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British Columbia
Utilities Commission

Marija Tresoglavic
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November 9, 2020

Sent via eFile

CITY OF COQUITLAM - RECONSIDERATION AND VARIANCE OF G-80-19 EXHIBIT A-15

Stephanie James
City Solicitor
City of Coquitlam
3000 Guilford Way
Coquitlam, BC V3B 7N2
sjames@coquitlam.ca

Re: City of Coquitlam – Application for Reconsideration and Variance of Order G-80-19 in the matter of the FortisBC Energy Inc. Application for Use of Lands under Sections 32 and 33 of the Utilities Commission Act in the City of Coquitlam for the Lower Mainland Intermediate Pressure System Upgrade Projects – Further Regulatory Timetable

Dear Ms. James:

Further to your May 16, 2019 filing, please find enclosed British Columbia Utilities Commission Order G-289-20, establishing an amended regulatory timetable for the review of the above-noted application.

Sincerely,

Original signed by:

Marija Tresoglavic
Acting Commission Secretary

/aci
Enclosure

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ORDER NUMBER
G-289-20

IN THE MATTER OF
the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

City of Coquitlam
Application for Reconsideration and Variance of Order G-80-19 in the matter of the FortisBC Energy Inc. Application for Use of Lands under Sections 32 and 33 of the Utilities Commission Act in the City of Coquitlam for the Lower Mainland Intermediate Pressure System Upgrade

BEFORE:
R. I. Mason, Panel Chair
W. M. Everett, QC, Commissioner

on November 9, 2020

ORDER

WHEREAS:

A. On May 16, 2019, pursuant to section 99 of the *Utilities Commission Act* (UCA), the City of Coquitlam (City) filed with the British Columbia Utilities Commission (BCUC) an application for Reconsideration and Variance of Order G-80-19 (Reconsideration Application);

B. By Order G-202-20A dated July 30, 2020, the BCUC established a regulatory timetable that included the filing of evidence by the City and interveners, the filing of rebuttal evidence by the City, information requests on rebuttal evidence and further process to be determined;

C. By letter dated October 28, 2020, the City stated it will not be submitting rebuttal evidence in this proceeding. The City submitted it is content to move to final arguments at this time, and provided notice of the following information that the City expects to refer to in final arguments (Documents):

    1. The decision of Mr. Justice Abriuox in Coquitlam (City) v. British Columbia Utilities Commission, 2020 BCCA 289, granting leave to appeal from BCUC Order G-75-20 affirming Order G-80-19; and
    2. The Canadian Energy Regulator Act, S.C. 2019, c. 28 as amended, and in particular the provisions of Part 3 relating to pipeline abandonment and the provisions of Part 6 of the Act relating to a pipeline's use of lands and compensation payable by the pipeline company to persons impacted including landowners;

D. By Order G-277-20 dated November 2, 2020, the BCUC established an updated regulatory timetable and requested parties make the following submissions:

    1. The City is requested to clarify why the information filed in Exhibit B-17 with respect to Coquitlam (City) v. British Columbia Utilities Commission and the Canadian Energy Regulator Act is not being

filed as rebuttal evidence, including an explanation of the context the City intends to refer to this information in its final argument; and

2. Interveners are requested to provide their submissions on the City's proposals in Exhibit B-17, including further process and the information filed by the City;

E. By letter dated November 3, 2020, the City submits that the Documents were filed as a courtesy to interveners and were not submitted as rebuttal evidence of the City because they are not fact, opinion, belief or knowledge of the City or its staff;

F. By November 5, 2020, British Columbia Hydro and Power Authority (BC Hydro), FortisBC Energy Inc. (FEI) and the Commercial Energy Consumers Association of British Columbia (CEC) filed submissions. BC Hydro and FEI are content to advance to final argument, while the CEC takes no position. No interveners expressed reservations with the City referring to the Documents in argument; and

G. The BCUC considers that establishing a regulatory timetable is warranted.

NOW THEREFORE the BCUC orders a regulatory timetable is established, attached as Appendix A to this order.

DATED at the City of Vancouver, in the Province of British Columbia, this 9th day of November 2020.

BY ORDER

Original signed by:

R. I. Mason
Commissioner

Attachment

City of Coquitlam
Application for Reconsideration and Variance of Order G-80-19 in the matter of the FortisBC Energy Inc. Application for Use of Lands under Sections 32 and 33 of the Utilities Commission Act in the City of Coquitlam for the Lower Mainland Intermediate Pressure System Upgrade

REGULATORY TIMETABLE

Action	Date
City Final Argument	Wednesday, December 2, 2020,
Intervener Final Arguments	Wednesday December 23, 2020
City Reply Argument	Monday, January 18, 2021