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August 4, 2023

British Columbia Utilities Commission Suite 410, 900 Howe Street Vancouver, B.C. V6Z 2N3

Attention: Patrick Wruck, Commission Secretary

Dear Patrick Wruck:

Re: FortisBC Energy Inc. (FEI)

Application for a Certificate of Public Convenience and Necessity (CPCN) for the Okanagan Capacity Upgrade (OCU) Project (Application) ~ Project No. 1599152

Response to the British Columbia Utilities Commission (BCUC) Panel Information Request (IR) No. 1

On November 16, 2020, FEI filed the Application referenced above. On August 1, 2023, the BCUC responded by email with BCUC Panel IR No. 1.1

FEI respectfully submits the attached response to BCUC Panel IR No. 1.

If further information is required, please contact the undersigned.

Sincerely,

FORTISBC ENERGY INC.

Original signed:

Sarah Walsh

Attachments

cc (email only): Registered Interveners

<sup>&</sup>lt;sup>1</sup> Exhibit A-34.



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FortisBC Energy Inc. (FEI or the Company)	Submission Date:
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1	1.0	Refer	ence:	CONSULTATION
2				Exhibit B-41, BCOAPO Supplementary IR 8.5, 8.6,8.7
3				Exhibit B-43, p. 2
4				Exhibit C1-14, p. 1
5				Agreement with Penticton Indian Band
6		On pa	ige 1 of	Exhibit C1-14, BC Sustainable Energy Association (BCSEA) states:
7 8 9 10 11 12			an up regard agreed Project	A respectfully submits that the proceeding should be adjourned until FEI files date on its potential agreement with the Penticton Indian Band (PIB) ling the Okanagan Capacity Upgrade Project. If, at that time, FEI files an ment with the PIB regarding the OCUP [Okanagan Capacity Upgrade at] then BCSEA submits that there should be a round of information requests agreement and the impact of the agreement on the proposed Project.
13		On pa	ige 2 of	Exhibit B-43, FortisBC Energy Inc. (FEI) states:
14 15 16 17			with the	abmits that it should not be required to provide an update on the agreement ne PIB before proceeding to final argument. Indigenous consultation is not ed to be complete for the BCUC to issue a CPCN [Certificate of Public enience and Necessity].
18		In res	ponse to	BCOAPO Supplementary Information Request (IR) 8.6, FEI stated:
19 20 21				is unable to obtain the PIB's consent, FEI will not proceed with the OCU as currently proposed (i.e., FEI will not proceed with the Preferred ative).
22 23			•	to British Columbia Old Age Pensioners' Organization et al. (BCOAPO) ry IR 8.7, FEI stated:
24 25				pes not currently expect there to be a requirement for the BCUC to issue a for the OCU Project while the PIB opposes the OCU Project.
26 27 28	Resp	1.1 onse:	Please	e reconcile the above statements by FEI.
29 30 31	PIB fo	r the O	CU Proj	re based on the expectation that it will obtain a decision on consent from the ect in advance of when the BCUC is expected to issue its decision (though exchange of final arguments in this proceeding).
32 33		•		has made a commitment to the PIB not to proceed with the OCU Project as i.e., FEI will not proceed with the Preferred Alternative) without the PIB's

consent and that FEI has provided sufficient information regarding the costs and implications of



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an agreement with Indigenous communities on the Project as described in the Supplementary Filing, FEI suggests that it would be helpful for the BCUC's decision on the Project to also be informed by the PIB's consent for the Project. Accordingly, FEI suggests that the regulatory process should continue to argument and that the BCUC's decision could be made following notification of the PIB's decision. FEI confirms that it will notify the BCUC once the PIB's decision on consent is received.

1.1.1 If FEI does not currently expect there to be a requirement for the BCUC to issue a CPCN for the OCU Project while the PIB opposes the OCU Project, please further explain why FEI considers the proceeding should continue to final argument at this time.

## Response:

Further to the response to BCUC Panel IR1 1.1, FEI believes the review of the Application should proceed to final argument as there is sufficient evidence on the record to support the argument process, including evidence regarding the Project need, evaluation of alternatives, Project costs and rate impacts, environmental and archaeological considerations, public consultation and Indigenous engagement, and alignment with government policy and long-term resource plans.

1.2 If FEI does not intend to proceed with the OCU Project as currently proposed in the absence of consent from the PIB, please further explain why FEI considers the proceeding should continue to final argument at this time.

## Response:

The OCU Project proceeding has now been ongoing since 2020, and since that time, the need for the Project to serve the growing load in the Okanagan region has only become more imminent. With the inclusion of the Supplementary Filing and the IR responses on that filing, in addition to the extensive evidence filed on the record, FEI believes that it has sufficiently demonstrated the need for the OCU Project and has provided the necessary evidence for the process to move forward to final argument. This will contribute to a more timely and expeditious regulatory process.



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1	In response to BCOAPO Supplementary IR 8.5, FEI stated:					
2		In order to meet the Project timeline outlined in the Supplementary Filing, FEI would need to reach an agreement before the end of 2023.				
4 5 6	1.3	Please further discuss the actions FEI would need to take if it is unable to reach an agreement with PIB before the end of 2023.				
7	Response:					
8 9 10 11	conclusion on the BCUC. F	need to serve growing demand in the Okanagan region, FEI needs to reach a whether the Proposed Alternative can move forward shortly, both from the PIB and EI anticipates knowing whether it will be able to reach an agreement with the PIB in hortly thereafter.				
12 13 14 15 16	the prospect of other alternat would engage	hat FEI is unable to reach an agreement with the PIB before the end of 2023 and of reaching an agreement in short order appears unlikely, FEI will need to consider wes outlined in its Application to meet customer demand in the Okanagan area and with affected Indigenous communities as necessary as described in the response Supplementary IR1 8.6.				