



ORDER NUMBER
G-226-24

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

and

Greater Vancouver Sewerage and Drainage District
Exemption under Section 88(3) of the *Utilities Commission Act*

BEFORE:

E. B. Lockhart, Panel Chair
W. E. Royle, Commissioner

on August 20, 2024

ORDER

WHEREAS:

- A. On April 4, 2024, the Greater Vancouver Sewerage and Drainage District (GVS&DD) filed an application (Application) with the British Columbia Utilities Commission (BCUC) pursuant to section 88(3) of the *Utilities Commission Act* (UCA) seeking approval for exemption from Part 3 of the UCA, excluding section 22, in respect of its planned project (Project) to recover waste heat from its domestic solid waste disposal facility in Burnaby, BC and deliver thermal energy to River District Energy Limited Partnership (RDE) for the River District Development in Vancouver, BC;
- B. Under the UCA, a public utility is defined in section 1, in part, as:

A person, or the person's lessee, trustee, receiver or liquidator, who owns or operates in British Columbia, equipment or facilities for the (a) production, generation, storage, transmission, sale, delivery or provision of electricity, natural gas, steam or any other agent for the production of light, heat, cold or power to or for the public or a corporation for compensation...
- C. GVS&DD is a body corporate and politic existing pursuant to the *Greater Vancouver Sewerage and Drainage District Act* for the provision of solid waste services, and operates the Waste-to-Energy Facility from which the Project will draw waste heat to generate thermal energy under a Thermal Energy Sale and Purchase Agreement (TESPA), dated December 14, 2021;
- D. In the Application, GVS&DD states that it intends to install equipment to recover waste heat from its Waste-to-Energy Facility, which it has operated since 1988, and deliver that waste heat to RDE via a closed-loop hot water pipeline system;
- E. GVS&DD will fall within the definition of a "public utility" under the UCA as a result of undertaking the Project and selling thermal energy to RDE;

- F. By Order G-117-24 dated April 18, 2024, the BCUC established a written comment process and regulatory timetable for review of the Application, which included public notice of the Application, one round of BCUC Information Requests, and a Letter of Comment submission period;
- G. Section 88(3) of the UCA provides that the BCUC may grant an exemption from the UCA with the advance approval of the minister responsible for the administration of the *Hydro and Power Authority Act*;
- H. By letter dated August 19, 2024, attached as Appendix A to this order, the Minister responsible for the administration of the *Hydro and Power Authority Act* granted advance approval to the BCUC to exempt GVS&DD from certain requirements of Part 3 of the UCA; and
- I. The BCUC has reviewed the Application and determines that the grant of a partial exemption to GVS&DD from the operation of the UCA is warranted.

NOW THEREFORE the BCUC orders as follows:

- 1. Pursuant to section 88(3) of the UCA, the BCUC, having been granted advance approval by the Minister responsible for the administration of the *Hydro and Power Authority Act*, exempts GVS&DD from the requirements of Part 3 of the UCA, except for sections 22, 42, and 43, with respect to the Project.
- 2. The exemption referred to in Directive 1 of this order remains in effect until the BCUC orders that the exemption no longer applies.

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

BY ORDER

Original signed by:

E. B. Lockhart
Commissioner

Enclosure



August 19, 2024

Ref: 121178

Patrick Wruck
Commission Secretary
Suite 410, 900 Howe Street
Vancouver, BC V6Z 2N3

email: Commission.Secretary@bcuc.com

Dear Patrick Wruck:

**RE: Advance approval for exemption from *Utilities Commission Act* provisions for
Greater Vancouver Sewage and Drainage District**

Dear Patrick Wruck:

Thank you for your letter of July 17, 2024, regarding the Inquiry into the Regulation of Greater Vancouver Sewage and Drainage District. Your letter requested advance approval to issue orders under section 88 of the *Utilities Commission Act* to exempt Greater Vancouver Sewage and Drainage District from provisions of the *Utilities Commission Act*.

I, Josie Osborne, Minister of Energy Mines and Low Carbon Innovation, confirm that, pursuant to section 88(3) of the *Utilities Commission Act*, approval is given to the British Columbia Utilities Commission to make the exemptions from the indicated provisions of the *Utilities Commission Act* (related to the Greater Vancouver Sewage and Drainage District's planned project to recover waste heat from its domestic solid waste disposal facility in Burnaby, BC and deliver thermal energy to River District Energy Limited Partnership (RDE) for the River District Development in Vancouver, BC) as set out in the attached draft order of the British Columbia Utilities Commission.

Sincerely,

Josie Osborne
Minister

Ministry of
Energy, Mines and
Low Carbon Innovation and
Consular Services

Office of the Minister

Mailing Address:
PO Box 9060, Stn Prov Govt
Victoria, BC V8W 9E2

Telephone: 250 953-0900
Facsimile: 250 356-2965



bcuc
British Columbia
Utilities Commission

Suite 410, 900 Howe Street
Vancouver, BC Canada V6Z 2N3
bcuc.com

P: 604.660.4700
TF: 1.800.663.1385
F: 604.660.1102

ORDER NUMBER
G-xx-xx

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

and
Greater Vancouver Sewerage and Drainage District
Exemption under Section 88(3) of the UCA

BEFORE:

E. B. Lockhart, Panel Chair
W. E. Royle, Commissioner

on [date]

ORDER

WHEREAS:

- A. On April 4, 2024, the Greater Vancouver Sewerage and Drainage District (GVS&DD) filed an application (Application) with the British Columbia Utilities Commission (BCUC) pursuant to section 88(3) of the *Utilities Commission Act* (UCA) seeking approval for exemption from Part 3 of the UCA, excluding section 22, in respect of its planned project (Project) to recover waste heat from its domestic solid waste disposal facility in Burnaby, BC and deliver thermal energy to River District Energy Limited Partnership (RDE) for the River District Development in Vancouver, BC;
- B. Under the UCA, a public utility is defined in section 1, in part, as:
A person, or the person's lessee, trustee, receiver or liquidator, who owns or operates in British Columbia, equipment or facilities for the (a) production, generation, storage, transmission, sale, delivery or provision of electricity, natural gas, steam or any other agent for the production of light, heat, cold or power to or for the public or a corporation for compensation...
- C. GVS&DD is a body corporate and politic existing pursuant to the *Greater Vancouver Sewerage and Drainage District Act* for the provision of solid waste services, and operates the Waste-to-Energy Facility from which the Project will draw waste heat to generate thermal energy under a Thermal Energy Sale and Purchase Agreement (TESPA), dated December 14, 2021;
- D. In the Application, GVS&DD states that it intends to install equipment to recover waste heat from its Waste-to-Energy Facility, which it has operated since 1988, and deliver that waste heat to RDE via a closed-loop hot water pipeline system;
- E. GVS&DD will fall within the definition of a "public utility" under the UCA as a result of undertaking the Project and selling thermal energy to RDE;
- F. By Order G-117-24 dated April 18, 2024, the BCUC established a written comment process and regulatory timetable for review of the Application, which included public notice of the Application, one round of BCUC information requests, and a letter of comment submission period;



bcuc
British Columbia
Utilities Commission

Suite 410, 900 Howe Street
Vancouver, BC Canada V6Z 2N3
bcuc.com

P: 604.660.4700
TF: 1.800.663.1385
F: 604.660.1102

- G. Section 88(3) of the UCA provides that the BCUC may grant an exemption from the UCA with the advance approval of the minister responsible for the administration of the *Hydro and Power Authority Act*;
- H. By letter dated [•], attached as Appendix [•] to this order, the Minister responsible for the administration of the *Hydro and Power Authority Act* granted advance approval to the BCUC to exempt GVS&DD from certain requirements of Part 3 of the UCA; and
- I. The BCUC has reviewed the Application and determines that the grant of a partial exemption to GVS&DD from the operation of the UCA is warranted.

NOW THEREFORE the BCUC orders as follows:

- 1. Pursuant to section 88(3) of the UCA, the BCUC, having been granted advance approval by the Minister responsible for the administration of the *Hydro and Power Authority Act*, exempts GVS&DD from the requirements of Part 3 of the UCA, except for sections 22, 42, and 43, with respect to the Project.
- 2. The exemption referred to in Directive 1 of this order remains in effect until the BCUC orders that the exemption no longer applies.

DATED at the City of Vancouver, in the Province of British Columbia, this day of
[Month Year].

BY ORDER

E. B. Lockhart
Commission