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June 3, 2021

Mr. Patrick Wruck  
Commission Secretary and Manager  
Regulatory Support  
British Columbia Utilities Commission  
Suite 410, 900 Howe Street  
Vancouver, BC V6Z 2N3

Dear Mr. Wruck:

**RE: British Columbia Utilities Commission (BCUC or Commission)  
British Columbia Hydro and Power Authority (BC Hydro)  
BCUC Inquiry into the Regulation of Safety (Inquiry)**

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BC Hydro writes in accordance with BCUC Order No. G-34-21 to provide its reply submissions on the Proposed Stage 1 Sub Issues for this Inquiry that were set out by the BCUC in its letter dated March 25, 2021.<sup>1</sup>

Comments on the Proposed Stage 1 Sub Issues were filed by Don Flintoff,<sup>2</sup> Borealis Geopower Inc. (**BGP**),<sup>3</sup> Chargepoint BC,<sup>4</sup> FortisBC Energy Inc. and FortisBC Inc. (together, **FortisBC**),<sup>5</sup> MoveUP,<sup>6</sup> the Commercial Energy Consumers Association of BC (**CEC**),<sup>7</sup> Pacific Northern Gas Ltd. (**PNG**),<sup>8</sup> and BCOAPO.<sup>9</sup>

### Comments in Reply

Instead of addressing whether the Proposed Stage 1 Sub Issues are appropriate to include in Stage 1 of this Inquiry, the comments filed by Mr. Flintoff, Chargepoint BC, MoveUP and CEC address the substance of the Proposed Stage 1 Sub Issues and

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<sup>1</sup> Exhibit A-7.

<sup>2</sup> Exhibit C1-4.

<sup>3</sup> Exhibit C2-4

<sup>4</sup> Exhibit C3-3

<sup>5</sup> Exhibit C4-3.

<sup>6</sup> Exhibit C5-4.

<sup>7</sup> Exhibit C7-3.

<sup>8</sup> Exhibit C9-3.

<sup>9</sup> Exhibit C11-4.

answer some or all of the questions under them. Rather than replying to those comments here, BC Hydro will address them in accordance with the regulatory timetable and after the BCUC issues the Final Stage 1 Sub Issues, if and as necessary.

In its comments, BGP proposes to add the following question under Sub Issue 6 (Regulatory Overlaps):

If another regulatory body has overlapping safety jurisdiction with the BCUC, should the BCUC assess and ensure that the other regulatory body's regulation of safety is as efficient as possible (i.e. does it impose the least possible economic burden on the public utility while ensuring safety)?

BC Hydro respectfully submits that the BCUC does not have jurisdiction to assess the efficiency of another regulatory body's regulation of safety, nor does it have jurisdiction to ensure that another regulatory body's regulation of safety is as efficient as possible. Accordingly, in BC Hydro's view, BGP's proposed question should not be added to the Final Stage 1 Sub Issues.

In its comments, BCOAPO submits that all the Proposed Stage 1 Sub Issues are appropriate for Stage 1 and it has no objections to any of the questions. However, and similar to BC Hydro, BCOAPO notes that some of the questions could be deferred to Stage 2, such as questions from Sub Issue 1 (Keeping Informed) related to timeframes of reporting and notifications. The suggestion to defer such questions to Stage 2 of the Inquiry is consistent with BC Hydro's comments filed on April 29, 2021.<sup>10</sup>

The comments of FortisBC and PNG are similar to BC Hydro's. They submit that Sub Issue 3 (Safety in BCUC Adjudications) and the questions under it would be more appropriately addressed in Stage 2 of the Inquiry. FortisBC and PNG also submit that certain other questions under other sub issues would also be more appropriately addressed in Stage 2, specifically questions 2(a), (b), (c), (d) and (e) and question 3 under Sub Issue 1, questions 2 and 4 under Sub Issue 4, and questions 1(b) and 3 under Sub Issue 6. These comments are also consistent with BC Hydro's.

In its comments, BC Hydro explained why, in its view, certain Proposed Stage 1 Sub Issues and questions would more appropriately be addressed as part of Stage 2 of the Inquiry, if at all. BC Hydro will not repeat those submissions here. However, BC Hydro would like to emphasize that the staged approach to the Inquiry should be an important consideration in the BCUC's determination of the Final Stage 1 Sub Issues. BC Hydro notes that, as discussed above, certain other parties share its view and similarly raise the concern that the general framework of key principles for the BCUC's regulation of safety must first be established in Stage 1 before certain subsequent issues and questions can be properly scoped and addressed.

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<sup>10</sup> Exhibit C13-4.

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For further information, please contact the undersigned.

Yours sincerely,



Chris Sandve  
Chief Regulatory Officer

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