



December 18, 2020

Sent via email/eFile

<b>BCUC INQUIRY INTO THE REGULATION OF SAFETY EXHIBIT A-4</b>
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**To:** Registered Parties

**Re: British Columbia Utilities Commission – Inquiry into the Regulation of Safety – Regulatory Timetable and Procedural Conference**

On September 23, 2020, by Order G-241-20, the British Columbia Utilities Commission (BCUC) established an inquiry to examine the role of the BCUC in the regulation of safety (Inquiry). The regulatory timetable included intervener registration and written submissions on the BCUC's jurisdiction with respect to the regulation of safety, legislative gaps or overlaps and whether a workshop in support of the Inquiry would be beneficial.

On November 12, 2020, the BCUC received written submissions from interveners and interested parties. Following the review of the submissions, the BCUC considers that further examination of its mandate with respect to safety is required.

By Order G-342-20 dated December 18, 2020, the BCUC established a further regulatory timetable for the Inquiry, including intervener registration and a web-based procedural conference. The procedural conference is scheduled to begin at 9:00 a.m. on Wednesday, January 27, 2021.

The BCUC has established the Procedural Conference to allow interveners to comment on the BCUC's proposed approach to the Inquiry.

### **Inquiry Proposed Scope and Process**

The BCUC proposes to undertake the Inquiry in two stages. The first stage of the Inquiry (Stage 1) will seek to establish the BCUC's jurisdiction with respect to safety regulation. Specifically, the BCUC will seek to address the following items:

- a. What is the nature and extent of the BCUC's jurisdiction to regulate the safety of public utilities under the *Utilities Commission Act* (UCA)? Does the UCA require the BCUC to perform certain duties?
- b. Under what conditions, if any, may the BCUC forbear from regulating safety of public utilities within its jurisdiction, as allowable under the UCA? and
- c. Should the BCUC establish a general framework of key principles to carry out its duties to regulate safety of public utilities? If so, in developing a key framework what key principles should be included, and what else might be included in that general framework?

At the conclusion of Stage 1, the BCUC will prepare a report that establishes a general framework of key principles for its regulation of safety (Safety Regulation Framework).

For Stage 1 of the Inquiry, the BCUC proposes the process outlined in Table 1 below.

**Table 1: Proposed Process for Stage 1**

Action	Date
Intervener Submissions addressing Stage 1 Scope	
BCUC information requests (IRs) on Submissions	
Intervener IRs on Submissions	
Responses to BCUC and Intervener IRs	
Intervener Final Submissions	
Draft report issued for comment	
Intervener comments on draft report	
Final report issued	

Once Stage 1 is complete, the BCUC intends to initiate the second stage of the Inquiry (Stage 2) to explore the application of the Safety Regulation Framework to its regulation of public utilities and establish how the BCUC will implement its mandate with regards to safety. At the completion of Stage 2, the BCUC will prepare a final report. The report may outline the way in which the principles will be set out in guidelines or establish formal guidelines, rules and/or recommendations that describe the mechanisms by which the BCUC will exercise its jurisdiction with regards to safety. Further information on the scope of Stage 2 will be provided at a later date.

**Scope for Procedural Conference**

The BCUC requests registered interveners specifically address the following items at the Procedural Conference, in addition to any other submissions they wish to make on:

1. The BCUC’s proposed staged approach to the Inquiry (Stage 1 and Stage 2);
2. Scope of Stage 1;
3. The most appropriate review process and timing for the Inquiry;
4. Setting a regulatory timetable for Stage 1; and
5. Other matters that will assist in the efficient review of the Inquiry.

**Registration for Procedural Conference**

Registered interveners and interested parties wishing to attend the Procedural Conference are required to register in advance via email to [Commission.Secretary@bcuc.com](mailto:Commission.Secretary@bcuc.com) or by telephone at 1-800-663-1385. The Procedural Conference will be web-based, hosted using Microsoft Teams. A link to the Procedural Conference will be provided upon registration. **Participants are requested to register for the Procedural Conference by Tuesday, January 19, 2021.**

The Procedural Conference will be held from 9:00am to 4:00pm, however participants will be able to join the meeting from 8.30am onwards to test their audio and video connections.

**Participant Assistance/Cost Award**

Participant Assistance/Cost Awards (PACA) may be available to interveners who wish to attend the Procedural Conference. In accordance with the BCUC's PACA Guidelines, attached to Order G-97-17, participant funding is not guaranteed upon acceptance as an intervener. The merits of each request for participant funding are assessed at the conclusion of the proceeding in accordance with the criteria outlined in sections 3 and 4 of the PACA Guidelines. The Panel makes no determinations with respect to participant funding at this time.

Sincerely,

*Original signed by:*

Marija Tresoglavic  
Acting Commission Secretary

LJ/cm



**ORDER NUMBER  
G-342-20**

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

and

British Columbia Utilities Commission  
Inquiry into the Regulation of Safety

**BEFORE:**

D. M. Morton, Panel Chair  
C. Brewer, Commissioner  
R. I. Mason, Commissioner

on December 18, 2020

**ORDER**

**WHEREAS:**

- A. By Order G-241-20, dated September 23, 2020, the British Columbia Utilities Commission (BCUC) established an inquiry to examine the role of the BCUC in the regulation of safety (Inquiry) and established a regulatory timetable, which included written submissions and letters of comment, with further process to be determined;
- B. On November 12, 2020, the BCUC received intervener written submissions and letters of comment, addressing the BCUC's jurisdiction with respect to the regulation of safety, legislative gaps or overlaps and whether a workshop in support of the Inquiry would be beneficial;
- C. The BCUC considers the establishment of a further regulatory timetable is warranted.

**NOW THEREFORE** the BCUC orders the regulatory timetable, as set out in Appendix A to this order, is established.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 18<sup>th</sup> day of December 2020.

BY ORDER

*Original signed by:*

D. M. Morton  
Commissioner  
Attachment

British Columbia Utilities Commission  
Inquiry into the Regulation of Safety

**REGULATORY TIMETABLE**

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Action	Date (2021)
Registration to attend web-based Procedural Conference	Tuesday, January 19
Web-based Procedural Conference	Wednesday, January 27 Commencing at 9:00am
Further Process	To be determined