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**BRITISH COLUMBIA  
UTILITIES COMMISSION**

**ORDER  
NUMBER G-89-14**

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

and

Person(s) doing business as Casa Del Mila Oro Geothermal

**BEFORE:** L.F. Kelsey, Commission Chair

July 9, 2014

## **O R D E R**

### **WHEREAS:**

- A. On January 16, 2014, by Order G-6-14 following a complaint and hearing, the British Columbia Utilities Commission (Commission) found that the person, or the person's lessee, trustee, receiver or liquidator who owns or operates the Geothermal heating and cooling facilities known as Casa Del Mila Oro (CDMO) Geothermal to be a public utility as defined by the *Utilities Commission Act* (UCA);
- B. CDMO Geothermal owns and operates a ground source system including piping, pumps and heat exchangers that distributes fluid to approximately 45 individual customers, which is then used by the customer's heat pump to provide heating and cooling to the individual units at the Casa Del Mila Oro Resort located at 5401 Lakeshore Drive, Osoyoos, BC;
- C. The Commission has received numerous customer concerns and complaints related to CDMO Geothermal operations. On July 4, 2014 the Commission received another complaint from a resident at Casa Del Mila Oro Resort that CDMO Geothermal was planning to cut service to units whose accounts were in arrears on July 11, 2014 and hand over collections to a collection agency;
- D. CDMO Geothermal has not applied for, nor been granted, a Certificate of Public Convenience and Necessity (CPCN) as required by section 45 of the UCA nor has it filed schedules showing all rates established by it and collected for approval by the Commission as required by section 61 of the UCA; and
- E. On June 20, 2014, by Order in Council Nos. 399 to 401, the Provincial Government granted approval to the Commission to make certain exemptions from the provisions of the UCA for certain Thermal Energy Service (TES) Systems. The Commission expects to issue the BCUC orders to give effect to the TES System Exemption and TES Framework and Guide in July 2014.

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**NOW THEREFORE**, the British Columbia Utilities Commission orders as follows:

1. Pursuant to section 85 of the *Utilities Commission Act*, Casa Del Mila Oro (CDMO) Geothermal must not disconnect service to its customers unless agreed by the customer until further order of the Commission.
2. Pursuant to section 61 of the *Utilities Commission Act*, CDMO Geothermal must file its schedule of rates, and terms and conditions of service with the Commission for approval as soon as possible, but no later than July 16, 2014. The filing must also include a detailed justification of how the rates and terms established by it are not unjust, unreasonable or unduly discriminatory pursuant to section 59 of the *Utilities Commission Act*.
3. CDMO Geothermal must file a registration according to the Thermal Energy Service Framework and Guide no later than August 21, 2014 or within one month of the release of the Thermal Energy Service Framework and Guide by the Commission.
4. CDMO Geothermal shall provide a copy of this Order to each of its customers immediately.

**DATED** at the City of Vancouver, in the Province of British Columbia, this    9<sup>th</sup>        day of July 2014.

BY ORDER

*Original signed by:*

L.F. Kelsey  
Commissioner

