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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER** G-72-10

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**IN THE MATTER OF
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473**

**Application by Dockside Green Energy LLP
for Approval of a Supplemental Tariff for Delta Ocean Pointe Resort and Spa**

BEFORE: D.A. Cote, Commissioner April 15, 2010
L.F. Kelsey, Commissioner

O R D E R

WHEREAS:

- A. By Order C-01-08, the British Columbia Utilities Commission (Commission) approved the Certificate of Public Convenience and Necessity for Dockside Green Energy LLP (DGE) to construct and operate a district energy system (DES) to provide energy service to the Dockside Green development (Dockside Green) built on the Inner Harbour in Victoria, BC and for approval of Service Agreements, Terms and Conditions of Service and levelized rates; and
- B. Dockside Green is constructed on fifteen acres of former industrial land adjacent to the Upper Harbour and downtown Victoria between the Johnson and Bay Street bridges. The total planned development is approximately 1.4 million square feet of mixed residential, office, retail and industrial space; and
- C. Terasen Energy Services Corporation, Vancity Capital Corporation and Corix Utilities Inc. jointly own and operate Dockside Green's community energy system; and
- D. By letter dated February 19, 2010, DGE applied to the Commission for approval of an executed agreement called Hydronic Energy Service, Supplemental Terms and Conditions, Delta Victoria Ocean Pointe Resort and Spa (Delta) (Application) which provides for energy service between DGE and the Delta at set rates over a 15-year period; and
- E. On March 11, 2010, the Commission sent an interrogatory request to DGE and this was responded to on April 6, 2010; and
- F. The Commission has reviewed the Application and finds it to be in the public interest.

NOW THEREFORE pursuant to sections 60 and 61 of the *Utilities Commission Act*, the Commission orders as follows:

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1. The Commission approves the tariff supplement called Hydronic Energy Service, Supplemental Terms and Conditions, Delta Victoria Ocean Point Resort and Spa which constitutes an agreement for energy service between DGE and the Delta.
2. The tariff supplement is to be effective the date of this Order.

DATED at the City of Vancouver, in the Province of British Columbia, this 15th day of April 2010.

BY ORDER

Original signed by:

D.A. Cote
Commissioner