

Right-of-Way Q&As for the Clean Power Call

1. Can an IPP use a BC Hydro right-of-way (ROW) for their transmission or distribution lines to the Point of Interconnection?

IPPs should expect to negotiate and acquire rights-of-way from landowner(s). It should not be assumed that an IPP can use BC Hydro's ROWs for their transmission or distribution lines. In advance of Proposal submission and EPA award, BC Hydro Properties will respond to Proponent questions and can comment on proposed concepts, but can not provide any approvals. It is not common practice to permit use of transmission rights-of-way for parallel third party lines. Crossings and short parallels of transmission and distributions lines are possible providing a number of conditions are met. Each request from an IPP must be reviewed for compatibility, topography, potential impact on current/future operational requirements, and/or any other additional third party requests for use of the same ROW.

Site and project specific technical considerations are analyzed by BCTC and BC Hydro. This analysis includes, but is not limited to, vertical and horizontal separation to existing and future lines, horizontal and vertical separations from associated civil construction (i.e. roads, embankments) to existing towers and conductors as well as the effects of crossings and electrical induction between existing lines and the proposed line(s) of the IPP. If acceptable, BCTC or BC Hydro will issue written consent to the IPP.

BC Hydro and BCTC support public use on ROWs as long as the use is compatible with public safety and current/future operation requirements. An information guide entitled *Rights of Way Guidelines for Compatible Use* is available on-line at www.bctc.com/NR/rdonlyres/77C9EBB4-349B-4787-975C-A6223497D923/0/A07309RightsofwayGuidelines.pdf.

2. Does BC Hydro own the land on which they have ROWs?

Most BC Hydro's ROWs are granted by private landowners and the Crown to BC Hydro for BC Hydro use. Where an IPP proposes to construct a line or place a pole within such a ROW, it is the responsibility of the IPP to acquire, at its cost, all necessary property rights from landowners, including all required access agreements. In addition, the IPP must obtain BC Hydro's written consent to use any portion of BC Hydro's ROW in a form acceptable to BC Hydro. The IPP must satisfy all terms and costs associated with BC Hydro's review of the request and the granting of property rights by the landowner.

Where BC Hydro is the fee owner of the property, BC Hydro, as landowner, may grant such rights to an IPP provided BC Hydro's or BCTC's current and future operational and technical requirements are satisfied. It is the responsibility of the IPP to request such property rights. In addition, the agreements granting such property rights must be in a form acceptable to BC Hydro. Further, the IPP must satisfy any legal requirements necessary to be granted a statutory right-of-way. BC Hydro will typically expect market value compensation of the rights acquired plus associated costs. The IPP must satisfy all terms and costs associated with BC Hydro's review of the request and the granting of property rights.

If the IPP proposal affects other rights or interests belonging to, or held for the benefit of BC Hydro, the Province's Integrated Land Management Bureau will refer the proposal to BC Hydro for input. Map reserves, OiC Reserves, Permits to Occupy Crown land under the Water Act and Licences of Occupation are examples of such interests.

3. What about roads? Can an IPP construct new roads or upgrade existing roads within or across BC Hydro rights-of-way?

The underlying rights and conditions with respect to roads within or across ROWs are similar to that of transmission and distribution line ROWs previously discussed.

BC Hydro or BCTC must review the design of the road with respect to vertical separations from the conductors of BCTC or BC Hydro lines and horizontal separation to BCTC or BC Hydro's towers and poles. If acceptable, BCTC or BC Hydro will issue written consent.

Generally, roads constructed by BC Hydro are based on rights acquired from the landowner for BC Hydro use only. The IPP has to acquire the necessary rights and consents to use, construct or upgrade roads from the

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landowner and/or the authority that has jurisdiction of the road. For example, on Crown lands, this may be the Ministry of Forests and Range for forest service roads or logging roads, the Ministry of Transportation or the applicable Regional District for public roads and highways and so on.

4. Are there guidelines governing my development near transmission lines?

BCTC's "Guidelines for Development Near Overhead Transmission Lines in BC" can be found at: www.bctc.com/NR/rdonlyres/F99224D1-ECE9-4C70-BE78-5DCA1BEB58BE/0/BCTC_devbook_may13_FINAL_lowres.pdf.

5. Does BCTC apply CSA standard right-of-way width?

The Canadian Standards Association (CSA) does not specifically outline ROW width. CSA does specify minimum horizontal clearance between energized conductors and buildings based on the voltage of the energized lines. These standards form the basis for determining distance from the outside conductor to the ROW, with the assumption that a building could be constructed at the ROW edge. BC Hydro and BCTC take a more conservative approach than CSA guidelines where additional width is deemed necessary for safety or future expansion. Additionally, municipal or regional district by-laws may influence ROW width considerations.

BCTC and BC Hydro designs typically determine the phase spacing between phase conductors of the same circuit. ROW width can be estimating by determining:

- a) minimum distance to the ROW edge,
- b) required separation between adjacent circuits, and
- c) separation between phases in the same circuits.

6. If BC Hydro must acquire land to construct a substation to facilitate the interconnection of the IPP, what time frame is required?

Typically, a minimum of 6 months is required for BC Hydro Properties Acquisition Services to negotiate land acquisition and prepare the necessary legal documents that accompany, based upon a site location that has been finalized.

The minimum timeframe identified does not include any additional required timeframe, which the Crown may require to engage in consultation with applicable First Nations should the proposed substation site be located on Crown lands. The time required for such consultation to be completed will vary.

7. Once I have negotiated consent to use a BC Hydro right-of-way can I commence construction?

Subject to securing a registered right-of-way from the owner and all other necessary regulatory and agency approvals, the IPP, in accordance with BC Hydro's or BCTC's review and written approval of the transmission design, may commence construction.