



**ORDER NUMBER
G-137-18**

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

and

Greater Vancouver Sewerage and Drainage District
Application for an Exemption from Part 3 of the *Utilities Commission Act*

BEFORE:

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

on July 24, 2018

ORDER

WHEREAS:

- A. On June 14, 2017, Greater Vancouver Sewerage and Drainage District (GVS&DD) filed an application with the British Columbia Utilities Commission (BCUC) for an exemption pursuant to section 88(3) of the *Utilities Commission Act* (UCA) with respect of GVS&DD's planned project to recover the thermal properties of sewage and provide the heat energy to the Lonsdale Energy Corporation (LEC) municipal district energy system (Application);
- B. In accordance with section 1 of the UCA, GVS&DD will fall within the definition of "public utility" should they engage in the supply and sale of heat energy to the LEC;
- C. Section 88(3) of the UCA states: "The commission may, on conditions it considers advisable, with the advance approval of the minister responsible for the administration of the *Hydro and Power Authority Act*, exempt a person, equipment or facilities from the application of all or any of the provisions of this Act or may limit or vary the application of this Act;"
- D. By Order G-36-18 dated February 14, 2018, the BCUC established a regulatory timetable for the review of the Application and invited members of the public to comment on the Application;
- E. Between February 24, 2018 and March 16, 2018, the BCUC received the Letters of Comment from Mr. Knee, Mr. Kost, Fortis Alternative Energy Sources (FAES) and Fortis Energy Inc. (FEI);
- F. Mr. Knee raised a number of considerations for the BCUC. Mr. Kost and FEI requested further information, noting that there is an insufficient evidentiary basis on which to determine whether the exemption sought is warranted. FAES does not support an exemption in this case;

- G. FEI, in its Letter of Comment, submitted that the BCUC should direct a short written proceeding to address GVS&DD's Application and raises the possibility that LEC may be considered a public utility under the system proposed in the Application;
- H. By Order G-79-18, dated April 25, 2018, the BCUC established a regulatory timetable for the review of the Application, including an opportunity for intervenor registration and one round of information requests;
- I. On May 17, 2018, LEC submitted a Letter of Comment addressing FEI's submission that LEC may be considered a public utility under the system proposed in the Application. LEC submits that its status as a public utility is not in question in the Application;
- J. On June 8, 2018, GVS&DD submitted its responses to BCUC and FEI information requests; and
- K. The BCUC has considered the Application and comments received by GVS&DD and registered intervenors and considers that establishment of a further regulatory timetable is warranted

NOW THEREFORE the BCUC establishes a further regulatory timetable, as outlined in Appendix A attached to this order.

DATED at the City of Vancouver, in the Province of British Columbia, this 24th day of July 2018.

BY ORDER

Original signed by:

D. M. Morton
Commissioner

Attachment

Greater Vancouver Sewerage and Drainage District
Application for an Exemption from Part 3 of the *Utilities Commission Act*

REGULATORY TIMETABLE

Action	Date (2018)
GVS&DD Final Argument	Tuesday, August 14
Intervener Final Arguments	Tuesday, August 28
GVS&DD Reply Argument	Tuesday, September 11