



**ORDER NUMBER
G-168-23**

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

and

Wyse Meter Solutions Inc.
Investigation into Status as a Public Utility

BEFORE:

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

on June 28, 2023

ORDER

WHEREAS:

- A. By email on October 6, 2021, a complaint was filed with the British Columbia Utilities Commission (BCUC) concerning, amongst other things, whether Wyse Meter Solutions Inc. (Wyse) was operating as a public utility at multiple premises in British Columbia (BC) (Complaint);
- B. On July 6, 2022, by Letter L-29-22, the BCUC suspended the Complaint and another four additional unresolved complaints against Wyse and determined that a public hearing to investigate Wyse's status as a public utility is warranted;
- C. By Orders G-203-22, G-216-22 and G-249-22, the BCUC established and subsequently amended the regulatory timetable which included public notice, intervener registration, letters of comment, BCUC and Intervener information requests (IR) No. 1, with further process to be determined;
- D. The BCUC further amended regulatory timetable by Orders G-294-22 and G-319-22, to include a further round of BCUC and Intervener IR No. 2, Wyse's response to an additional letter of comment with further process to be determined;
- E. On November 8, 2022, by Order G-324-22, the BCUC granted British Columbia Old Age Pensioners' Organization et. al request for an extension to file Intervener IR No. 2;
- F. On December 20, 2022, by Order G-378-22 and further by Order G-383-22, the BCUC amended the regulatory timetable to include final argument;
- G. On January 13, 2023, the BCUC adjourned the regulatory timetable pending further order;
- H. The BCUC resumed the proceeding on January 26, 2023, and proceeded to final argument by Order G-20-23; and

- I. The BCUC has reviewed the evidence and submissions filed in the proceeding and makes the following determinations.

NOW THEREFORE and for the reasons outlined in the decision issued concurrently with this order, the BCUC orders:

1. Wyse is a public utility as defined in section 1 of the *Utilities Commission Act* and is therefore subject to regulation by the BCUC.
2. Wyse is directed to file with the BCUC an application seeking all required regulatory approvals for its rates, electric tariff, general terms and conditions and operating system within sixty (60) days of this order.
3. Wyse is directed to file with the BCUC interim tariff pages reflecting existing rates currently being charged to customers for BCUC endorsement within thirty (30) days of this order.
4. Pursuant to section 90 of the *Utilities Commission Act*, the current rates Wyse charges to its customers are made interim as of the date of this order and any differences between the interim and permanent rates, once approved by the BCUC, will be refundable or recoverable with interest calculated at the average prime rate of Wyse's principal bank for its most recent fiscal year.
5. Wyse is directed to provide a copy of this order, electronically where possible, to all customers of Wyse located in BC as a bill insert in the next billing cycle or within 30 days, whichever is sooner.
6. Wyse is directed to publish a copy of this order on the homepage of its website within 15 days of this order and the order is to remain on Wyse website for a minimum of 60 days from the date it is published.
7. Wyse is directed to file an Annual Report with the BCUC within 4 months of its fiscal year end, in accordance with BCUC letters L-36-94, L-14-95 and L-8-22.

DATED at the City of Vancouver, in the Province of British Columbia, this 28th day of June 2023.

BY ORDER

Original signed by:

B. A. Magnan
Commissioner