



ORDER NUMBER

G-94-20

IN THE MATTER OF

the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

FortisBC Alternative Energy Services Inc.

Stream A Registration of the Lynn Valley 2 Thermal Energy System

BEFORE:

B. A. Magnan, Panel Chair
E. B. Lockhart, Commissioner
T. A. Loski, Commissioner

on April 24, 2010

ORDER

WHEREAS:

- A. On March 20, 2020, FortisBC Alternative Energy Services Inc. (FAES) filed with the British Columbia Utilities Commission (BCUC) an application to register the Lynn Valley 2 Stream A Thermal Energy System (Lynn Valley 2 TES), in accordance with the BCUC Thermal Energy Systems Regulatory Framework Guidelines (TES Guidelines) (Application);
- B. FAES also requests that certain information contained in the Application be held confidential, pursuant to Section 18 of the BCUC's Rules of Practice and Procedure established by Order G-15-19. Specifically:
 - (i) Information relating to construction costs, purchase price and operating costs, including sustainment capital as FAES states the information is commercially sensitive and significant harm or prejudice to FAES' competitive or negotiating position is reasonably expected to result if the information was made public; and
 - (ii) Information relating to design data, drawings and specifications as FAES states public disclosure of building design parameters will lead to disclosure of customer specific information either directly and/or by deduction and design information could be used by agents to cause harm to the equipment.
- C. On August 28, 2014, the BCUC issued Order G-127-14 approving the TES Guidelines and on March 2, 2015, revisions to the TES Guidelines were approved by Order G-27-15;
- D. Under Section 2.1 of the TES Guidelines, a Stream A TES is defined as: "An On-Site TES with an Initial Capital Cost above \$500,000 but less than \$15,000,000 is exempt from sections 44.1, 45 to 46 and 59 to 61 of the UCA [*Utilities Commission Act*]. TES Providers are required to register Stream A TES prior to building or otherwise acquiring the Stream A TES";

- E. Three rounds of BCUC Staff Questions were issued to FAES on April 3, April 7 and April 14, 2020. FAES provided responses to Staff Questions on April 3, April 8 and April 14, 2020. FAES requests that its responses to Staff Questions filed on April 14, 2020, be kept confidential; and
- F. The BCUC has reviewed the Application and responses to Staff Questions and is satisfied that the Lynn Valley 2 TES meets the characteristics of a Stream A TES and is suitable for exemption from sections 44.1, 45 to 46 and 59 to 61 of the UCA.

NOW THEREFORE pursuant to section 88(3) of the UCA and by the advance approval of the Lieutenant Governor in Council (Order in Council 400), the BCUC orders as follows:

- 1. In accordance with the TES Guidelines, the Lynn Valley 2 TES is exempt from sections 44.1, 45 to 46 and 59 to 61 of the UCA.
- 2. FAES must file with the BCUC, an annual report for the Lynn Valley 2 TES in accordance with Stream A annual reporting guidelines as provided in Appendix B of the TES Guidelines.
- 3. The following information filed by FAES shall be treated as confidential by the BCUC:
 - (i) Information relating to construction costs, purchase price and operating costs, including sustainment capital;
 - (ii) Information relating to design data, drawings and specifications; and
 - (iii) Responses to Staff Questions filed on April 14, 2020.

DATED at the City of Vancouver, in the Province of British Columbia, this 24th day of April 2020.

BY ORDER

Original signed by:

B. A. Magnan
Commissioner