



ORDER NUMBER

F-7-17

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

and

FortisBC Energy Inc.
All-Inclusive Code of Conduct and Transfer Pricing Policy
Participant Assistance/Cost Award Application

BEFORE:

K. A. Keilty, Panel Chair/Commissioner
W. M. Everett, QC, Commissioner

on April 4, 2017

ORDER

WHEREAS:

- A. On June 30, 2016, FortisBC Energy Inc. (FEI) filed an application for the approval of its draft All-Inclusive Code of Conduct and Transfer Pricing Policy (CoC/TPP) (Application);
- B. By Order G-157-16 dated October 18, 2016, the Commission established a written hearing process with one round of information requests;
- C. On March 1, 2017, the Commission issued Order G-25-17 and attached Reasons for Decision approving FEI's requested All-Inclusive Code of Conduct and Transfer Pricing Policy, subject to the changes in Directive 1 of the order;
- D. On October 14, 2016, the British Columbia Old Age Pensioners' Organization, Council of Senior Citizens' Organizations of BC, and the Tenant Resource and Advisory Centre (BCOAPO), Commercial Energy Consumers Association of BC (CEC) and BC Sustainable Energy Association and Sierra Club of BC (BCSEA) submitted Participant Assistance/Cost Award (PACA) Budget Estimates to the Commission;
- E. On October 24, 2016, Commission staff informed the BCSEA and CEC that the daily counsel and consultant rates in their Participant Assistance/Cost Award (PACA) Budget Estimates, based on the new PACA Guidelines issued pursuant to Order G-143-16, were not applicable due to the initiation of the CoC/TPP proceeding prior to August 31, 2016;
- F. The PACA Guidelines applicable to this Application are those issued pursuant to Order G-72-07;
- G. The following Interveners filed PACA applications with the Commission with respect to their participation in the proceeding:

Date	Participant	Application
December 16, 2016	Commercial Energy Consumers Association of BC	\$15,693.15
December 16, 2016	British Columbia Old Age Pensioners' Organization, <i>et al</i>	\$6,266.75
January 14, 2017	BC Sustainable Energy Association and Sierra Club of BC	\$4,796.14

- H. On March 24, 2017, FEI submitted its comments on the PACA applications stating, that provided the Commission has no concerns with the time identified or the amount applied for, FEI has no comment; and
- I. The Commission reviewed the PACA applications, in accordance with the criteria and rates as set out in the PACA Guidelines attached to Commission Order G-72-07 and makes the following determinations on cost awards.

NOW THEREFORE pursuant to section 118(1) of the *Utilities Commission Act* and for the reasons attached as Appendix A to this order, the British Columbia Utilities Commission orders as follows:

- Funding is awarded to the following interveners in the amounts listed in the table below for their participation in the FortisBC Energy Inc. All-Inclusive Code of Conduct and Transfer Pricing Policy proceeding:

Participant	Award
Commercial Energy Consumers Association of BC	\$10,307.59
British Columbia Old Age Pensioners' Organization, <i>et al</i>	\$6,266.75
BC Sustainable Energy Association and Sierra Club of BC	\$4,796.14

- FortisBC Inc. is directed to reimburse the above-noted participants for the awarded amounts in a timely manner.

DATED at the City of Vancouver, in the Province of British Columbia, this 4th day of April 2017.

BY ORDER

Original signed by:

K. A. Keilty
Panel Chair/Commissioner

Attachment

FortisBC Energy Inc.
All-Inclusive Code of Conduct and Transfer Pricing Policy
Application for Participant Assistance/Cost Awards

REASONS FOR DECISION

1.0 BACKGROUND

The British Columbia Utilities Commission (Commission) received Participant Assistance/Cost Award (PACA) applications from three of the five Interveners in the FortisBC Energy Inc. (FEI) All-Inclusive Code of Conduct and Transfer Pricing Policy (CoC/TPP) (Application) proceeding. The three participants are as follows:

- BC Sustainable Energy Association and Sierra Club of BC (BCSEA);
- British Columbia Old Age Pensioners’ Organization, Council of Senior Citizens’ Organizations of BC, and the Tenant Resource and Advisory Centre (BCOAPO);
- Commercial Energy Consumers Association of BC (CEC);

In its review of the PACA applications, the Panel took into consideration the PACA Guidelines set out in Commission Order G-72-07, and FEI’s comments dated March 24, 2017. The new PACA Guidelines issued pursuant to Order G-143-16 are not applicable as the CoC/TPP proceeding was initiated prior to August 31, 2016.

2.0 PACA APPLICATIONS

The three PACA applications received are summarized as follows:

Date	Participant	Application
December 16, 2016	Commercial Energy Consumers Association of BC	\$15,693.15
December 16, 2016	British Columbia Old Age Pensioners’ Organization, <i>et al</i>	\$6,266.75
January 14, 2017	BC Sustainable Energy Association and Sierra Club of BC	\$4,796.14

CEC requests a cost award of \$15,693.15 based on 2.875 days for legal counsel at \$2,800 per day and 3.4375 days for consultants at \$1,850 per day (plus applicable taxes). The Panel finds CEC is eligible for PACA funding in this proceeding as it is a ratepayer group and has a substantial interest in a substantial issue.

The daily counsel and consultant rates claimed by CEC in its PACA application are based on the new PACA Guidelines issued pursuant to Order G-143-16. However, the PACA rates applicable to this proceeding, under Order G-72-07, are \$1,800 per day for legal counsel and \$1,250 per day for consultants. **The Panel therefore awards CEC an amount of \$10,307.59 inclusive of applicable taxes.**