



**ORDER NUMBER**  
**F-20-18**

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

and

FortisBC Inc.  
2018 Demand-Side Management Expenditures Application  
Participant Assistance/Cost Award Application

**BEFORE:**

H. G. Harowitz, Commissioner and Panel Chair  
B. A. Magnan, Commissioner

on August 15, 2018

**ORDER**

**WHEREAS:**

- A. On November 15, 2017, FortisBC Inc. (FBC) submitted its application for acceptance of 2018 Demand-Side Management (DSM) Expenditures (Application) pursuant to section 44.2 of the *Utilities Commission Act*. FBC anticipates total expenditures on DSM of \$7.9 million in 2018;
- B. By Order G-176-17 dated December 6, 2017, the BCUC established an initial written hearing process. By Order G-21-18 dated January 24, 2018, the BCUC established a further written hearing process with one round of BCUC and intervener information requests (IRs);
- C. In this proceeding, British Columbia Hydro and Power Authority (BC Hydro); British Columbia Old Age Pensioners' Organization *et al.* (BCOAPO); BC Sustainable Energy Association and Sierra Club BC (BCSEA-SCBC); Commercial Energy Consumers Association of British Columbia (CEC); Industrial Customers Group (ICG) and Zellstoff Celgar Partnership Limited (Celgar) registered as interveners;
- D. On March 20, 2018, FBC submitted its final argument in which it sought acceptance of the DSM expenditures of up to \$7.9 million for 2018. By April 3, 2018, BCOAPO, BCSEA-SCBC, CEC and ICG filed final arguments. On April 10, 2018, FBC filed its reply argument;
- E. On June 26, 2018, by Order F-17-18, the BCUC approved the Participant Assistance/Cost Award (PACA) applications of BCSEA-SCBC and ICG in the amounts of \$7,422.53 and \$10,416.00, respectively;
- F. Subsequent to the issuance of Order F-17-18, the following participants filed PACA applications with the BCUC with respect to their participation in the proceeding:

Date	Participant	Application
July 4, 2018	British Columbia Old Age Pensioners' Organization <i>et al.</i>	\$13,273.00
June 28, 2018	Commercial Energy Consumers Association of British Columbia	\$10,257.42

- G. By letter dated July 30, 2018, FBC provided its comments on the BCOAPO and CEC PACA applications, stating for BCOAPO the claimed legal days appear to be high given the number of legal days claimed by other interveners in this proceeding, some of which have already been approved for other interveners by Order F-17-18. FBC has no further comments on the PACA applications if the BCUC is satisfied; and
- H. The BCUC has reviewed the PACA applications in accordance with the criteria and rates set out in the PACA Guidelines, attached to BCUC Order G-97-17, and concludes that the cost awards should be approved.

**NOW THEREFORE** pursuant to section 118(1) of the *Utilities Commission Act*, the BCUC orders as follows:

- For the reasons outlined in Appendix A of this order, funding is awarded to the following interveners in the listed amounts for their participation in the FortisBC Inc. 2018 Demand-Side Management Expenditures Application proceeding:

Participant	Award
British Columbia Old Age Pensioners' Organization <i>et al.</i>	\$13,273.00
Commercial Energy Consumers Association of British Columbia	\$10,257.42

- FBC is directed to reimburse the above-noted participants for the awarded amount in a timely manner.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 15<sup>th</sup> day of August 2018.

BY ORDER

*Original signed by*

H. G. Harowitz  
Commissioner

Attachment

FortisBC Inc.  
2018 Demand-Side Management Expenditures Application  
Participant Assistance/Cost Award Application

---

**REASONS FOR DECISION**

---

**1.0 Background**

On November 15, 2017, FortisBC Inc. (FBC) submitted its application for acceptance of 2018 Demand-Side Management (DSM) Expenditures (Application) pursuant to section 44.2 of the *Utilities Commission Act*. FBC anticipates total expenditures on DSM of \$7.9 million in 2018. By Order G-176-17 dated December 6, 2017, and Order G-21-18 dated January 24, 2018, the BCUC established a written hearing process, comprising of two rounds of BCUC information requests (IRs), one round of intervener IRs and submission of arguments from interveners and FBC.

Seven parties registered as interveners in this proceeding:

- British Columbia Hydro and Power Authority (BC Hydro);
- British Columbia Old Age Pensioners' Organization *et al.* (BCOAPO);
- BC Sustainable Energy Association and Sierra Club BC (BCSEA-SCBC);
- Commercial Energy Consumers Association of British Columbia (CEC);
- Industrial Customers Group (ICG); and
- Zellstoff Celgar Partnership Limited (Celgar).

By February 14, IRs to FBC were submitted by BCOAPO, BCSEA-SCBC, CEC and ICG, which FBC responded to on February 28. By April 3, 2018, final intervener arguments were filed by BCOAPO, BCSEA-SCBC, CEC and ICG. On April 10, 2018, FBC filed its reply argument. By Order G-113-18 dated June 14, 2018, the BCUC accepted FBC's requested DSM expenditures of \$7.9 million for 2018.

**2.0 PACA Guidelines and Applications**

Section 14.2.2 of the Participant Assistance/Cost Award (PACA) Guidelines (Appendix A to G-97-17 dated June 20, 2017) states that "A final application for a cost award must be made within 30 calendar days following the last date in the proceeding's final regulatory timetable or at such other time as the Commission directs. For clarity, the last date is commonly the close of final argument or final submissions."

With FBC's reply argument being filed on April 10, 2018, the 30 day period referred to in Section 14.2.2 of the PACA Guidelines closed on May 10, 2018.

PACA applications were submitted to the BCUC by BCSEA-SCBC on April 27, 2018, and ICG on May 8, 2018. On June 26, 2018, by Order F-17-18, the BCUC approved the PACA applications of BCSEA-SCBC and ICG in the amounts of \$7,422.53 and \$10,416.00, respectively.

Following the issuance of Order F-17-18, two further PACA applications were filed with the BCUC, as detailed below:

Date	Participant	Application
July 4, 2018	British Columbia Old Age Pensioners' Organization <i>et al.</i>	\$13,273.00
June 28, 2018	Commercial Energy Consumers Association of British Columbia	\$10,257.42

Pursuant to section 14.2.4 of the PACA guidelines, FBC was provided with copies of the BCOAPO and CEC PACA applications. FBC submitted its comments on the applications by letter dated July 30, 2018. Regarding the BCOAPO PACA application, FBC submits the claimed legal days appear to be high given the number of legal days claimed by other interveners in this proceeding, some of which have already been approved for other interveners by Order F-17-18. FBC has no further comments on the BCOAPO and CEC PACA applications if the BCUC is satisfied that the participants have met the eligibility requirements, that the funding days claimed is appropriate and that the level of participation has met with the BCUC criteria and requirements.

### **3.0 BCUC Determination**

**The Panel has reviewed the PACA applications of BCOAPO and CEC and determines that the cost awards of \$13,273.00 and \$10,257.42, respectively, are approved.**

The Panel notes that PACA applications of BCOAPO and CEC were outside of the 30 day period outlined in section 14.2.2 of the PACA Guidelines. However, the Panel's view is that the PACA Guidelines should be interpreted as guidance rather than determinative and that the Panel reserves the right to place weight on other factors in its decision on cost awards.

The Panel notes that BCOAPO and CEC are well-established interveners in BCUC proceedings who exhibit good conduct. Therefore the Panel is inclined to review the BCOAPO and CEC PACA applications for this proceeding on the basis of merit, despite the late filing. The Panel finds that BCOAPO and CEC's PACA applications are otherwise compliant with the PACA Guidelines, and on that basis the Panel approves the cost awards. The Panel's acceptance on this occasion should not be taken as precedence for other proceedings, and BCOAPO and CEC are encouraged to ensure the timely filing of PACA applications in future.