

Fred James

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Via email: PLdamagepreventionregs@neb-one.gc.ca

November 28, 2018

Chantal Briand
Regulatory Drafting Specialist
National Energy Board
Suite 210, 517 Tenth Avenue SW
Calgary, Alberta T2R 0A8

Dear Ms. Briand:

**RE: National Energy Board (NEB or Board)
British Columbia Hydro and Power Authority (BC Hydro)
Damage Prevention Framework for Federally Regulated Power Lines
BC Hydro Comments**

BC Hydro writes to provide its comments on the subject framework discussion paper. In general, the timeline that was established to provide comment on the proposed framework, October 15, 2018 to November 28, 2018, is not sufficient for BC Hydro to undertake a technical assessment. As such, BC Hydro requests further opportunities to provide comments in this and other regulation development associated with Bill C-69.

BC Hydro provides the following preliminary comments on the questions posed in the Discussion paper:

Question 1: Is a prescribed area of 30 metres on either side of the federally regulated power line adequate to maintain safety and prevent damage to the power line?

Response 1: High voltage transmission International Power Lines (**IPLs**) and Interprovincial Power Lines (**IPPLs**) would have different requirements than low voltage distribution feeders. BC Hydro is unable to undertake a technical assessment of this proposed buffer zone for its IPLs and potential IPPLs in the time available. BC Hydro is unclear as to whether this buffer will be measured from the circuit centerline, the outside phase, or the edge of the existing Statutory Right of Way.

Question 2: Are the proposed safety measures adequate to maintain safety and prevent damage to the power line?

Response 2: BC Hydro is unable to undertake a technical assessment of whether the proposed safety measures are adequate to maintain safety and prevent damage to its IPLs and potential IPPLs in the time available.

Question 3: What other considerations, if any, need to be taken into account when a holder responds to a request for authorizations?

Response 3: It is unclear what the expectations of the regulator will be with respect to requests for authorizations or if there will be a compliance component related to these requests. It is also unclear whether the federal regulator will defer jurisdiction authority to the British Columbia Utilities Commission (**BCUC**), which regulates BC Hydro's system, including portions of the IPLs and potential IPPLs.

Question 4: What other considerations, if any, need to be taken into account when making a locate request prior to conducting work near a federally regulated power line?

Response 4: The reason for the authorization request will be an important consideration. Most of BC Hydro's IPLs and potential IPPLs are high voltage overhead lines and it is unclear what authorization requests would be expected. It is likely that three days may be insufficient to review requests for work around high voltage transmission IPLs or IPPLs.

Question 5: Do you have any comments on the proposed requirement for a holder to be a member of a One-Call Centre?

Response 5: BC Hydro is currently a member of the B.C. One-Call centre and has no issue with this requirement at this time. However, the B.C. One-Call service only handles tickets for underground locates, and this requirement appears to contemplate that IPLs and IPPLs are mostly underground lines. BC Hydro currently only has one NEB certificate related to an underground IPL; a low voltage distribution feeder from Montana.

Question 6: Do you have any other comments on the requirements for construction of federally regulated power lines near facilities?

Response 6: BC Hydro is unable to undertake a technical assessment related to the requirements for construction of federally regulated power lines near facilities, and the standards that should be applicable to the construction of these power lines in the time allotted.

Question 7: What other considerations, if any, need to be taken into account for a holder to have a damage prevention program for power lines?

Response 7: It is unclear whether this requirement would require BC Hydro to implement measures, procedures or practices in addition to those it currently uses to protect and ensure the safe operation of its system.

Question 8: Is a period of three months from the coming into force of the proposed regulations to develop and implement a damage prevention program sufficient?

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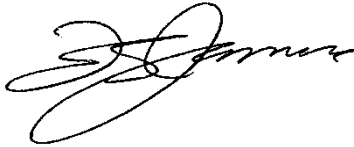
Response 8: Three months is insufficient unless BC Hydro is able to rely on existing procedures that it has in place.

Question 9: Are there any other comments related to the proposed regulations that you would like to provide?

Response 9: BC Hydro has not had sufficient time to consider the impacts of the proposed regulation changes to its ownership/operation of IPLs and IPPLs. BC Hydro requests further opportunities to provide comments on the development of this and other regulations related to Bill C-69. BC Hydro requests that the NEB direct these opportunities to my attention at bhydroregulatorygroup@bhydro.com.

For further information, please contact the undersigned.

Yours sincerely,



Fred James
Chief Regulatory Officer

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