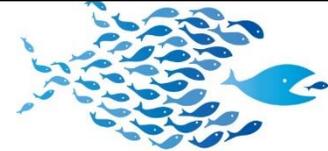


16 December 2020

VIA E-FILING

Marija Tresoglavic
Acting Commission Secretary
BC Utilities Commission
6th Floor 900 Howe Street
Vancouver, BC V6Z 2N3



BCPIAC
Public Interest Advocacy Centre

Reply to: Leigha Worth
ED@bcpiac.org
Ph: 604-687-3034
Our File: 7800.310

Dear Ms. Tresoglavic,

Re: Boralex Ocean Falls Limited Partnership Application for Rates and Terms and Conditions for Service to the British Columbia Hydro and Power Authority – July 1, 2019 to December 31, 2022

Please be advised that, in this process, we represented BC Old Age Pensioners' Organization, Active Support Against Poverty, Council of Senior Citizens' Organizations of BC, Disability Alliance BC, Tenants Resource and Advisory Centre, and Together Against Poverty Society, known in this regulatory proceeding as BCOAPO et al. We make the following submissions in response to the Commission's December 7th invitation to comment on Boralex's December 1, 2020 application to establish a PACA funding cost deferral account.

In the normal course, we take the position that any application for a new deferral account should only be made to cover material and difficult to forecast variances in expenses such as fuel costs and yes, sometimes costs associated with regulation before the BCUC. Were Boralex a Fortis Utility, or a division of BC Hydro, we would be hard pressed to accept that they were unable to foresee the need for a regulatory deferral account but in this case the utility is a new player on the field and, having once been in that position from an intervenor's perspective, we can appreciate Boralex's concerns.

When I began practicing before the BC Utilities Commission in 2006, I was the beneficiary of not just one but two highly capable and knowledgeable regulatory mentors who dedicated themselves to educating me as quickly as possible in not only the law and practice considerations specific to utility regulation but also the ancillary knowledge this area of practice requires we master in order to best represent our clients before the BCUC Panels. However, there were still many times when the Utilities, Intervenors, BCUC Staff and its Hearing Panels chose to make some allowances for

my unfamiliarity with utility regulation as I learned my craft. This is, in my submission, clearly an instance where I have the opportunity to pay it forward without compromising my clients' interests. We recognize that, as a new player, Boralex may not have understood that this process would engage our clients' interests as BC Hydro's residential ratepayers and there is nothing to be gained by fighting the Utility's fair application for a deferral account under these circumstances.

We ask that Boralex file with the BCUC the following:

1. a detailed accounting of the expenses they are applying to allocate to the proposed deferral account and how they will be treated while in the account,
2. a clearly defined and reasonable amortization period,
3. specific information regarding how the funds will be treated while in the account (i.e. the interest rate and any other relevant factors that will have an effect on the costs to BC Hydro and its ratepayers). Again, Boralex's plans in this regard will be subject to BCUC examination and approval,
4. a utility undertaking to retire the account by a specified date or a formal application to establish it permanently (subject to BCUC approval), and
5. any other relevant details that satisfies the BCUC that Boralex's proposal is in line with the approved parameters – either specific or general – for similar deferral accounts for utilities here in BC.

If our regulator is satisfied with the information Boralex provides to support its stated intention to establish a regulatory cost deferral account in regards to our cost award, then we certainly see no reason to oppose Boralex's application. In addition, we invite Boralex to reach out to us in future to discuss planned filings so it might gain a better understanding of our focus and concerns, perhaps allowing it to file materials in the first instance that will reduce the need for extensive discovery but also to facilitate a regulatory budgeting estimate on their end.

I would like to take this opportunity to reassure Boralex that we did indeed submit a budget for the above-noted regulatory matter to the Commission on January 14, 2020 and we were unaware that it did not receive a copy of that documentation once filed. Please be advised, in the spirit of transparency and cooperation, I have altered our SOP to ensure we send our budget and PACA documents to the Commission and all relevant applicant utilities in future.

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

Sincerely,

BC PUBLIC INTEREST ADVOCACY CENTRE

Original on file signed by:

Leigha Worth
Executive Director | General Counsel