



**ORDER NUMBER
C-5-23**

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

and

Creative Energy Seḥákw Limited Partnership
Application for a Certificate of Public Convenience and Necessity
for the Seḥákw District Energy System

BEFORE:

C. M. Brewer, Panel Chair
A. K. Fung, KC, Commissioner
E. B. Lockhart, Commissioner

on October 26, 2023

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS:

- A. On October 20, 2022, Creative Energy Seḥákw Limited Partnership (CESLP) applied to the British Columbia Utilities Commission (BCUC) pursuant to sections 45 and 46 of the *Utilities Commission Act* (UCA) for a Certificate of Public Convenience and Necessity (CPCN) to construct, own and operate a thermal energy system to provide heating and cooling to the Seḥákw development, which is on Seḥákw Lands (Application);
- B. The Skwxwú7mesh Úxwumixw (Squamish Nation) owns the Seḥákw Lands as reserve lands through an agreement with the federal government;
- C. The proposed thermal energy system is a low carbon electrified energy system that provides cooling to the Seḥákw development with electric chillers, and provides heating with captured waste heat from the cooling equipment and reclaimed heat from a Metro Vancouver main sewer line using high-temperature heat pumps. Electric boilers, thermal storage and natural gas boilers will be in place to provide peaking and backup to the heat recovery processes (Seḥákw DES or the Project);
- D. By Orders G-346-22, G-42-23, and G-93-23, dated November 30, 2022, March 3, 2023, and April 24, 2023, respectively, the BCUC established, furthered, and amended the regulatory timetable for the review of the Application, which included public notification, intervener registration, three rounds of BCUC and intervener information requests, and submissions on further process;
- E. By Orders G-144-23 and G-197-23, dated June 14, 2023, and July 25, 2023, respectively, the BCUC established further regulatory timetables, which included CESLP and intervener final argument, and CESLP reply argument. The BCUC also directed CESLP, by no later than September 1, 2023, to file its Sewage

Diversion Agreement with Metro Vancouver once executed or provide an update on the status of the Sewage Diversion Agreement;

- F. By letter, dated August 29, 2023, CESLP provided an update on the Sewage Diversion Agreement, confirming that negotiations had concluded, and that the senior staff required to sign the agreement were out of the office until the first week of September 2023;
- G. By letter, dated September 11, 2023, the BCUC requested that CESLP file a copy of the executed Sewage Diversion Agreement by no later than September 18, 2023;
- H. By letter, dated, September 18, 2023, CESLP filed an executed copy of the Sewage Diversion Agreement;
- I. The Residential Consumer Intervener Association registered as the sole intervener in the proceeding; and
- J. The BCUC has considered the Application, the evidence and submissions in this proceeding and determines that certain approvals are warranted.

NOW THEREFORE for the reasons set out in the Decision issued concurrently with this order and pursuant to sections 45 and 46 of the UCA, the BCUC orders as follows:

- 1. A CPCN is granted to CESLP authorizing the construction and operation of the Señákw DES to provide space heating, space cooling and domestic hot water to phases 1 and 2 of the Señákw development.
- 2. CESLP is directed to file Project reports as outlined in Appendix A of the Decision.

DATED at the City of Vancouver, in the Province of British Columbia, this 26th day of October 2023.

BY ORDER

Original signed by:

C. M. Brewer
Commissioner