



**ORDER NUMBER
G-171-16**

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

and

SSL-Sustainable Services Ltd.
SSL Geothermal Energy System Status as a Public Utility
under the *Utilities Commission Act*

BEFORE:

D. M. Morton, Panel Chair/Commissioner
B. A. Magnan, Commissioner

on November 28, 2016

ORDER

WHEREAS:

- A. On December 16, 2015, the British Columbia Utilities Commission (Commission) received a complaint from a resident of the City of Langford regarding energy services in the subdivision served by SSL-Sustainable Services Ltd.'s (SSL) geothermal system;
- B. As a geothermal energy service provider, SSL has not been granted a Certificate of Public Convenience and Necessity, nor has it made an application for approval of rates for public utility service under the Stream B criteria of the Commission's Thermal Energy System (TES) Regulatory Framework Guidelines (TES Guidelines). SSL has also not been granted Stream A status per the TES Guidelines;
- C. The Commission submitted letters to SSL on January 5, 2016 and March 23, 2016, with questions from staff requesting information on SSL's geothermal system operations and its interpretation on the public utility definition under the *Utilities Commission Act* (UCA). SSL responded to the Commission letters on January 27, 2016 and April 13, 2016, providing its interpretation of the UCA's public utility definition and details on its operations;
- D. The Commission reviewed the complaint and the information provided by SSL in its response letters and on June 9, 2016 via Order G-87-16, and pursuant to section 83 of the UCA, initiated a proceeding to determine whether SSL is a public utility under the UCA;
- E. By letter dated July 14, 2016, the City of Langford confirmed its interest in the proceeding. However, the City of Langford stated that it was not yet in the position to make any formal application for party status based on the requirement in section 114 of the UCA. The City of Langford requested that the Commission extend the deadline for intervener registration until after the next city council meeting on August 15, 2016, at which time council could consider whether or not to pass a resolution on this matter;

- F. On July 20, 2016, SSL submitted an extension request to the regulatory timetable given that City of Langford intended to seek direction from council with respect to their participation in this process, and the next possible city council meeting to consider this matter would be on August 15, 2016;
- G. By Order G-127-16 dated August 3, 2016, the Commission granted SSL's extension request and amended the regulatory timetable established by Order G-87-16;
- H. The City of Langford was granted an Intervener status on September 30, 2016;
- I. The Commission considers that establishing a date for a Commission staff-lead workshop followed by a procedural conference is warranted for the proceeding to determine whether SSL is a public utility under the UCA.

NOW THEREFORE the British Columbia Utilities Commission orders that a regulatory timetable for the proceeding to determine whether SSL-Sustainable Services Ltd. is a public utility under the *Utilities Commission Act* be established, as set out in Appendix A to this order. The regulatory timetable includes a workshop and procedural conference to be held on Wednesday January 18, 2017.

DATED at the City of Vancouver, in the Province of British Columbia, this 28th day of November 2016.

BY ORDER

Original signed by:

D. M. Morton
Commissioner

Attachment

SSL-Sustainable Services Ltd.
SSL Geothermal Energy System Status as a Public Utility under the *Utilities Commission Act*

REGULATORY TIMETABLE

ACTION	DATE (2017)
Workshop*	Wednesday, January 18
Procedural Conference*	Wednesday, January 18
Further Process	To Be Determined

*The workshop and procedural conference will be held on Wednesday January 18, 2017 in the Songhees Suite at Delta Hotels by Marriott Victoria Ocean Pointe Resort, 100 Harbour Rd, Victoria, BC V9A 0G1. The workshop will take place at 9:00 a.m. and will be followed by the procedural conference at 10:00 a.m.