

BRITISH COLUMBIA UTILITIES COMMISSION

IN THE MATTER OF THE UTILITIES COMMISSION ACT
RSBC 1996, CHAPTER 473

And

BRITISH COLUMBIA TRANSMISSION CORPORATION
APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY
COLUMBIA VALLEY TRANSMISSION PROJECT

SUBMISSION OF
WILDSIGHT
JUNE 17, 2010

Introduction

1. British Columbia Transmission Corporation ("BCTC") applied to the British Columbia Utilities Commission (the "Commission") pursuant to sections 45 and 46 of the Utilities Commission Act, R.S.B.C. 1996 (the "Act" or the "UCA") for a Certificate of Public Convenience and Necessity ("CPCN") to construct and operate the Columbia Valley Transmission Project (the "CVT Project" or the "Project").
2. The stated project goal is to serve load growth in the upper Columbia Valley and to address constraints in the existing 69 kV transmission system serving the area.
3. BCTC studied the three alternatives to meet these needs and has identified the CVT Project as the preferred solution. The CVT Project consists of a new 230kV/69kV substation near Golden, to be called Kicking Horse Substation, a new 230 kV transmission line between Invermere and the Kicking Horse Substation, a new 69 kV transmission line between Kicking Horse Substation and the existing Golden Substation, and ancillary upgrades at Invermere, Golden and Cranbrook Substations.
4. As part of the study, BCTC also looked into its strategic planning framework in order to identify, evaluate, and pursue transmission infrastructure investments under the Transmission Expansion Policy (TEP) to help anticipate future need and positive ratepayer impact.
5. From June - November 2009, BCTC conducted three rounds of community open house consultations. The open house events presented information on the various transmission alternatives considered for the CVT project, discussed possible locations for the proposed new substation, and considered environmental concerns. Questions and concerns about the project were answered and discussed, information on the BCUC CPCN application review process was made public.
6. On January 22, 2010 BCTC's application for a Certificate of Public Convenience and Necessity for the Columbia Valley Transmission project was released. Information that was not presented at the open house consultations was contained within the application. This information pertained to potential IPP development in the region, including two clusters, one at Goldstream and another at Beaver River, consisting of 24 potential small hydro projects with a projected 1,218 GWh of annual average energy and 349 MW name plate capacity.
7. The 2010 Certificate of Public Convenience and Necessity Application Guidelines document, order number G-50-10, (March 18, 2010) requires the applicant to (iv) identify any outstanding issues or concerns; and promises to measure the (v) applicant's overall assessment as to the sufficiency of the public consultation process with respect to the project, in the context of the decision which is being sought from the Commission.
8. The conclusion reached by BCTC is that the line will facilitate IPP development. Given that community consultations are required to identify all issues of concern, and

also given that BCTC only conducted consultations in regards to the three alternative routes but did not present information regarding all purposes to which the CVT line will be used for, and also given that the project justification is stated to be to meet the power needs of the upper Columbia Valley, Wildsight therefore submits the position that BCTC did not present and make clear all relevant knowledge relating to the project to the public.

9. According to the 2010 CPCN Application Guidelines, the Commission makes a determination on disposition of a CPCN application as follows: a) grant a CPCN without further input from the applicant or other interested parties, b) require further information from the applicant, c) set down an oral or a written public hearing, or d) deny the application. In light of the alternatives, Wildsight suggests that to grant a CPCN without further input from the applicant or other interested parties on information that was not presented to the public would seem inconsistent with the requirements of community consultations.

2.0 The Intervenor

1. The Wildsight organization has a commitment to the ecological home that supports all life, all industry and all people. Wildsight works hard to support healthy human communities and healthy wild spaces in Canada's Columbia and Rocky Mountain ecoregions.

2. Wildsight focuses on three core areas; the southern Canadian Rocky Mountains, the upper Columbia River Valley, and the Columbia Mountains. This focus encompasses the land, its mountains, glaciers and watershed, all of which needs special attention because they are among the most ecologically rich in the entire world. They are home to the people who live there, and Western North America's most diverse and large mammal populations. This land provides critical genetic connectivity.

3. Currently, Wildsight is engaged in four campaigns including; Flathead Wild, Jumbo Wild, Rivers at Risk, and, Save the Mountain Caribou. In addition to campaigns, Wildsight puts forward many programs that focus on Climate Solutions for the Kootenays, Columbia Headwater Legacy, Columbia Wetlands, Columbia Wetlands Invasive Plants Species, David Thompson Heritage Lands, Education in the Wild, Forest Stewardship, Lake Windermere, Living Lakes Canada, Pesticide Reduction, Purcell Mountains, and Wilderness Recreation

4. Wildsight has entered the CVT intervener process in order to support solutions for communities and protect ecology in the Columbia Valley and northern Selkirk regions.

3.0 Statement of Position

1. There is a discrepancy between the information that was presented in BCTC's CPCN application document and information that was made public, online through the project description and presented during community consultations. Because of this discrepancy, not all aspects pertaining to the project were made known to the public, and therefore

BCTC has not satisfied articles (iv) and (v) of the 2010 Certificate of Public Convenience and Necessity Application Guidelines document, order number G-50-10, (March 18, 2010) with requirements to identify any outstanding issues or concerns, and perform a sufficient public consultation process with respect to the project, in the context of the decision which is being sought from the Commission.

2. The information that was not contained in the project description is relevant to the residents of the area because the potential for IPP development in the region has ecological and social ramifications. The CVT line opens up an entirely new geographical area of concern that has not been studied or assessed either by BCTC itself or other social/environmental groups. BCTC had the foreknowledge to know that the CVT line would be used to enable development in the northern Selkirk region but did not present that knowledge. The Beaver River cluster is contained within the Golden Backcountry Recreation Access Plan (GBRAP), a one of a kind, unique agreement that manages recreational use of the land base. The plan incorporates zones in order to manage use. New roads could increase the use of motorized access into drainages which are now designated non-motorized. Furthermore, the cumulative impact of developing multiple projects in a confined geographical area may present serious ecological challenges. There are sensitive alpine wetlands, fisheries, large mammal movement corridors and many other factors that should be considered .

3. Community members and their political representatives may or may not have made different decisions of whether or not to support or state opposition or concerns to the project had full disclosure of all aspects of the project been made aware to them. The Town of Golden, for instance, passed a resolution in 2009 stating its opposition to Bill 30 which removes local input into the development of IPPs. Thus, there exists opposition to the process in which IPPs are set to develop. Engaging with BCTC in regards to the CVT line would have been one method that local communities could have exercised participation in the process of IPP development. With full disclosure of all the project details, it is plausible that residents of the area or its political representatives would have chosen to participate in the intervenor process as a means to manage development, given that it would be a plausible alternative to guide development were the facts known. Additionally, it is quite likely that the concerns and questions posed by community members at the open house public comment period would have focused on other areas of concern, and not simply focused on the details pertaining to the three route selections presented.

4. The CPCN application lends itself to the interpretation that the *stated purpose* of the project is inconsistent with the *ultimate purpose* of the CVT line. For instance, in the Project Justification section, it clearly states that the purpose of the project is to “meet load growth in the upper Columbia Valley” (CPCN - 3.0 - Page 27, Line 2). Yet, in the Conclusion it claims option two, a power line from Invermere to Golden, as the preferred alternative. Also within the conclusion, it states, “the CVT Project will not be inconsistent with potential IPP development in the region. In fact, it may facilitate IPP development in the Beaver River cluster” (CPCN - 4.4 - Page 53, Line 16). The CPCN application adds a secondary conclusion not included in the project parameters.

5. A further point to consider is the juxtaposition of information that was presented to the public within the CVT project description versus the Transmission Expansion Policy (TEP). The CVT project description makes no mention of the fact that the line would be used for IPP development, while the TEP report highlights a secondary function of the CVT line. The graph below depicts the optics, showing the difference between what was made public knowledge, and what was not. The graph demonstrates that the CVT line clearly has a secondary function the public was not made aware of.

CVT Project Description	TEP Report
Alternative 1: Construct a new 138 kV transmission line from Invermere to Golden, approximately 120 km in length.	1) 138 kV line from Invermere to Beaver River, which would collect IPP energy in the Beaver River cluster;
Alternative 2: Construct a new 230 kV transmission line from Invermere to Golden, approximately 120 km in length.	2) 230 kV line from Invermere to Golden with a 138 kV extension to Beaver River, which would collect IPP energy in the Beaver River cluster; and
Alternative 3: Construct, 138 kV transmission line from Mica to Golden, in approximately 220 km in length.	3) the 138 kV line from Mica to Golden, which would collect IPP energy in the Goldstream and Beaver River clusters

6. Furthermore, BCTC never listed IPP development as a concern voiced by local residents during community consultations, yet the matter was raised by residents. In Table 7-5 (CPCN - 7.1.2 - Page 125, Line 7) BCTC lists 74 concerns raised by community members along with responses to those concerns. Missing from the list of concerns that were raised by community members are questions regarding whether the line will be used to support IPP development. These concerns, raised by several members of the community, are well known, especially in light of the fact that the revised project upgraded the size of the transmission line from 138kv to 230kv. The upgrade was a key indicator that the line would indeed have a secondary function. It is an unlikely claim that community members would not ask whether the line would be used for IPPs given that various groups and organizations have expressed concern on the subject through letters to the newspaper, petitions and form letters to political leaders, and IPP awareness events are ongoing from 2009 to June 2010.

7. The Transmission Expansion Policy (TEP), which assessed the CVT line for IPP rate payer impact, is in fact an internal strategic planning framework consistent with the B.C. Government's Special Directive No. 9 (SD9) that authorizes the Commission to consider anticipated demand. Nevertheless, if the knowledge that the CVT line will be used for a secondary function exists, and the stated Project Justification does not underscore the fact of the dual use of the line, then full disclosure of the project has not been made known and the adequacy of public consultations is insufficient.

4.0 Further Considerations

1. Given that the proposed CVT line opens up an entirely new geographical area of concern in the northern Selkirk region, including a number of major drainages and associated tributaries, which has direct bearing upon the residents of local communities in terms of backcountry recreation use, it is worth considering whether mitigation measures would be appropriate.
2. No study has ever been made concerning cumulative effects of a concentrated cluster of IPPs in a confined geographical region . Since the CVT line functions as the enabler for facilitating the development of the region, it is worth considering whether BCTC has a role to play in a broader regional ecological analysis and cumulative impact assessment. While each IPP project undertakes its own environmental assessment within its individual geographical locale, there is no assurance that the combined impact of the projects would not lead to ecological concerns not addressed by a singular proponent. It should be considered that BCTC, as the facilitator of regional development through the construction of the CVT line, has a role to play in preserving the ecological integrity of the region.
3. Should BCTC be found not to have performed sufficient consultations on all aspects of the CVT project, a question to consider is how future communication can be improved and what methods should be taken so that all relevant information is presented to all stakeholders.

5.0 Conclusion

Wildsight submits the position that BCTC did not present and make clear all relevant knowledge relating to the project to the public. BCTC did not meet the obligations of the 2010 Certificate of Public Convenience and Necessity Application Guidelines document, order number G-50-10, (March 18, 2010) that requires the applicant to (iv) identify any outstanding issues or concerns; and promises to measure the (v) applicant's overall assessment as to the sufficiency of the public consultation process with respect to the project, in the context of the decision which is being sought from the Commission. Wildsight therefore advances the position that a formal extension to the project's approval period be granted, and more public consultations on IPP development and the cumulative impact, both ecologically and socially, is required.