



GSX Concerned Citizens Coalition

The Georgia Strait Crossing Concerned Citizens Coalition

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BCUC panelist removed for apprehension of bias

VANCOUVER, BC-The Georgia Strait Crossing Concerned Citizens Coalition (GSXCCC) today brought forward motions charging that a perception of bias exists among the members of the British Columbia Utilities Commission (BCUC) panel that is preparing to review the BC Hydro-Duke Point Power natural gas plant electricity price agreement (EPA).

Coalition lawyer William Andrews asserted that member Murray Birch should not be sitting on the panel because of his current position as president of Alliance Pipeline Ltd., a major player in the natural gas pipeline sector. After a mid-day recess, the panel returned to announce Mr. Birch would no longer serve on the panel.

"A reasonable person cannot be expected to accept that the president of a major natural gas company could be impartial in considering a project of this size and importance to his industry," argued Andrews. "If it's okay for the member to sit on this panel then the conclusion would be that it's okay for the natural gas industry to regulate B.C. Hydro. The issue is fundamental to fairness and the public's confidence in the regulatory process."

In a second motion, GSXCCC challenged the behaviour of panel chairman Robert Hobbs who appeared to have made a decision regarding Mr. Birch's participation before allowing any input from the intervenors. The panel dismissed this application.

"Apprehension of bias is not conflict of interest; we are not alleging wrong doing," said Tom Hackney, GSXCCC president. "The critical point is that justice must be seen to be done in proceedings that affect the interests of the people of this province. The public must have confidence in the people and the processes that are determining our energy future."

The panel is conducting a pre-hearing conference in preparation for next month's hearing into the electricity purchase agreement (EPA) recently filed by BC Hydro and Pristine Power, the company proposing the Duke Point Power Partnership natural gas fired electrical generation plant at Nanaimo.

With Mr. Birch gone, Commissioner Hobbs and Commissioner Boychuk will continue to consider pre-hearing motions, including the question of whether the terms of the EPA should be kept secret or not. So far BC Hydro has refused to reveal the price it has committed to pay for electricity from the proposed gas plant. Hydro has also refused to reveal most of the other details of the contract.

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