST NO. 1 TO KA:'YU:'K'T'H'/CHE:'K'TLES7ET'H' FIRST NATIONS**

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**1.0 Reference: KCFN and KPL Joint Structures  
Exhibit D-3, IR 1.3, 2.3**

In response to British Columbia Utilities Commission (BCUC) Information Request (IR) 1.3 to Kyuquot Power Ltd. (KPL), KPL stated:

During the KCFN Update Period, the KCFN was undertaking substantial changes to its distribution system at Houpsitas (the "Houpsitas System"). As a part of the upgrade process, the KCFN proposed to install a gang operated line breaker (the "GOLB") on the KPL System. When the GOLB is in the open position, no electricity can be delivered to any of the customers of KPL except for a single customer at Fair Harbour. KPL advised that it would accept the installation of the GOLB but that the control of the GOLB (opening and closing) would have to be performed by qualified KPL contractors to ensure safe operation of the KPL System. Please refer to Confidential Appendix L that is a record of the relevant e-mail exchange on or about January 9, 2020. Without notice or advice to KPL, the KCFN apparently proceeded to install the GOLB and to operate (effect control) of the GOLB using KCFN contractors. Apparently and without notification to KPL, the KCFN notified KPL customers of planned outages during the period March 6, 2020 to March 16, 2020. The planned outages involved opening the GOLB to de-energize and allow KCFN easier conditions to perform upgrade work on the Houpsitas System. On about four occasions in the KCFN Update Period, when the KCFN closed the GOLB (after partial completion of upgrade work on the Houpsitas System) fusing on the KPL system failed and KPL was notified and responded. During this period, KCFN would not permit KPL contractors' access to the GOLB or Houpsitas in order for the KPL contractors to inspect or advise on KCFN actions. Typical action from KPL would be a requirement for KCFN to isolate their system from the KPL System and for KCFN to confirm that the Houpsitas System was suitable to reconnect to the Houpsitas System, prior to re-energization from KPL. The outages on the KPL System commenced on the first closing of the GOLB and there were no further related outages after the KCFN contractors completed that stage of remedial work and left Houpsitas.

The GOLB was installed on a pole jointly used by KCFN and KPL. The crossarm on the pole supports both the KCFN conductor(s) and the KPL conductor. The GOLB was installed to operate both the KCFN conductors and the KPL conductor.

- 1.1 Please confirm whether the Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations (KCFN) or KCFN Contractors installed the above noted GOLB switch, which operates the KPL power distribution system (KPL System).
- 1.1.1 If confirmed, please explain on what date this GOLB switch was installed.

- 1.1.2 If confirmed, please describe, in KCFN's view, whether KPL's approval to install this GOLB switch was necessary.
  - 1.1.2.1 If not, please explain why not.
- 1.2 Please confirm, for the period defined above as March 6, 2020 to March 16, 2020, whether KCFN restricted access to the KPL system for KPL or KPL contractors.
  - 1.2.1 If confirmed, please explain the reasons for this access restriction.
- 1.3 Please describe any other time periods where KCFN restricted access to the KPL system for KPL or KPL contractors. Please also describe the reasons for these access restrictions.

In response to BCUC IR 2.3, KPL stated:

- The power poles of KPL and KCFN that have joint use are the subject of an agreement between KPL and KCFN under which each party is responsible for its portion of maintenance, replacement and other activities. The portions of each structure that provides either KPL service or KCFN service is under sole control and cost of KPL or KCFN, respectively. As noted in KPL's response to BCUC IR 1.3, it is likely that unauthorized control of the GOLB by the KCFN continues but KPL is not able to conduct a physical inspection because of KCFN's request to avoid travel to Kyuquot due to COVID 19 as well as a KCFN request to remain outside KCFN boundaries.
- 1.4 Please provide a KCFN drawing, which indicates the following:<sup>1</sup>
    - i. Where the KCFN Point of Interconnection with KPL is located;
    - ii. Which structures are KCFN and KPL shared structures;
    - iii. The location of the GOLB switch referred to in the above preamble;
    - iv. The boundaries of KFCN Lands; and
    - v. Which KPL structures and KPL/KCFN shared structures are located within KCFN Lands.
  - 1.5 For any shared structure marked in response to BCUC IR 1.4 (ii) above, please confirm:
    - i. who built these jointly used power structures;
    - ii. who owns, or what the ownership structure is, for the jointly used power structures; and
    - iii. who is responsible for maintenance of the structures and equipment.
  - 1.6 For any structures identified above in IR 1.2 (v), please identify if there are any right of way or land use agreements in place, which would allow KPL to access and work on these structures.
    - 1.6.1 Please provide a copy of these agreements.
  - 1.7 Please provide any documentation KCFN has of any agreements between KPL and KCFN related to operation of the joint power structures.
  - 1.8 Please confirm whether KCFN has requested non-residents to avoid travel to Kyuquot due to COVID-19.
    - 1.8.1 Please explain whether this request was intended to include KPL employees or contractors who may need to work on the KPL System for safety, maintenance or other reasons.

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<sup>1</sup> If a KCFN drawing is unavailable, please identify these items on the KPL record drawings, provided in Exhibit A2-3.