



**ORDER NUMBER  
G-159-23**

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

and

FortisBC Alternative Energy Services Inc.  
Stream A Registration of the Ovation Thermal Energy System

**BEFORE:**

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

On June, 21, 2023

**ORDER**

**WHEREAS:**

- A. On May 4, 2023, FortisBC Alternative Energy Services Inc. (FAES) filed with the British Columbia Utilities Commission (BCUC) an application to register the Ovation Thermal Energy System (TES) (Ovation TES), as a Stream A Thermal Energy System (Application) in accordance with the BCUC Thermal Energy Systems Regulatory Framework Guidelines (TES Guidelines);
- B. On May 26, 2023, the BCUC issued BCUC Staff Questions No. 1;
- C. On June 2, 2023, FAES filed its responses to BCUC Staff Questions No.1;
- D. FAES requests that certain information contained in the Application be held confidential, in perpetuity, pursuant to Section 18 of the BCUC's Rules of Practice and Procedure established by Order G-72-23. Specifically, FAES requests that information relating to construction costs, purchase price, operating costs, design data, drawings and specifications be kept confidential. FAES states that:
  - 1. The information is commercially sensitive and, if publicly disclosed, it could reasonably be expected to result in harm or prejudice to FAES' competitive or negotiation position with other parties on future projects;
  - 2. Customer-specific consumption data is not FAES's data to disclose and, if publicly disclosed, could lead to disclosure of customer specific information by deduction;
  - 3. Security-sensitive asset information, if disclosed, could jeopardize the safety, security, and operation of the TES.
- E. On August 27, 2014, the BCUC issued Order G-121-14 granting an exemption to a person, or the person's lessee, trustee, receiver or liquidator, who owns or operates in British Columbia a Stream A TES for the production, generation, storage, transmission, sale, delivery or provision of any agent for the production of

heat or cold for compensation, with a capital cost less than a maximum threshold and greater than a minimum threshold, from sections 44.1, 45 and 59 to 61 of the *Utilities Commission Act* (UCA) for that specific Stream A TES. The exemption only applies if:

1. The person files information that allows the BCUC to determine that Order G-121-14 applies to the person's specific TES; and
  2. The BCUC determines that Order G-121-14 applies to the person's specific TES;
- F. 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; and
- G. The BCUC has reviewed the Application and responses to BCUC Staff Questions and is satisfied that the Ovation TES meets the characteristics of a Stream A TES and is suitable for exemption.

**NOW THEREFORE** pursuant to section 88(3) of the UCA and by the advance approval of the Lieutenant Governor in Council (Order in Council 400/14), the BCUC orders as follows:

1. In accordance with the TES Guidelines, FAES is exempt from sections 44.1, 45 and 59 to 61 of the UCA for the Ovation TES.
2. FAES must file with the BCUC, an annual report for the Ovation TES in accordance with Stream A annual reporting guidelines as provided in Appendix B of the TES Guidelines.
3. Information related to construction costs, purchase price, operating costs, design data, drawings and specifications filed by FAES shall be treated as confidential until otherwise determined by the BCUC.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 21 day of June, 2023.

BY ORDER

*Original signed by:*

T. A. Loski  
Commissioner