



**ORDER NUMBER**  
**G-183-20**

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

and

FortisBC Inc.  
Application for Approval of Rate Design and Rates  
for Electric Vehicle Direct Current Fast Charging Service

**BEFORE:**

D. M. Morton, Panel Chair/Commissioner  
A. K. Fung, QC, Commissioner

on July 10, 2020

**ORDER**

**WHEREAS:**

- A. On December 22, 2017, FortisBC Inc. (FBC) submitted an application to the British Columbia Utilities Commission (BCUC) for Approval of Rate Design and Rates for Electric Vehicle (EV) Direct Current Fast Charging (DCFC) Service (Application) pursuant to sections 59 to 61 and 90 of the *Utilities Commission Act* (UCA);
- B. In the Application, FBC submits that as part of the Accelerate Kootenays project FBC has installed and owns five DCFC stations located along the Highway 3 corridor in Greenwood, Christina Lake, Castlegar, Salmo and Creston, British Columbia;
- C. In the Application, FBC seeks the following BCUC approvals:
  - i. on an interim and permanent basis, a new Electric Tariff Rate Schedule 96 (RS 96) for EV charging at FBC-owned DCFC stations, a time-based rate of \$9.00 per half hour charging session prorated to the second of time spent at the station; and
  - ii. an Emissions Regulation deferral account to attract interest at FBC's short-term interest rate to record net revenues realized from the monetization of carbon credits. The balance of the deferral account will be amortized in customers' rates in the subsequent years' revenue requirement;
- D. By Order G-9-18 dated January 12, 2018, the BCUC:
  - i. approved a time-based rate of \$9.00 per 30-minute period for EV charging at FBC owned DCFC stations, as set out in RS 96, on an interim basis, effective January 12, 2018;
  - ii. directed FBC to separately track and account for all costs associated with the EV DCFC stations and exclude all such costs from its utility rate base until the BCUC directs otherwise; and

- iii. adjourned the review of the FBC Application until further notice.
- E. In the reasons for decision set out in Order G-9-18, the Panel noted that certain regulatory matters related to the rate design and rates for EV charging should be canvassed before undertaking a full review of the FBC Application, and that there are merits for a general inquiry to explore potential regulatory issues in the EV charging market which may have broader stakeholder impacts;
- F. By Order G-10-18 dated January 12, 2018, the BCUC established an inquiry (Inquiry) into the regulation of EV charging service in British Columbia. The Inquiry was undertaken in two phases. Phase 1 examined the EV charging service market in general and provided recommendations for the appropriate degree of regulation of entities that are not otherwise public utilities. Phase 2 focused on the regulatory framework for existing public utilities (e.g. British Columbia Hydro and Power Authority and FBC), which were referred to as “non-exempt public utilities”;
- G. On June 24, 2019, the BCUC issued the second and final report on the Inquiry. In that report, the Panel reviewed the role of the non-exempt public utility’s participation in the EV charging market, and made recommendations to the Provincial Government concerning the regulatory framework for these non-exempt public utilities;
- H. In its August 20, 2019 letter (Exhibit B-2), in response to the BCUC’s July 31, 2019 letter requesting FBC submission on further process, FBC suggested to continue the adjournment of the Application until the earlier of the Provincial Government issuing new regulations or guidelines with respect to the participation of non-exempt utilities in providing EV charging service, or June 30, 2020. By letter dated August 22, 2019 (Exhibit A-4), the BCUC advised that it will not restart the proceeding at that time;
- I. By Order in Council No. 339 (OIC 339/20), as approved and ordered on June 22, 2020, the Lieutenant Governor amended the Greenhouse Gas Reduction (Clean Energy) Regulation (GGRR) to add Section 5 regarding prescribed undertaking – electric vehicle charging stations;
- J. On June 30, 2020, FBC filed a letter with the BCUC indicating that it expects to restart the regulatory review process with the filing of an evidentiary update to the Application on or before September 30, 2020; and
- K. The Panel has reviewed the information on the evidentiary record and considers that establishing a regulatory timetable to restart the review of the Application is warranted.

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

1. The review of the FBC Application will proceed according to the regulatory timetable established in Appendix A of this order.
2. FBC must clarify in writing whether it will be applying for review of the five DCFC stations in the Application as a prescribed undertaking under Section 5 of the GGRR, in accordance with the regulatory timetable established in Appendix A of this order. If not, please confirm the applicable provisions of the UCA pursuant to which FBC is seeking BCUC review of the Application.
3. FBC must provide a copy of this order, electronically where possible within 10 days of the date of this order, to all registered interveners in the FortisBC Energy Inc. and FBC Multi-Year Rate Plan Application for 2020 to 2024 and all participants in the BCUC Inquiry into the Regulation of EV Charging Service.

4. Parties who wish to participate as an intervener in this regulatory proceeding are to register with the BCUC by completing a Request to Intervene Form, available on the BCUC's website at <http://www.bcuc.com/forms/request-to-intervene.aspx>, by the date established in the regulatory timetable attached as Appendix A to this order. Parties requesting intervener status are to specifically state the nature of their interest in the Application and identify the issues that they intend to pursue and the extent of their anticipated involvement in the proceeding.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 10<sup>th</sup> day of July 2020.

BY ORDER

*Original signed by:*

D. M. Morton  
Commissioner

Attachment

FortisBC Inc.  
Application for Approval of Rate Design and Rates  
for Electric Vehicle Direct Current Fast Charging Service

**REGULATORY TIMETABLE**

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Action	Date (2020)
FBC clarification on the Application	Thursday, July 30
Intervener registration	Thursday, July 30
Further process	To be determined