



British Columbia Utilities Commission

New User's Guide

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Introduction

The purpose of the *New User's Guide* to the British Columbia Utilities Commission is to explain in simple terms the process of the Commission and how someone can get involved in the Commission's proceedings. Additional details on can be found in various documents published by the Commission.

Who is the British Columbia Utilities Commission?

The British Columbia Utilities Commission is an independent regulatory agency of the Provincial Government that operates under and administers the *Utilities Commission Act*. The Commission's primary responsibility is the regulation of energy utilities under its jurisdiction to ensure that the rates charged for energy are fair, just and reasonable, and that utilities provide safe, adequate and secure service to their customers.

The Commission under the *Insurance Corporation Amendment Act* regulates the universal compulsory automobile insurance (Basic Insurance) provided by the Insurance Corporation of British Columbia (ICBC). The Commission is responsible to ensure that Basic Insurance rates are adequate, efficient, just and reasonable.

Who does the Commission regulate?

The Commission's regulatory jurisdiction is defined by the *Utilities Commission Act* and *part seven of the Pipelines Act*. The Commission regulates electric utilities, gas utilities, a steam heat, and intra-provincial pipelines in British Columbia. Also, under the *Insurance Corporation Amendment Act* the Commission regulates ICBC's rates for Basic Insurance (third-party legal liability, accident benefits, underinsured motorist protection, and protection against hit-and-run and uninsured motorists).

The Commission does not regulate municipal owned utilities providing service within its own boundaries. Also, the Commission does not fix ICBC rates applicable to optional automobile insurance (third-party legal liability above the level provided by Basic Insurance, collision, comprehensive, and Roadside Plus).

What is the structure of the Commission?

The Commission is composed of commissioners, vested with the authority of the *Utilities Commission Act*, and the Commission staff whose responsibility is to provide technical and administrative support to the commissioners.

The Commission staff is divided into three groups: Information Services; Regulatory Affairs, Strategic Services and Planning; and Office of the Chairperson and Financial Administration.

The Information Services group consists of the Commission Secretary and the Information Services Group. The Commission Secretary acts as the official contact for both regulated utilities and the public. The department responds to all information requests (including Freedom of Information requests), and provides in-house computer services, media interaction, and library services. It also deals with utility customer complaints and operates and maintains the Commission's information resources.

How can I obtain more information about the Commission's current and past activities?

The website of the Commission at <http://www.bcuc.com> contains both current and historical information including:

- Current Proceedings and Applications before the Commission
- Regulatory Agenda containing information of upcoming, recent and past activities at the Commission
- Commission Orders and Decisions
- Historical legacy documents available in the Online Document Library System
- Regulated Utilities Information

Who at the Commission can I contact that can provide me more information?

The Commission Secretary can provide you with more information. You can contact the Commission Secretary in writing, by telephone, fax or e-mail.

B.C. Utilities Commission
Box 250, 900 Howe Street
Sixth Floor
Vancouver, B.C. V6Z 2N3

Telephone: (604) 660-4700
B.C. Toll Free: 1-800-663-1385
Facsimile: (604) 660-1102
E-Mail: Commission.Secretary@bcuc.com
Web Site: <http://www.bcuc.com>

What kinds of complaints are received by the Commission?

The Commission generally receives three kinds of complaints:

- complaints filed against regulated utilities by other utilities, individuals or groups;
- complaints filed by utility customers regarding their bills; and
- complaints made by shippers on intra-provincial oil pipelines.

What are the complaint handling procedures for utility customers?

1. Types of Complaints

The Commission receives complaints from utility customers who are unable to resolve disputes with their respective utilities without assistance. The Commission is available to assist the public in the resolution of complaints with utilities in the following areas:

- Utility Practices / Procedures
- Customer Billings
- Service Disconnections
- Gas Mains / Powerline Extensions
- Third-Party Billings
- Easement / Right-of-Way Maintenance
- Meter Reading and Estimates

2. Making a Complaint

Prior to accepting a complaint, the Commission must be satisfied that the customer has made a serious attempt to settle the dispute with the utility. While many complaints are successfully resolved between the customer and the utility, the Commission is available to assist in the resolution of unresolved disputes.

Ideally the complaint to the Commission should be made in writing and provide the following information:

- name of the complainant;
- complainant's address;
- utility account number (optional);
- the key elements of the dispute;
- names of utility staff / officials contacted;
- dates contacts were made; and

- reasons, from the customer's viewpoint, why the problem was not resolved

In situations where disconnection of service is likely or where a complaint requires immediate action, a customer can contact the Commission at (604) 606-4700, or for those outside the Lower Mainland, the Commission has a B.C. Toll-free number: 1-800-663-1385.

3. Role of the Ombudsman

If a customer is not satisfied with the Commission's handling of a complaint, he or she may contact the Ombudsman's Office to review the process used.

The Ombudsman has the authority to review the processes used by the Commission, including the process for resolving complaints. The Ombudsman may recommend reconsideration of a matter rather than order change.

Does the Commission handle ICBC insurance complaints?

The Commission does not handle ICBC insurance complaints. ICBC has its own dispute resolution process through ICBC's Fair Practices Review department and ICBC's Fairness Commissioner. ICBC publishes *Steps to Fairness: A Guide to Complaint and Dispute Resolution at ICBC* which explains the process for handling insurance complaints. ICBC's Fairness Process website at <http://www.icbc.com> will provide more detailed information.

I have a complaint concerning the Insurance Corporation of British Columbia (ICBC). What kind of complaint does the Commission handle concerning ICBC?

The Commission will handle ICBC complaints related to the regulated Basic Insurance. The Commission regulates Basic Insurance by ensuring ICBC makes available universal compulsory automobile insurance in a manner, and in accordance with practices and procedures, that the Commission considers are in all respects adequate, efficient, just and reasonable.

How do I stay informed of the Commission's Proceedings?

There are several ways to ensure that you are kept informed about the current activities of the Commission.

1. Interested Party Database – The Commission maintains a database of interested individuals and organizations who have asked to receive information from the Commission. The database contains names, telephone numbers, e-mail addresses, fax numbers and addresses, and it indicates the types of information the individual or organization has requested.
2. Regulatory Agenda – For those with an ongoing interest in energy utility issues, the Commission issues a Regulatory Agenda on a quarterly basis.
3. Commission Library – If you are interested not only in the Commission's current regulatory proceedings but also some of its past hearings, the Commission's library is a useful resource.
4. The Internet – The Commission has a web site at <http://www.bcuc.com> that contains a variety of information including the Utilities Commission Act, Commission Decisions, Commission Orders, brochures, and guides. Commission Decisions, transcripts and Orders available on the Commission's web site may also be used for text search and retrieval through WebSonar.
5. Freedom of Information and Protection of Privacy Act – This Act provides two basic rights: the right of the public to access information in government records, and the right of the individual to access his or her own personal information.

How do I become involved?

A Notice of Hearing published in a local newspaper often alerts members of the public to the fact that their utility is involved in a regulatory proceeding before the Commission. Generally, once the Commission has decided that a public hearing is required, it issues a Hearing Order setting out the date and location of the hearing as well as the deadlines for:

- registering as an intervenor or interested party;
- applying for participant assistance / cost awards;
- making and responding to information requests; and
- filing written evidence.

How can I participate in the Public Hearing Process?

You can register as an individual or group wishing to participate in a proceeding by making a written or oral submission to the panel of Commissioners hearing the application.

Residential ratepayer groups and industrial ratepayer groups consistently intervene in Commission hearings. Environmental groups and independent power producers are among the group of regular intervenors, and there are a few dedicated individuals who regularly intervene as active participants or observers. Local governments and community groups also intervene to address issues that affect their community.

How do I register with the Commission as an Intervenor or Interested Party for a Public Hearing?

You can register by outlining in letter form your specific interest in a particular proceeding, who you represent, and whether you want to register as an Intervenor or Interested Party. This information can be sent to us by way of letter, fax, or e-mail in time to meet the deadline set out in the Hearing Order.

- **Intervenors:** Persons who expect to participate in the review or public hearing process should register as Intervenors with the Commission. Intervenors will receive copies of the Application, all correspondence and filed documentation. Intervenors may be active or in-active participants in the public hearing process who receive all the documents in the proceeding.
- **Interested Parties:** Persons not expecting to actively participate should register with the Commission as Interested Parties and will receive a copy of the Application's Executive Summary, all Orders issued, as well as the Commission's Decision.

Do I have to register for each new Public Hearing even if I was registered in a previous related Hearing?

Yes, each Intervenor or Interested Party must register for each separate Public Hearing.

As a registered Intervenor, how do I participate in the Hearing?

There are two basic ways you can participate in the hearing process.

- The first approach is to provide the Commission with a clear statement of your position(s), concerns and interests regarding the utility's application. This can be done with a written submission in advance of the hearing. The intervenor can also attend the hearing to present oral testimony, explain the concerns, and respond to questions.
- The second approach involves demonstrating to the Commission that the utility's application is technically unsound, contrary to or inconsistent with legislation, regulations or the public interest. An intervenor may also propose alternatives to the utility's application.

What are Participant Assistance / Cost Awards?

The Commission has the discretion to award all or a portion of the costs incurred by an participant in a proceeding. If an intervenor can clearly demonstrate the need for funding, a budget or application must be submitted to the Commission prior to the commencement of a proceeding. The filing deadline is specified in the Notice of Public Hearing. The budget is reviewed by Commission staff, and intervenors are given an indication whether their request for funding complies with the Guidelines. The application for a Cost Award should be submitted at the end of the proceeding.

How does the Public Hearing Process work?

Hearings typically arise as a result of applications made by Utilities or through the Commission's investigation into a complaint. The Public Hearings conducted by the Commission can be oral or written.

- Written hearings, as the term suggests, are conducted entirely through written submissions: written requests for information; filing of written evidence; and submission of written arguments and replies.
- Oral hearings, on the other hand, offer participants an opportunity to appear in person before the Commission, present oral evidence and ask questions of the utility's and other parties' witnesses. Witnesses present their evidence under oath or affirmation. Parties are often represented by legal counsel. However, it is not necessary that an intervenor be represented by legal counsel nor is it essential to have a legal background or legal knowledge to participate effectively in these proceedings. Verbatim transcripts of oral hearings are produced for the public record, in both paper and electronic format.

Commission hearings are normally held at a location within the service area of the utility. In the case of B.C. Hydro and Terasen Gas, hearings are usually held at the

Commission's offices in Vancouver. Hearing days are usually five to six hours in length, unless circumstances require extended hours, as is often the case outside of Vancouver. The date, commencement time, and location of the hearing are contained in the Notice of Public Hearing.

Are there other documents that I can read for more information about the Commission?

Yes, the Commission has issued a number of documents.

- The brochure *An Introduction to the Public Hearing Process* explains how the public may participate in a public hearing.
- The brochure *Complaint Handling Procedures* deals with lodging a complaint with the Commission regarding a utility.
- The guide *Understanding Utility Regulation: A Participants' Guide to the B.C. Utilities Commission* details information about the Commission's function as well as energy regulation in British Columbia.
- The *Participant Assistance/Cost Award Guidelines* explains how a participant may receive a cost award for all or a portion of a participant's costs in a proceeding.
- The Commission's Service Plans are filed annually in accordance with the Budget Transparency and Accountability Act.
- The Commission's Annual Reports are submitted to the Lieutenant Governor in Council for the preceding fiscal year, setting out briefly all applications and complaints, summarizing Commission findings, and reporting on other matters considered in the public interest.