



ORDER NUMBER
G-34-18

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

and

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

BEFORE:

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

on February 8, 2018

ORDER

WHEREAS:

- A. On December 16, 2015, the Commission received a complaint from a resident of the City of Langford regarding energy services in a subdivision provided by SSL-Sustainable Services Ltd.'s (SSL) geothermal system;
- B. 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 reviewed the complaint and the information provided by SSL in its response letters and by Order G-87-16 dated June 9, 2016, and pursuant to section 83 of the *Utilities Commission Act* (UCA), another panel made the order that initiated this proceeding to determine whether SSL is a public utility under the UCA (Proceeding);
- D. A workshop and procedural conference were held on January 18, 2017. SSL, the City of Langford, FortisBC Energy Inc. (FEI), and Commission staff made submissions at the procedural conference;
- E. By Order G-12-17 dated January 31, 2017 and Order G-22-17 dated February 23, 2017, the Commission established further regulatory timetables for the Proceeding, which included the filing of information packages and information requests to both SSL and the City of Langford;
- F. By Order G-135-17 and as amended by Order G-138-17, the Commission established a regulatory timetable for written final and reply arguments to be filed concurrently by all parties. The orders provided for an oral argument subject to Panel's determination on the necessity of one, after written final arguments and reply arguments are received;

- G. SSL, the City of Langford and FEI submitted written final and reply arguments, City of Langford requested oral arguments and SSL supported City of Langford's request. FEI submitted that it saw no need for oral arguments, but stated it would participate in one if the Commission considered it to be of benefit;
- H. By Order G-3-18 dated January 8, 2018, the Commission established an oral argument phase for Tuesday, February 20, 2018;
- I. On January 22, 2018, SSL submitted a request to amend the regulatory timetable to reschedule the oral argument phase due to a scheduling conflict; and
- J. The Commission has reviewed SSL's request to reschedule the oral argument phase and finds that an amendment to the regulatory timetable is warranted.

NOW THEREFORE the British Columbia Utilities Commission orders that the regulatory timetable be amended as set out in Appendix A to this order. The amended regulatory timetable includes an oral argument phase to be held on a peremptory basis on Friday, March 9, 2018. Any party not able to attend the oral argument phase is invited to submit, on or before Thursday, March 8, 2018, their arguments in writing sent electronically to the Commission.

DATED at the City of Vancouver, in the Province of British Columbia, this 8th day of February 2018.

BY ORDER

Original signed by:

D. M. Morton
Commissioner

Attachment

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

REGULATORY TIMETABLE

Action	Date (2018)
Oral Argument Phase*	Friday, March 9

*The oral arguments will be held at 10 a.m. on Friday, March 9, 2018 in the Hearing Room, 12th Floor – 1125 Howe Street, Vancouver, BC V6Z 2K8.