



**ORDER NUMBER  
G-169-16**

IN THE MATTER OF  
the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

Creative Energy Vancouver Platforms Inc.  
Application for Approval of Northeast False Creek  
Connection Agreement (Terms and Conditions)

**BEFORE:**

H. G. Harowitz, Panel Chair/Commissioner  
B. A. Magnan, Commissioner  
R. D. Revel, Commissioner

on November 24, 2016

**ORDER**

**WHEREAS:**

- A. On November 1, 2016, Creative Energy Vancouver Platforms Inc. (Creative Energy) filed a revised application for approval of the Northeast False Creek (NEFC) and Chinatown Connection Agreement (Connection Agreement) with the British Columbia Utilities Commission (Commission), seeking interim and final approval of the revised Connection Agreement pursuant to sections 59 to 61 of the *Utilities Commission Act* (UCA);
- B. On April 17, 2015, Creative Energy applied to the Commission for approval of a Neighbourhood Energy Agreement between Creative Energy and the City of Vancouver (Original NEA) and a Certificate of Public Convenience and Necessity (CPCN) to construct and operate a new Neighbourhood Energy System to serve new developments in the NEFC and Chinatown neighbourhoods of Vancouver;
- C. On December 8, 2015, by Order C-12-15, the Commission granted a CPCN for the NEFC area (excluding the Chinatown area) and did not approve the Original NEA;
- D. On February 5, 2016, Creative Energy filed an application with the Commission for its restated and amended NEFC and Chinatown Neighbourhood Energy Agreement seeking approval under section 45 of the UCA;
- E. On June 15, 2016, pursuant to section 59 to 61 of the UCA, Creative Energy applied to the Commission for approval of the NEFC and Chinatown Connection Agreement which includes Customer Service Agreement and Statutory Right of Way Schedules (Schedules). Pursuant to sections 89 to 90 of the UCA, Creative Energy also sought interim approval of the Connection Agreement and Schedules by July 15, 2016;
- F. On June 16, 2016, by Order G-88-16, the Commission denied Creative Energy's Application for Approval of the Restated and Amended NEFC and Chinatown Neighbourhood Energy Agreement (Franchise Decision);
- G. On July 6, 2016, pursuant to section 99 of the UCA, Creative Energy applied for reconsideration and variance of Order G-88-16 and the Franchise Decision;

- H. On July 11, 2016, pursuant to section 90 of the UCA, the Commission issued Order G-109-16, adjourning Creative Energy's application for approval of the Connection Agreement including Customer Service Agreement and Schedules, until such time as a decision is made on Creative Energy's application to vary Order G-88-16 or Creative Energy files an updated application for approval of the NEFC and Chinatown Connection Agreement that it is consistent with the Franchise Decision;
- I. On September 26, 2016, by Order G-151-16, the Commission denied Creative Energy's application to vary Order G-88-16;
- J. On September 30, 2016, by Order G-153-16, the Commission re-opened Creative Energy's application for approval of the Connection Agreement including Customer Service Agreement and Schedules; and
- K. In response to the revised Connection Agreement filed on November 1, 2016 and pursuant to Order G-153-16, both the Commercial Energy Consumers Association of BC and FortisBC Energy Inc. submitted comments on further procedural process for the revised Connection Agreement. Both parties requested a single round of information requests to sufficiently respond to Creative Energy's revised application.

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

- 1. A written hearing process for the review of Creative Energy Vancouver Platforms Inc.'s Application for the Approval of Northeast False Creek Connection Agreement (Terms and Conditions) is hereby established in accordance with the Regulatory Timetable attached as Appendix A to this order.
- 2. Interveners who wish to participate in the regulatory proceeding are to register with the Commission by completing a Request to Intervene Form, available on the Commission's website at <http://www.bcuc.com/Registration-Intervener-1.aspx>, by the date established in the Regulatory Timetable attached as Appendix A to this order and in accordance with the Commission's Rules of Practice and Procedure.
- 3. The Commission will provide a copy of this order to participants of the 2015 Certificate of Public Convenience and Necessity Application for a Low Carbon Neighbourhood Energy System for Northeast False Creek and Chinatown Neighbourhoods of Vancouver proceeding.

**DATED** at the City of Vancouver, in the Province of British Columbia, this        24th        day of November 2016.

BY ORDER

*Original Signed By:*

H. G. Harowitz  
Commissioner

Attachment

Creative Energy Vancouver Platforms Inc.  
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**REGULATORY TIMETABLE**

<b>ACTION</b>	<b>DATE (2016)</b>
Intervener Registration Deadline	Monday, December 5
Commission and Intervener Information Requests (IR) No. 1	Monday, December 19
<b>ACTION</b>	<b>DATE (2017)</b>
Creative Energy Response to IRs No. 1	Wednesday, January 4
Intervener Final Argument	Wednesday, January 18
Creative Energy Reply Argument	Wednesday, February 1