

Written Hearing Process

The purpose of a hearing is to give interested parties fair opportunity to view a Utility's Application and to make submissions and thereby for the Comptroller of Water Rights, Water Utility Act, ("the Comptroller") to obtain the evidence and argument necessary to make a decision. Under the Water Act, "Comptroller" includes a "Deputy".

The two main types of hearings conducted by the Comptroller are oral and written. The procedure described in this brochure is for a written hearing. A separate brochure is available called "PUBLIC HEARING PROCESS" for oral hearings. The Comptroller has some discretion on the choice of procedures, and procedural details may vary from issue to issue. Hearings are held most often on applications for forecast revenue requirements/water rate increases and, in most cases, are written hearings as they are found to be most efficient and cost effective.

A Utility initiates consideration of an application when it files the application with the Comptroller. Once a complete application is filed, it becomes a public document and may be viewed by the general public. After receipt of a complete application and an initial cursory review by the Comptroller's office, the Utility is given approval to advertise the proposed rate increase by mailing a Notice (sample attached) to all of its customers providing them with at least 30 days to submit to the Secretary to the Comptroller (with copies to the utility) any comments and/or questions of the Utility on the application. A Utility will normally make copies of the application available in its local offices for public inspection.

For applications dealing with controversial and/or complex issues, the Utility may be required to include in the advertised Notice an opportunity for persons who wish to actively participate in the proceedings to register as "interveners", usually a week or so before the closing date for initial submissions. Upon receiving intervener status, interveners must be prepared to share their submissions with all other interveners, the Utility, and the Comptroller's office.

After the initial closing date, the Comptroller's staff will review the application and submissions and make recommendations to the Comptroller on next steps. If there is sufficient evidence to proceed to a decision, a final review of the evidence is made and a written Decision and Order (with reasons if there are any objections) is issued by the Comptroller. If applicable, an amended Tariff is accepted for filing.

If additional information is required based on a review of the application and the initial submissions from customers, the Comptroller's office will issue an Information Request (IR1). It may include relevant questions of the Utility from the Comptroller's office and/or from the customers/intervenors. Along with IR1, a written hearing timetable will be issued to the Utility and intervenors. That timetable will set out deadlines for the Utility to respond to IR1, for intervenors to then respond to the Utility's response, followed by the Utility's final comments, then intervenors' final comments and, lastly, the Utility's final reply submission.

If, after a review of the Utility's responses to IR1 and intervenors' responses, the Comptroller's Office determines that further information or clarification is required, IR2 will be issued along with a revised timetable for deadlines from the Utility and intervenors.

Once the Comptroller's office is satisfied that sufficient evidence has been received in order to make a decision on the application, a final review will be made followed by issuance of a written Decision and Order with Reasons by the Comptroller.

For more information regarding this process, please contact:

Rick Couroux
Secretary to the Comptroller of Water Rights
Tel: (250) 387-6355
Email: Rick.Couroux@gov.bc.ca

SAMPLE NOTICE ATTACHED

Date of mailing to customers

NOTICE

OF AN APPLICATION BY: _____

PROPOSING TO INCREASE RATES EFFECTIVE: _____

Notice is hereby given that (Utility Name) has made application to the Deputy Comptroller of Water Rights for his/her consent to the filing under the provisions of the Water Utility Act and the Utilities Commission Act of rates and charges for service. A summary of the proposed rates is as follows:

Existing Rates (per month or billing period)	Proposed Rates (per month or billing period)
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Insert here, the various classes of water service.

Insert here, a clear statement of the reasons for the application to increase rates and also state that the proposed increases are necessary in order for the utility to continue to provide an adequate level of service to its customers. The Notice should also state that the proposed rates will provide funds for future replacement of system components as and when required, the funds to be held in a separate reserve trust fund for that purpose. Specify the amount or percentage of rates collected that will be set aside in a Replacement Reserve Trust Fund.

Any person wishing further information in connection with the proposed rates or reasons for the proposed changes should write to:

Insert Name, Address, Fax and Email of Utility

By direction of the Deputy Comptroller of Water Rights, comments on the application are to be forwarded to Rick Couroux, Secretary to the Deputy Comptroller of Water Rights, PO Box 9340 STN PROV GOVT, Victoria, BC V8W 9M1, or by email Rick.Couroux@gov.bc.ca or by fax 250-953-5124 to be received on or before the date of _____, 20____, * with a copy to (Name of Utility). All submissions may be included as evidence, please ensure that a copy is provided to the Utility.

A copy of this application is available for public inspection at:

Insert location, business hours etc.

A copy of the actual notice mailed to customers and/or copy of newspaper advertisement is to be sent to the Deputy Comptroller on the date the notice is given, together with a letter signed by the Utility's authorized representative verifying the date it was mailed.

** Please allow at least 30 days from the date of the mailing or publication of the notice for the lodging of comments, if any.*