



ORDER NUMBER
F-46-23

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

and

Creative Energy Señákw Limited Partnership
Application for a Certificate of Public Convenience and Necessity
for the Señákw District Energy System
Participant Cost Award Application

BEFORE:

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

on December 12, 2023

ORDER

WHEREAS:

- A. On October 20, 2022, Creative Energy Señákw 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 Señákw development, which is on Señákw Lands (Application);
- B. The proposed thermal energy system is a low carbon electrified energy system that provides cooling to the Señákw 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 (Señákw DES);
- C. By Order G-346-22 dated November 30, 2022, the BCUC established a regulatory timetable for the review of the Application. The review of the Application proceeded by way of three rounds of BCUC and intervener information requests, submissions on further process, and final and reply arguments;
- D. The Residential Consumer Intervener Association (RCIA) registered as the sole intervener in the proceeding;
- E. By Order C-5-23 dated October 26, 2023, the BCUC granted a CPCN 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;

- F. The BCUC’s Rules of Practice and Procedure, which are attached to Order G-72-23, set out rules for Participant Cost Awards in Part VI. Rule 35.01 states that any application by a participant for a cost award must be filed with the BCUC no later than 5 business days following the issuance of the final decision or report in a proceeding, unless the BCUC permits otherwise;
- G. On November 6, 2023, RCIA filed a Participant Cost Award (PCA) application with the BCUC with respect to its participation in the proceeding seeking the following amount:

Date	Participant	Application
November 6, 2023	RCIA	\$14,217.00

- H. In its November 6, 2023 filing, RCIA acknowledges that its PCA application was filed after the deadline established by Rule 35.01 due to a delay in receiving documentation from one of its consultants;
- I. By email dated November 16, 2023, the BCUC provided CESLP with a copy of RCIA’s PCA application and requested any comments be filed by November 30, 2023. No comments were received from CESLP; and
- J. The BCUC has reviewed RCIA’s PCA application in accordance with the criteria and rates set out in the BCUC’s Rules of Practice and Procedure for Participant Cost Awards. The BCUC considers that RCIA’s PCA application was filed 2 business days after the deadline set out by Rule 35.01. However, the BCUC accepts RCIA’s explanation for the delay in filing of its PCA application and determines that in the circumstances, the cost award as applied for should be approved nonetheless. RCIA is reminded to submit PCA applications in accordance with the Rules established for participant cost awards.

NOW THEREFORE pursuant to section 118(1) of the UCA, the BCUC orders as follows:

- 1. Funding is awarded to RCIA in the amount listed below for its participation in the proceeding:

Participant	Award
RCIA	\$14,217.00

- 2. CESLP is directed to reimburse RCIA for the awarded amount in a timely manner.

DATED at the City of Vancouver, in the Province of British Columbia, this 12th day of December 2023.

BY ORDER

Original signed by:

C. M. Brewer
Commissioner