

22 March 2021

**VIA E-FILING**

Patrick Wruck  
Commission Secretary  
BC Utilities Commission  
6th Floor 900 Howe Street  
Vancouver, BC V6Z 2N3



Reply to: Leigha Worth  
ED@bcpiac.org  
Ph: 604-687-3034  
Our File: 7310.222

Dear Mr. Wruck,

**Re: FortisBC Energy Inc. (FEI)  
Application for A Certificate of Public Convenience and Necessity (CPCN) for  
the Okanagan Capacity Upgrade Project  
BCOAPO Submissions on the Penticton Indian Band (“PIB”) Extension  
Request**

We represent the British Columbia Old Age Pensioners’ Organization, Active Support Against Poverty, Council of Senior Citizens’ Organizations of BC, Disability Alliance BC, and the Tenant Resource and Advisory Centre, known collectively in this process as "BCOAPO et al.". We provide this submission in response to Commission Order G-81-21 (Exhibit A-5) suspending the regulatory Timetable in response to the PIB’s request to extend the deadline to file information requests from March 25, 2021 to April 15, 2021. The Commission asked parties to address the following questions:

- a. Whether there are any concerns about the proposed extension of the PIB IR filing deadline to April 15, 2021, and
- b. Whether the regulatory timetable should be amended to allow all other interveners to file IRs on April 15, 2021, or some earlier date.

BCOAPO has no concerns regarding PIB’s request for an extension. There are clearly outstanding concerns with the project that the PIB intends to address in the course of this process and - given the context of the need for meaningful reconciliation to take place between Canada’s original peoples and its colonizer populations, governments, and institutions and the very real consequences when the Courts find that the law on the subject has not been properly followed – it is in the interest of the utility, the Commission, FEI’s

ratepayers and the public interest that this brief extension be granted, particularly as we cannot see that it would result in a prejudice to the utility, this project, or the process.

Because it is a very real possibility that other interveners in this process may wish additional time in which to review the application materials and to consider the new information provided in the PIB's extension application before finalizing their own IR's, it is our position that, should the Commission grant the PIB's application, the extension should be applied to all interveners. If there are those who do not see the need to use the additional time, the nature of regulatory practice before the BCUC is such that they are able to submit their IR's before the due date, allowing FEI to begin working on its responses.

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