



**ORDER NUMBER
G-160-23**

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

and

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

BEFORE:

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

On June, 21, 2023

ORDER

WHEREAS:

- A. On April 4, 2023, FortisBC Alternative Energy Services Inc. (FAES) filed with the British Columbia Utilities Commission (BCUC) an application to register the Seylynn IV Thermal Energy System (TES) (Seylynn IV 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 8, 2023, the BCUC issued BCUC Staff Questions No. 1 to FAES;
- C. On June 2, 2023, FAES filed its responses to the BCUC Staff Questions No. 1 and a revised application (Revised Application) for the Seylynn IV TES;
- D. FAES requests that certain information contained in the Revised Application be held confidential by the BCUC 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. Commercially sensitive information to FAES, project partners and customers of the Seylynn IV TES, such as contractual provisions, cost information and pricing, can remain commercially sensitive indefinitely as contracting strategies can be repeated in future agreements, and historical costs and pricing information can be used to estimate future costs and prices to the detriment of FAES's competitive or negotiating position.
 - 2. Sensitive customer-specific data is not FAES's data to disclose and remains sensitive customer-specific information over time.

3. Security-sensitive asset information, if disclosed, could jeopardize the safety, security, and operation of the Seylynn IV 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 59-61 of the *Utilities Commission Act* (UCA) for that specific 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;
- G. The BCUC has reviewed the Revised Application and responses to BCUC Staff Questions and is satisfied that the Seylynn IV 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 Seylynn IV TES.
2. FAES must file with the BCUC, an annual report for the Seylynn IV TES in accordance with Stream A annual reporting guidelines, as provided in Appendix B of the TES Guidelines.
3. Information relating 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