



ORDER NUMBER
G-128-18

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

and

Creative Energy Vancouver Platforms Inc.
Application for a Certificate of Public Convenience and Necessity
For Beatty-Expo Plants and Reorganization

BEFORE:

D. A. Cote, Commissioner/Panel Chair
D. J. Enns, Commissioner

on July 13, 2018

ORDER

WHEREAS:

- A. On June 29, 2018, Creative Energy Vancouver Platforms Inc. (Creative Energy) filed an application with the British Columbia Utilities Commission (the BCUC) for a Certificate of Public Convenience and Necessity (CPCN) pursuant to sections 45 and 46 of the *Utilities Commission Act* (UCA) to construct and operate new and renovated steam plant works and related facilities at Creative Energy's existing site at 720 Beatty Street in Vancouver and at an adjacent site within BC Place Stadium (the Project), and additional approvals required in connection to the Project (the Application);
- B. The Project encompasses the design and construction of the following Project components:
- The renovation of the existing Creative Energy steam plant (the Beatty Plant) to decommission equipment which is at end of life, replace certain equipment, and retain equipment with design life remaining; and
 - A new steam plant (the Expo Plant) with two 200,000 pounds per hour steam boilers and related equipment to be located within BC Place Stadium, including equipment to interconnect the Expo Plant with the Beatty Plant;
- C. Creative Energy estimates the total capital cost for the Project to be \$53.1 million, of which Creative Energy will be responsible for \$15 million through an agreement with a developer, Westbank Projects Corp. (Developer) who will provide the funding for the Project in excess of Creative Energy's contribution. The Developer intends to redevelop the area adjacent to and above the Beatty Plant with an office tower and a public plaza between Beatty Street and BC Place Stadium;

- D. The Applicant requests, pursuant to section 44.2 of the UCA, the BCUC acceptance of Secondary Contribution Payment expenditures of up to \$5.25 million that will only be payable by Creative Energy if it expands generating capacity at the Beatty Plant within 20 years after completion of the Project;
- E. The Applicant also requests approval for Creative Energy to establish a regulatory deferral account to record the undepreciated net book value of the Creative Energy assets that are retired as part of the Project;
- F. The Applicant also requests approval of the following steps related to a corporate reorganization involving Creative Energy:
 - Amalgamation involving a public utility requiring the BCUC endorsement and Lieutenant Governor in Council (LGIC) consent pursuant to section 53 of the UCA;
 - Corporate structure changes requiring the BCUC approval, including:
 - Repurchase and issuance of shares in a public utility , pursuant to section 50 of the Act;
 - Disposition of shares or other property of a public utility, other than in the normal course of business, pursuant to section 52 of the Act;
 - Transfer of shares in a public utility that results in a person acquiring a reviewable interest in the public utility, pursuant to section 54 of the Act; and
 - Disposition of Creative Energy's interest in "Trust Property" (as defined in the Application, the Trust Property is the interest in the lands, spaces and improvements on 720 Beatty Street and 701 Expo Boulevard, Vancouver, including all development rights that are surplus to the requirements of the utility), pursuant to section 52 of the Act;
- G. Pursuant to sections 60 and 61 of the UCA, the Applicant also requests approval of a service agreement pursuant to which Creative Energy will provide steam service to BC Place Stadium in connection with the construction and operation of the Expo Plant within the Stadium;
- H. The BCUC has determined that a written hearing process is warranted and considers that a regulatory timetable should be established.

NOW THEREFORE the British Columbia Utilities Commission orders as follows:

1. A regulatory timetable for the initial review of the Application is established, as set out in Appendix A to this order.
2. Creative Energy is directed to provide by email and mail notice of the Application and this order to all affected customers and to all parties who are participating in the Creative Energy 2018–2022 Revenue Requirements Application and to post a copy of this order, the Application and the Public Notice attached as Appendix B on the Creative Energy website as soon as reasonably possible but no later than July 20, 2018.
3. A workshop to review the Application will be held on August 2, 2018 commencing at 1:30 p.m. in the BCUC's hearing room at 12th Floor, 1125 Howe Street, Vancouver. Registered interveners and interested parties are invited to participate in the workshop.
4. Intervenors who wish to participate in the regulatory proceeding are to register with the BCUC by completing a Request to Intervene Form, available on the BCUC's website, by the date established in the Regulatory Timetable attached as Appendix A to this order and in accordance with the BCUC's Rules of Practice and Procedure.

DATED at the City of Vancouver, in the Province of British Columbia, this 13th day of July 2018.

BY ORDER

Original signed by:

D. A. Cote
Commissioner

Attachment

Creative Energy Vancouver Platforms Inc.
Application for a Certificate of Public Convenience and Necessity
For Beatty-Expo Plants and Reorganization

REGULATORY TIMETABLE

Action	Date (2018)
Creative Energy to publish Public Notice	Friday, July 20
Intervener Registration	Tuesday , July 31
Workshop*	Thursday, August 2
BCUC and Intervener Information Request (IR) No. 1	Friday, August 17
Creative Energy response to BCUC and Intervener IR No. 1	Friday, August 31
Establishment of further process	To be determined
BCUC and Intervener IR No. 2	To be determined**

* The Workshop will be held from 1:30 to 4:30 pm at the BCUC Hearing Room, Twelfth Floor, 1125 Howe Street, Vancouver, BC.

** For scheduling purposes, the anticipated deadline for IR No. 2 will be the third week of September.

PUBLIC NOTICE

Creative Energy Vancouver Platforms Inc. Application for a Certificate of Public Convenience and Necessity For Beatty-Expo Plants and Reorganization

On June 29, 2018, Creative Energy Vancouver Platforms Inc. (Creative Energy) filed an application with the British Columbia Utilities Commission (BCUC) for a Certificate of Public Convenience and Necessity (CPCN) pursuant to sections 45 and 46 of the *Utilities Commission Act* (UCA) to construct and operate new and renovated steam plant works and related facilities at Creative Energy's existing site at 720 Beatty Street in Vancouver and at an adjacent site within BC Place Stadium (the Project), and additional approvals required in connection to the Project.

HOW TO PARTICIPATE

There are a number of ways to participate in a matter before the BCUC:

- **Submit a letter of comment**
- **Register as an interested party**
- **Request intervenor status**

For more information, or to find the forms for any of the options above, please visit our website or contact us at the information below.

<http://www.bcuc.com/forms/request-to-intervene.aspx>

All submissions received, including letters of comment, are placed on the public record, posted on the BCUC's website and provided to the Panel and all participants in the proceeding.

NEXT STEPS

1. **Intervenor registration** Persons who are directly or sufficiently affected by the BCUC's decision or have relevant information or expertise and that wish to actively participate in the proceeding can request intervenor status by submitting a completed Request to Intervene Form by July 31, 2018.
2. **Workshop** A workshop is scheduled to take place on August 2, 2018, commencing at 1:30 pm in the BCUC Hearing Room, Twelfth Floor, 1125 Howe Street, Vancouver, BC. At the Workshop, the BCUC will hear from the applicant on its Application. Registered intervenors and interested parties of the public are welcome to attend.

GET MORE INFORMATION

All documents filed on the public record are available on the "Current Proceedings" page of the BCUC's website at www.bcuc.com.

If you would like to review the material in hard copy, or if you have any other inquiries, please contact Patrick Wruck, Commission Secretary, at the following contact information.

British Columbia Utilities Commission



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