

**Chris Sandve**

Chief Regulatory Officer

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July 20, 2021

Mr. Patrick Wruck  
Commission Secretary and Manager  
Regulatory Support  
British Columbia Utilities Commission  
Suite 410, 900 Howe Street  
Vancouver, BC V6Z 2N3

Dear Mr. Wruck:

**RE: British Columbia Utilities Commission (BCUC or Commission)  
British Columbia Hydro and Power Authority (BC Hydro)  
Rebuttal to E.C. responses to IR No.1**

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BC Hydro writes to provide its rebuttal to E.C. responses to IR No. 1 from the BCUC, in accordance with BCUC Order No. G-181-21. Please note that the correspondence referenced in our responses below are attached as Appendix A.

In response to IR 1.1, with regard to the expenses associated with the construction of the LPT, E.C. makes the following statements:

“We refused to agree to its construction at the time it was forced upon us to pay all the expenses associated with that construction...”

And:

“On numerous occasions, Mr. Gutierrez indicated that we would need to pay \$100,000.00 to \$150,000.00 in order for us to receive electricity.”

As explained in an email from BC Hydro to E.C., dated August 8, 2018, an estimated total project cost of “up to \$100,000” was provided during a verbal discussion with E.C.. During both the verbal discussion and in the August 8, 2018 email, it was explained that the estimate provided for the installation of an LPT was an early “ballpark” approximation and that BC Hydro would be sharing some portion of these costs.

At the time that the ballpark estimate was provided, BC Hydro had not yet received a completed Electric Service Information (**ESI**) form confirming the size and type of service the customer would require. BC Hydro requires this information to determine how costs would be apportioned between BC Hydro and the customer.

In response to IR 1.1., with regard to the Electric Service Information (**ESI**) form, E.C. makes the following statement:

“We were certainly under the impression that BC Hydro believed we were building multiple residence homes such as townhouses and condominiums. In early May 2018, a BC Hydro representative name Eric Gutierrez sent us an Electric Service Connections on Multi-Residential Commercial and Industrial Projects “ESI” for us to complete and sign.”

In an email from BC Hydro to E.C., dated August 13, 2018, BC Hydro explained that a single Electric Service Information (**ESI**) form is used for all service applications in order to determine the size and type of service required.

In response to IR 1.1, with regard to the expectation of service, E.C. states:

“At the two meetings we attended with BC Hydro [...] our Architect asked the representatives whether or not the existing power source could continue to supply the new house on the property. Their response on each occasion was yes, it was doable [...]”

BC Hydro maintains that email and verbal communication between BC Hydro and the complainant indicated that BC Hydro was unable to utilize the existing backyard pole and that a low profile transformer (**LPT**) was required to provide permanent service. In an email dated June 13, 2019, BC Hydro reiterated that the two options for providing permanent service to the complainant’s property were as follows:

1. An overhead solution involving the installation of two new poles along West 51<sup>st</sup> Avenue, which the City of Vancouver had rejected; and
2. Installing an LPT on the northwest corner of the property.

In response to IRs 2.1 and 2.2, with regard to the installation of gas and sewer lines, E.C. makes the following statement:

“We strongly believe that it was BC Hydro’s obligation to notify The City of Vancouver at the outset in regards to their plans on servicing the community by way of the construction of an LPT, given that there must have been some consultation in regards to the initial placement of the gas and sewage lines on the City of Vancouver’s behalf.”

For any private development, it is the responsibility of the landowner and/or their consultants/contractor to coordinate the utility services for that property with the corresponding municipal, crown and/or private utilities and that each utility will have their own unique requirements to provide service.

BC Hydro is not privy to information from the City of Vancouver’s Engineering Department pertaining to the installation of their utility service lines and BC Hydro does not normally engage the City of Vancouver or other private utilities with regard to their proposed infrastructure on private property. Due to the constraints on the property from the protected trees, BC Hydro recommended a meeting with the complainant and stakeholders from the City of Vancouver regarding the location of the LPT, but the meeting did not occur.

In response to IRs 2.1 and 2.2, with regard to the location of utility services, E.C. makes the following statement:

“From the beginning, we obtained a building permit and followed each step of the process-building and BC Hydro process, we were never provided the opportunity to consider, or weigh in on, the potential location of the LPT.”

BC Hydro does not agree with this statement. On several occasions, BC Hydro provided the opportunity to consider the potential location of the LPT, including:

- In an email dated May 3, 2018, BC Hydro advised of the need to provide a location for the LPT;
- In an email dated May 9, 2018, BC Hydro confirmed that an onsite LPT would be required and would need to be underground;
- In an email dated August 8, 2018, BC Hydro reconfirmed among other things, the need for E.C. to propose a location for the LPT and the need to complete the ESI form to determine costs; and
- In an email dated August 13, 2018, BC Hydro emailed the customer indicating that BC Hydro, the City of Vancouver, and the customer should work together to find a location for the LPT that would be acceptable to all parties.

For further information, please contact Alicia Henderson at 604-623-4381 or by email at [bchydroregulatorygroup@bchydro.com](mailto:bchydroregulatorygroup@bchydro.com).

Yours sincerely,



Chris Sandve  
Chief Regulatory Officer

hr/tl

**Shaw Webmail****anniewwchong@shaw.ca**

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**Fwd: RE: Re: BC Hydro Transformer Request/2016 W 51 Ave Van.**

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**From :** ANNIE CHONG <anniewwchong@shaw.ca> Wed, Aug 08, 2018 01:45 PM  
**Subject :** Fwd: RE: Re: BC Hydro Transformer Request/2016 W 51 Ave Van. 1 attachment  
**To :** "Erick Chong" <erickchuekit@gmail.com>  
**Cc :** Joe Hwang <facade.dd@gmail.com>

----- Forwarded Message -----

From: Gutierrez, Eric <Eric.Gutierrez2@bchydro.com>  
To: ANNIE CHONG <anniewwchong@shaw.ca>  
Sent: Wed, 08 Aug 2018 13:45:58 -0600 (MDT)  
Subject: RE: Re: BC Hydro Transformer Request/2016 W 51 Ave Van.

Hi Annie,

Hope all is well.

We are not refusing to provide service to you. We are providing you options to serve the property. During the site meeting with Allen, for the referral I received for the removal of the existing service, we discuss your plan for the temporary and permanent service. I just want to inform you in advance of what the situation is.

Below are my responses to your noted timelines in the letter.

For item # 2. We will disconnect the power if you are requesting for this. It is not true that you will have to sign any document. The owner/customer only have to call BC Hydro and authorize the removal. Also, the area of the pole has to be cleared for climbing since there is no bucket truck access.

For item # 3 & 4. This was also during the May 8 meeting. I told Allen that for new service application, it will not come from the pole on the easement. The service should be coming from the road. Since there is no transformation available, you should provide an onsite LPT to serve the property. I told him this would be an expensive extension since the source will be coming from Arbutus St.

For item # 5. I will need an ESI to give me more information on the permanent service that you will require in the future but I forgot to attach the form. ESI is now attached.

For item # 6. I am asking for a proposed LPT location. I discussed possible options, it is you or your architect who said you have to consult the city since there are protected trees on the property.

For item # 7. Your architect asked for potential costs and I told him that project costs ball park may reach up to \$100,000.00 but BC Hydro will be sharing part of this cost. This is a very rough estimate, we can only provide a more accurate estimate once the design is approved.

We will not be removing the facilities on easement if you request removal of your service. We will only remove your service including the meter. The poles and secondary wires will stay until your neighbors apply for new services. When nobody is using it anymore then that is the time we can remove our facilities on the easement.

Yes, you are correct, we will require a right of way for the LPT to be signed by the owner of the property before we can energize the LPT. This has to be registered with the land title office.

Please fill-out and sign the attached ESI form and I can send you a preliminary letter asking for the rest of the requirements for your permanent service. Also, if you will need a temporary service, please let me know where you are proposing a service point. We can discuss details once you applied for it.

If you want to clarify things that I have not answered in this e-mail or if you have any other questions, please let me know.

Thanks,

**Eric Gutierrez** | Design Technician, LMN Design

**BC Hydro**

6900 Southpoint Drive, C01

Burnaby BC V3N 4X8

**P**

604 528-7817

**M** 604 880-5706

**E** [eric.gutierrez2@bchydro.com](mailto:eric.gutierrez2@bchydro.com)

[bchydro.com](http://bchydro.com)

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**From:** ANNIE CHONG [mailto:anniewwchong@shaw.ca]

**Sent:** 2018, August 07 1:11 PM

**To:** Gutierrez, Eric

**Subject:** Fwd: Re: BC Hydro Transformer Request/2016 W 51 Ave Van.

Dear Mr. Eric Gutierrez,

Shaw Webmail

anniewwchong@shaw.ca

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**RE: re: 2015 W 51 Ave / from Annie**

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**From :** Gutierrez, Eric <Eric.Gutierrez2@bchydro.com>      Mon, Aug 13, 2018 10:56 AM  
**Subject :** RE: re: 2015 W 51 Ave / from Annie  
**To :** ANNIE CHONG <anniewwchong@shaw.ca>  
**Cc :** Joe Hwang <facade.dd@gmail.com>

Hi Annie,

In my previous e-mail, I have already told you that we are not holding off on the demolition/removal of your existing service. You just have to authorize the request and have the vegetation at the foot of the pole cleared for climbing and we will proceed with the removal.

The reason of the discussion with regards to the permanent service is to let you know in advance that for the permanent service, it will no longer come from the easement. All new application or alteration for service should be coming from the public road. In your case, an LPT will be required since there is no existing transformation that can serve you. We should work together in finding an LPT location that will be acceptable to you, the city and BC Hydro. If this is not feasible, then we will have to find other options but coming from the easement is not an option we will consider. The new service should be coming from public road.

We don't have any information on the size of your permanent service yet since you have not yet applied for the permanent service that is why I am asking you to submit an ESI. This ESI is the same form we use for all service application. This will provide us with more details with regards to your new service.

With regards to your request for a meeting, you are very much welcome to come here in our office to discuss this project. My work leader is off today and will be back tomorrow. If you want I can set up a meeting on Wednesday subject to my work leaders availability.

Thanks,

**Eric Gutierrez** | Design Technician, LMN Design

**BC Hydro**  
6900 Southpoint Drive, C01  
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anniewwchong@shaw.ca

**200A Service - 2016 51ST AVE W, Vancouver - 4162623**

**From :** Creery, Matthew <Matthew.Creery@bchydro.com>

Thu, Jun 13, 2019 01:15 PM

**Subject :** 200A Service - 2016 51ST AVE W, Vancouver - 4162623

**To :** yicksun2004@yahoo.ca, facade dd <facade.dd@gmail.com>, anniewwchong@shaw.ca

Hi Annie, Allen and Joe,

Thank you for coming in to my office to speak about your project. As discussed during the meeting:

1. BC Hydro has proposed an overhead solution involving the installation of two new poles to serve your property that the CoV has initially rejected.
2. Installing an LPT on the NW corner of your property has not been proposed to the CoV, which you believe will be rejected.
3. BC Hydro must use one of these options to supply power to your new home. We have proposed to set up a meeting between yourself (the homeowner), BC Hydro, CoV Engineering, CoV Landscaping and CoV Utilities Management branch to review all options and to come to a final solution.

Please let me know once you have a proposed time and date for a meeting so we can begin to organize. If you have any questions please let me know.

Thanks,

**Matt Creery** | Design Technician, Distribution Design

**BC Hydro**  
6900 Southpoint Dr, C01  
Burnaby, BC V3N4X8

**P** 604 529 9573  
**M** 604 230 5708  
**E** [matthew.creery@bchydro.com](mailto:matthew.creery@bchydro.com)

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anniewwchong@shaw.ca

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**2016 W 51st Ave., Vancouver BC**

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**From :** Gutierrez, Eric <Eric.Gutierrez2@bchydro.com>  
**Subject :** 2016 W 51st Ave., Vancouver BC  
**To :** anniewwchong@shaw.ca

Thu, May 03, 2018 10:20 AM

Hi Allen,

I will be onsite Tuesday May 8, 2018 at around 11:00am for site check with regards to the demo of the electrical service to confirm access.

With regards to your permanent service, I would like to let you know in advance that we can't serve you from the existing overhead secondary from the easement. There is no transformation available so you will have to provide a location for an LPT(transformer onsite). The new service will be underground and will be coming from Arbutus St.

Thanks,

Eric Gutierrez | Design Technician, LMN Design

BC Hydro  
6900 Southpoint Drive, C01  
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**RE: 2016 W 51st Ave., Vancouver BC**

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**From :** Gutierrez, Eric <Eric.Gutierrez2@bchydro.com>  
**Subject :** RE: 2016 W 51st Ave., Vancouver BC  
**To :** ANNIE CHONG <anniewwchong@shaw.ca>

Wed, May 09, 2018 12:13 PM

Hi Allen, Annie,

Thank you for meeting me onsite yesterday.

As discussed, when you are ready for the demo please clear the vegetation around the base of the pole for access and call express connect to authorize removal of the service.

On discussion for the permanent service, please note that an onsite LPT will be required since there is no transformation available and that it is going to be an expensive service connection because the service has to be underground coming from Arbutus St. and we can no longer use the existing pole at the easement at the back of the property.

Thanks,

**Eric Gutierrez** | Design Technician, LMN Design

**BC Hydro**  
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Eric

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**From:** ANNIE CHONG [mailto:anniewwchong@shaw.ca]  
**Sent:** 2018, May 04 9:23 AM  
**To:** Gutierrez, Eric  
**Subject:** Re: 2016 W 51st Ave., Vancouver BC

Hi Eric,

Allen will go to the site on May 8, 2018 around 11:00 am. If you cancel or change the service please email me .

Thank you,  
Annie

----- Original Message -----

From: Gutierrez, Eric <Eric.Gutierrez2@bchydro.com>  
To: anniewwchong@shaw.ca