



**ORDER NUMBER
G-98-24**

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

and

British Columbia Utilities Commission
Review of Thermal Energy Systems Regulatory Framework Guidelines –
Phase 2

BEFORE:

T. A. Loski, Panel Chair
M. Jaccard, Commissioner

on April 3, 2024

ORDER

WHEREAS:

- A. On August 28, 2014, by Order G-127-14, the British Columbia Utilities Commission (BCUC) approved and issued the Thermal Energy System (TES) Regulatory Framework Guidelines (TES Guidelines). Revisions to the TES Guidelines were approved on March 2, 2015, by Order G-27-15;
- B. Section 1 of the TES Guidelines states that the TES Guidelines may be revised or updated from time to time in order to incorporate lessons learned and adjust to evolving market circumstances and changes to the *Utilities Commission Act* (UCA);
- C. On December 20, 2019, by Order G-341-19, the BCUC established a public hearing for the Review of the TES Guidelines. The Review of the TES Guidelines is being conducted in two phases. Phase 1 of the Review of the TES Guidelines consists of a review of the exemptions granted to certain classes of TES from aspects of BCUC regulation (TES Exemptions). Phase 2 of the Review of the TES Guidelines considers the form of BCUC regulation of TES, as well as revisions and updates to the TES Guidelines;
- D. On December 21, 2023, the BCUC concluded Phase 1 of the Review of the TES Guidelines and released its Panel Report, which proposes revisions to the TES Exemptions. By letter also dated December 21, 2023, the BCUC is seeking the advance approval of the Minister of Energy, Mines and Low Carbon Innovation to issue orders granting the TES Exemptions proposed in the Panel Report;
- E. In the Panel Report, the BCUC finds that no TES should be exempt from sections 23, 25, 38, 41, 42, 43 or 44 of the UCA, in order that the BCUC retain its authority to regulate the safety and reliability of TES services;
- F. On February 28, 2024, by Order G-52-24, the BCUC issued the BCUC Public Utility Safety Guidelines (Safety Guidelines) and directed public utilities subject to the BCUC's safety jurisdiction to file an annual safety

declaration form. The Safety Guidelines also established specific, safety-related reporting requirements for public utilities; and

- G. The BCUC finds that establishing a regulatory timetable for Phase 2 of the Review of the TES Guidelines is warranted.

NOW THEREFORE the BCUC orders as follows:

1. The regulatory timetable for Phase 2 of the Review of the TES Guidelines proceeding is set out in Appendix A of this order.
2. Parties that wish to participate as an intervener in Phase 2 of the Review of the TES Guidelines proceeding, including those that were registered as interveners in the Phase 1 proceeding, must register with the BCUC by completing a Request to Intervene Form by Wednesday, May 1, 2024, as established in the regulatory timetable attached as Appendix A to this order and in accordance with the BCUC's Rules of Practice and Procedure.
3. Determinations regarding participant funding for Phase 2 of the Review of the TES Guidelines will be made in accordance with the criteria and rates set out in the BCUC's Rules of Practice and Procedure for Participant Cost Awards, attached to BCUC Order G-72-23.
4. The final version of the revised and updated TES Guidelines, which will be issued at the conclusion of Phase 2 of the TES Guidelines review proceeding, will address the extent of reporting required by each class of TES, including non-exempt TES.
5. Until such time that the revised and updated TES Guidelines are issued, the reporting requirements established by the Safety Guidelines, including the annual safety declaration requirement, do not apply to any TES.

DATED at the City of Vancouver, in the Province of British Columbia, this 3rd day of April, 2024.

BY ORDER

Original signed by:

T. A. Loski
Commissioner

Attachment

British Columbia Utilities Commission
Review of Thermal Energy Systems Regulatory Framework Guidelines – Phase 2
REGULATORY TIMETABLE

Action	Date (2024)
Intervener registration	Wednesday, May 1
BCUC issues revised draft of TES Guidelines	Wednesday, May 22
Written submissions regarding revised draft of TES Guidelines	Thursday, June 27
Written reply submissions	Wednesday, July 31
Further process, if required	To be determined
Final TES Guidelines	To be determined