



**bcuc**  
British Columbia  
Utilities Commission

**Sara Hardgrave**  
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November 8, 2022

Sent via email/eFile

<b>1358037 B.C. LTD. SECTION 88(3)</b>
<b>EXEMPTION EXHIBIT A-2</b>

Charles Bois  
Partner  
Miller Thomson LLP  
700 West Georgia Street, Suite 2200  
P.O. BOX 10325  
Vancouver, BC V7Y 1KB  
[cbois@millerthomson.com](mailto:cbois@millerthomson.com)

**Re: 1358037 B.C. Ltd. – Application for Exemption Under Section 88(3) of the *Utilities Commission Act* – Regulatory Timetable**

Dear Mr. Bois:

Further to your September 20, 2022 Application for Exemption Under Section 88(3) of the *Utilities Commission Act*, enclosed please find British Columbia Utilities Commission Order G-321-22 establishing a regulatory timetable.

Sincerely,

*Original signed by:*

Sara Hardgrave  
Acting Commission Secretary

/db  
Enclosure



**ORDER NUMBER**  
**G-321-22**

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

and

1358037 B.C. Ltd.  
Application for Exemption Under  
Section 88(3) of the *Utilities Commission Act*

**BEFORE:**

C. M. Brewer, Panel Chair  
E. B. Lockhart, Commissioner  
B. A. Magnan, Commissioner

on November 7, 2022

**ORDER**

**WHEREAS:**

- A. On September 20, 2022, pursuant to section 88(3) of the *Utilities Commission Act* (UCA), 1358037 B.C. Ltd. (135BC) applied to the British Columbia Utilities Commission (BCUC) seeking approval for exemption from section 71 and Part 3 of the UCA, excluding sections 25, 38, 42 and 43, with respect to 135BC's resale of electricity, supplied by British Columbia Hydro and Power Authority (BC Hydro) to the NOS Substation located at 8546 Willow Cale Road in Prince George, British Columbia (NOS Substation), to purchasers whose facilities are connected to the NOS Substation (Application);
- B. 135BC is a wholly owned subsidiary of 437218 B.C. Ltd. (437BC), both of which are companies within the Dakus Group of companies;
- C. On August 27, 2015, by Order G-141-15, the BCUC, with advance approval from the Lieutenant Governor in Council, ordered that Canfor Forest Products Ltd. (Canfor) was exempt from the requirements of Part 3 of the UCA except for sections 25, 38, 42, and 43 for its NOS Substation distribution facilities used to supply electric service to its customers. The order also exempted both Canfor and any person that receives energy from Canfor's NOS Substation distribution, from section 71 of the UCA provided the person is not re-selling energy to others;
- D. In the Application, 135BC states that the NOS Substation is currently owned by Canfor and that Canfor, 135BC, and 437BC have entered into a Purchase Agreement, dated June 11, 2022, with respect to the purchase and sale of, among other things, the NOS Substation by Canfor to 135BC;
- E. 135BC states that 135BC and three other parties with industrial facilities in the vicinity of the NOS Substation receive electricity service via the NOS Substation and distribution lines, and that 135BC will continue to provide such service upon completion of the purchase of the NOS Substation;

- F. In accordance with section 1 of the UCA, 135BC will fall within the definition of “public utility” by reselling energy to others; and
- G. The BCUC has determined that the establishment of a written comment process is warranted for the review of the Application.

**NOW THEREFORE** the BCUC orders as follows:

- 1. A public written comment process is established in accordance with the regulatory timetable as set out in Appendix A to this order;
- 2. 135BC is directed, as soon as reasonably possible but no later than Tuesday, November 15, 2022, to provide notice of the Application and a copy of this order, electronically where possible, to all impacted and potentially impacted parties, including BC Hydro, Canfor, all customers receiving service from the NOS Substation, and all potentially affected Indigenous communities in the area;
- 3. 135BC is directed to post this order in a clearly visible location on the homepage of its website and on all its social media platforms, if any, on or before Tuesday, November 15, 2022;
- 4. 135BC is directed to request that Canfor post this order in a clearly visible location on the News and Press Releases page of its website and on all its social media platforms, if any, on or before Tuesday, November 15, 2022;
- 5. 135BC is directed to provide to the BCUC, by Wednesday, November 16, 2022, a list of those who received notice of the Application, as directed in Directive 2 of this order; and
- 6. Parties wishing to provide comments on the Application are invited to submit letters of comment, by the date established in the regulatory timetable. Letters of comment must be in the Letter of Comment Form available on the BCUC’s website at: <http://www.bcuc.com/forms/letter-of-comment.aspx>, and submitted by email to [commission.secretary@bcuc.com](mailto:commission.secretary@bcuc.com) or by mail to the British Columbia Utilities Commission, Suite 410, 900 Howe Street, Vancouver, BC, V6Z 2N3.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 8<sup>th</sup> day of November 2022.

BY ORDER

*Original signed by:*

B. A. Magnan  
Commissioner

Attachment

1358037 B.C. Ltd.  
Application for Exemption Under  
Section 88(3) of the *Utilities Commission Act*

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**REGULATORY TIMETABLE**

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Action	Date (2022)
135BC to provide notice of Application	Tuesday, November 15
135BC to provide confirmation of compliance with notice requirements	Wednesday, November 16
BCUC Information Request (IR) No. 1 to 135BC	Wednesday, November 30
135BC to provide responses to BCUC IR No. 1	Wednesday, December 7
Deadline to submit Letters of Comment	Wednesday, December 14
Further process	To be determined