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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER G-172-15**

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

and

**FortisBC Alternative Energy Services Inc.
Stream A Thermal Energy System Registration for the Marine Gateway Thermal Energy System**

BEFORE: L. F. Kelsey, Commissioner
H. G. Harowitz, Commissioner
October 22, 2015

O R D E R

WHEREAS:

- A. On May 25, 2012, FortisBC Alternative Energy Services Inc. (FAES) applied pursuant to sections 45 and 46 of the *Utilities Commission Act* (Act) for a Certificate of Public Convenience and Necessity (CPCN) for the construction and operation of the thermal energy system (TES) for the Marine Gateway development (Project). FAES also sought approval of the rates and rate design as set out in the service agreements between FAES and the Developer, PCI Developments Inc. (PCI);
- B. On September 27, 2012, the British Columbia Utilities Commission (Commission) granted a CPCN for the Project to FAES (Order C-10-12). The Commission denied the rate design and rates as proposed pursuant to sections 59-61 of the Act;
- C. On June 26, 2014, the Commission issued a letter (Log No. 48026) informing FAES that it did not intend to review the rates for TES that are "in progress", i.e., that have a CPCN but are not yet in service, and that otherwise comply with the Stream A requirements (i.e., TELUS Garden, Marine Gateway and Seylynn). The Commission noted that it expects FAES to register for Stream A exemptions for these projects;
- D. On March 2, 2015, the Commission issued Order G-27-15 approving the TES Regulatory Framework Guidelines (TES Guidelines);
- E. On October 6, 2015, FAES filed a Stream A TES registration form for the Marine Gateway TES;
- F. The Commission reviewed the application and is satisfied the Marine Gateway TES meets the On-Site TES site and capital costs characteristics of a Stream A TES and is suitable for exemption from sections 44.1 and

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59-61 of the Act. An exemption from sections 45-46 is not necessary in this case since this project previously received a CPCN by Commission Order C-10-12.

NOW THEREFORE pursuant to sections 88(3) of the *Utilities Commission Act*, and by the advance approval of the Lieutenant Governor in Council (OIC 400) the British Columbia Utilities Commission orders as follows:

1. In accordance with the Thermal Energy Systems (TES) Guidelines the Marine Gateway TES is exempt from sections 44.1 and 59-61 of the *Utilities Commission Act*.
2. FortisBC Alternative Energy Services Inc. must file with the Commission, an annual report for the Marine Gateway TES project in accordance with the Stream A annual reporting guidelines as provided in Appendix B of the TES Guidelines, with the first report to be filed on or before February 15, 2016.

DATED at the City of Vancouver, In the Province of British Columbia, this 22nd day of October 2015.

BY ORDER

Original signed by:

L. F. Kelsey
Commissioner