

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 456

, Approved and Ordered July 27, 2015

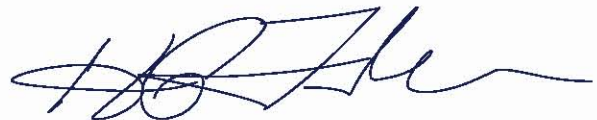

Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that approval is given to the British Columbia Utilities Commission to grant the exemptions set out in provision 1, subject to the condition set out in provision 2, of the attached draft order of the British Columbia Utilities Commission.



Attorney General and Minister of Justice



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Utilities Commission Act, R.S.B.C. 1996, c. 473, s. 88 (3)

Other: _____

April 22, 2015

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BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER

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IN THE MATTER OF
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473

and

Canadian Forest Products Ltd.
Application for an Exemption from Part 3 of the *Utilities Commission Act*
- Regulation of Public Utilities
for Electrical Distribution Lines Supplying Canfor's NOS Substation Customers

BEFORE: Commissioner Date
Commissioner

O R D E R

WHEREAS:

- A. On February 3, 2015, Canadian Forest Products Ltd. (Canfor) filed an application for an exemption under section 88 of the *Utilities Commission Act* (UCA) from regulation as a public utility under Part 3 and section 71 of the UCA in respect of the resale of electricity, supplied by British Columbia Hydro and Power Authority (BC Hydro) to Canfor's NOS Substation at 8546 Willowdale Road in Prince George, British Columbia, to purchasers whose facilities are connected to the NOS Substation;
- B. By Letter L-42-03 dated August 22, 2003, the British Columbia Utilities Commission (Commission) approved the resale of electricity by Canfor to Dollar Saver Lumber Ltd.;
- C. Canfor now wishes to resell electricity to Pacific BioEnergy Prince George from Canfor's NOS Substation;
- D. In the future, Canfor may wish to resell electricity from its NOS Substation to other interested parties who do not wish to become BC Hydro general-service distribution customers;
- E. In a letter dated January 24, 2014, BC Hydro stated it has no objection to Canfor's resale of electricity to the Pacific BioEnergy Corp. operation;
- F. Section 88(3) of the UCA provides that the Commission may, on conditions it considers advisable, with the advance approval of the Lieutenant Governor in Council, exempt a person, equipment or facilities from the application of all or any of the provisions of the UCA;

- G. The Commission considered the Application and is satisfied that an order, under section 88(3) of the UCA, exempting Canfor and its customers who do not resell energy, from the requirements of section 71 and Canfor for its distribution service from the NOS Substation to its customers from the requirements under Part 3, except for sections 25, 38, 42 and 43, properly conserves the public interest; and
- H. By Order in Council No. XXX dated XXX XX, 201X, and attached as Appendix II to this order, the Lieutenant Governor in Council granted advance approval to the Commission to exempt Canfor and its NOS Substation customers from certain provisions of the UCA for the purpose of and subject to the terms set out in the draft Commission order attached to the Order in Council.

NOW THEREFORE the British Columbia Utilities Commission orders as follows:

1. Pursuant to section 88(3) of the *Utilities Commission Act*, the Commission, having been granted advance approval by the Lieutenant Governor In Council, effective the date of this order:
 - a. Exempts Canadian Forest Products Ltd. (Canfor) from the requirements of Part 3 of the *Utilities Commission Act* except for sections 25, 38, 42, and 43 for its NOS Substation distribution facilities used to supply electric service to its customers.
 - b. Exempts Canfor and any person that receives energy from Canfor's NOS Substation distribution facilities from section 71 of the *Utilities Commission Act* provided the person is not re-selling energy to others.
 - c. The exemptions are subject to the conditions contained in directive 2.
2. The exemptions, granted pursuant to this order, shall remain in effect until further order of the Commission for reasons that may include the determination of any complaint the Commission receives from a person whose interests are affected.
3. Pursuant to section 43, Canfor is directed to file an annual report within 90 days after fiscal year-end covering each exempted facility containing the information set out in Appendix I or as the Commission may otherwise require.
4. Pursuant to section 38, Canfor shall construct, operate and maintain its facilities referred to in directive 1 to ensure safe, reliable and adequate service.
5. Pursuant to section 117(2), the Commission orders that the costs of the Commission, incidental to this proceeding and any future proceeding before it, are to be paid by Canfor in such amounts and proportions as the Commission may determine.

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER**

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DATED at the City of Vancouver, in the Province of British Columbia, this day of MONTH 20xx.

BY ORDER

XXXXX
Commissioner

Attachments

ANNUAL REPORTING REQUIREMENTS

A Report is required for the Canfor's NOS Substation
Distribution Lines supplying BC customers

(Reports are to be filed within 90 days after fiscal year-end)

1.1 Annual Submissions

- Update of any changes to Canfor's NOS Substation Single Line Diagram and Map
- Customer names and addresses
- A copy of any permits received or obtained.