



**ORDER NUMBER
G-79-24**

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

and

FortisBC Inc.

and

Nelson Hydro

BEFORE:

M. Jaccard, Commissioner

on March 20, 2024

ORDER

WHEREAS:

- A. On March 15, 2024, the Lieutenant Governor in Council approved Order in Council (OIC) No. 131, which enacted the Direction to the British Columbia Utilities Commission Respecting the British Columbia Energy Affordability Credit (Direction);
- B. Section 3 of the *Utilities Commission Act* (UCA) states that the Lieutenant Governor in Council, by regulation, may issue a direction to the British Columbia Utilities Commission (BCUC) with respect to the exercise of the powers and the performance of the duties of the BCUC;
- C. The Direction requires the BCUC to issue final orders, within 10 days of the enactment of the Direction, to FortisBC Inc. (FBC) and Nelson Hydro to enable the provision of credits to their customers;
- D. Nelson Hydro is owned and operated by the City of Nelson and is excluded from regulation under the UCA to the extent it is serving customers within its municipal boundaries. Accordingly, the BCUC's jurisdiction pertains solely to Nelson Hydro's non-municipal, or rural, ratepayers;
- E. The terms used in this order, unless otherwise defined within this order, have the same meaning given to them in the Direction where applicable; and
- F. The BCUC makes the following directives as required by OIC No. 131 and the Direction. The BCUC has not conducted a regulatory review.

NOW THEREFORE pursuant to OIC No. 131, attached as Appendix A to this order, and sections 59 to 61 and 63 of the UCA, the BCUC orders as follows:

1. FBC is directed to provide to its customers a credit on their bills in respect of service provided during the period from April 1, 2024 to March 31, 2025 as set out in section 3 of the Direction.
2. Nelson Hydro is directed to provide to its customers in its rural service area a one-time credit as set out in section 4 of the Direction.

DATED at the City of Vancouver, in the Province of British Columbia, this 20th day of March 2024.

BY ORDER

Original signed by:

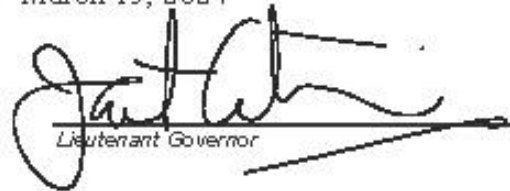
M. Jaccard
Commissioner

Attachment

PROVINCE OF BRITISH COLUMBIA
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 131

, Approved and Ordered March 15, 2024


Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the attached Direction to the British Columbia Utilities Commission Respecting the British Columbia Energy Affordability Credit is made.


Minister of Energy, Mines and Low Carbon Innovation
Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Utilities Commission Act, R.S.B.C. 1996, c. 473, s. 3

Other: _____

DIRECTION TO THE BRITISH COLUMBIA UTILITIES COMMISSION RESPECTING THE BRITISH COLUMBIA ENERGY AFFORDABILITY CREDIT

Definitions

1 In this direction:

“Act” means the *Utilities Commission Act*;

“applicable Fortis customer” means a Fortis customer that

- (a) had an open account on December 31, 2023, and
- (b) was receiving service under a Fortis rate;

“applicable Nelson customer” means a Nelson customer that

- (a) had an open account on December 31, 2023, and
- (b) was receiving service under a Nelson rate;

“Fortis” means FortisBC Inc.;

“Fortis rate” means a rate schedule set out in Schedule 1;

“Nelson” means the Corporation of the City of Nelson in relation to the provision of service to the non-municipal service area, also known as the rural service area;

“Nelson rate” means a rate set out in Schedule 2.

Application

2 This direction is issued to the commission under section 3 of the Act.

Direction respecting credits for applicable Fortis customers

3 (1) Within 10 days of the date this direction comes into force, the commission must issue final orders requiring Fortis, subject to subsection (2), to provide to an applicable Fortis customer, on each bill issued by Fortis in respect of service provided to the applicable Fortis customer during the period from April 1, 2024 to March 31, 2025, a credit calculated using the following formula:

$$A = \frac{(B \times 4.6\%)}{365} \times C$$

where

A = the amount of the credit to be provided on the bill being issued;

B = the greater of the following amounts:

- (i) the total charges billed to the applicable Fortis customer under the applicable Fortis rate during the period from January 1, 2023 to December 31, 2023, and
- (ii) the sum of \$522;

C = the number of days in the billing period applicable to the bill being issued to the applicable Fortis customer.

(2) Fortis may provide the credit owed in respect of the first billing period ending on or after April 1, 2024 on either the first or the second bill issued after that date.

Direction respecting credits for applicable Nelson customers

- 4 Within 10 days of the date this direction comes into force, the commission must issue final orders requiring Nelson to provide to each applicable Nelson customer a one-time credit equal to the greater of the following amounts:
 - (a) in respect of the period from January 1, 2023 to December 31, 2023, 4.6% of the total charges billed to the applicable Nelson customer for service under the applicable Nelson rate;
 - (b) the sum of \$24.00.

SCHEDULE 1

- 1 The rate schedules for the purpose of the definition of “Fortis rate” are the following:
 - (a) 1;
 - (b) 2A;
 - (c) 20;
 - (d) 21;
 - (e) 22A;
 - (f) 23A;
 - (g) 30;
 - (h) 31;
 - (i) 32;
 - (j) 33;
 - (k) 50;
 - (l) 60;
 - (m) 61.

SCHEDULE 2

- 1 The rates for the purpose the definition of “Nelson rate” are the following rates established under Hydro Services Bylaw No. 3196, 2012:
 - (a) A-3;
 - (b) B-4;
 - (c) C-4;
 - (d) F-2;
 - (e) G-4.