



**ORDER NUMBER**

**C-1-19**

**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 a Neighbourhood  
Energy System in the South Downtown area of Vancouver

**BEFORE:**

R. I. Mason, Panel Chair  
E. B. Lockhart, Commissioner  
T. A. Loski, Commissioner

on May 3, 2019

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

**WHEREAS:**

- A. On November 7, 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). Creative Energy seeks to operate and expand a thermal energy system (TES) to create a Neighbourhood Energy System (NES) that provides heat to Buildings 1 to 4, and domestic hot water (DHW) to Buildings 1 and 2, of the Vancouver House Development (Development) located in the South Downtown area of Vancouver (Application);
- B. The Vancouver House Development comprises four buildings located on three parcels of land:
- Buildings 1 and 2 at 1480 Howe Street;
  - Building 3 at 1461 Granville Street; and
  - Building 4 at 1462 Granville Street.
- C. Creative Energy intends to operate the NES as one system, providing heating to the Development as a whole and DHW to Buildings 1 and 2. The NES is to be completed in two phases:
- Pursuant to Order G-28-17, Creative Energy constructed and operated a TES to provide construction heating only to Buildings 1 and 2 (Phase 1 NES); and
  - Creative Energy proposes to construct and operate additional infrastructure and equipment to provide DHW to Buildings 1 and 2 and heating services to Buildings 3 and 4 (Phase 2 NES).
- D. On March 3, 2017, the BCUC issued Order G-28-17 exempting the TES at the 1480 Howe Street location (1480 Howe Street TES) from sections 44.1, 45 and 59 to 61 of the UCA. Order G-28-17 included the following provision:

- The exemption is provided only for the duration of construction on the site, and Creative Energy is directed to file with the BCUC any changes to the temporary status, location or use of the thermal energy system, in accordance with the TES Guidelines;
- E. By Orders G-249-18 and G-23-19, dated December 21, 2018 and January 30, 2019 respectively, the BCUC established a regulatory timetable for the review of the Application which included, among other things, two rounds of BCUC information requests and submissions on further process;
- F. On March 1, 2019, Creative Energy filed its Final Argument; and
- G. The BCUC has considered the evidence and final submission and finds the NES to be in the public interest and the following determinations are warranted.

**NOW THEREFORE** the BCUC orders as follows:

1. Pursuant to sections 45 and 46 of the UCA, a CPCN is granted to Creative Energy authorizing the following:
  - a. the extension of the NES to provide domestic hot water to Buildings 1 and 2;
  - b. the operation of the NES in Buildings 1 and 2 to provide space heating and domestic hot water; and
  - c. the extension of the NES to Buildings 3 and 4 to provide space heating and for the operation of the NES in those Buildings.
2. Creative Energy is directed to file a CPCN application, including a description of its public consultation in accordance with the CPCN Guidelines, at least one year prior to any anticipated move of the temporary containerized boiler plant or other change to the source of thermal energy for the Development.
3. Creative Energy is directed to file with the BCUC any agreements that it enters into with the City of Vancouver regarding the location of the containerized boiler plant, or specifications it receives from the City of Vancouver regarding a low-carbon energy source for the Development.
4. Creative Energy is directed to:
  - a. file a Final Report within six months following the completion of the Phase 2 NES. The Final Report is to include a complete breakdown of the final costs of both the Phase 1 NES and the Phase 2 NES, a comparison of these costs to the estimates provided in the 1480 Howe Street TES Stream A application and this Application, and provide an explanation of all material cost variances; and
  - b. determine the form and additional content of the Final Report in consultation with BCUC staff.

**DATED** at the City of Vancouver, in the Province of British Columbia, this        3rd        day of May 2019.

BY ORDER

*Original signed by:*

R. I. Mason  
Commissioner