



**ORDER NUMBER**  
**G-304-24**

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

and

Creative Energy Vancouver Platforms Inc.  
New Plant Premises and Interconnection Infrastructure Capital Expenditures

**BEFORE:**

M. Jaccard, Panel Chair  
E. A. Brown, Commissioner  
E. B. Lockhart, Commissioner

on November 20, 2024

**ORDER**

**WHEREAS:**

- A. On September 25, 2024, Creative Energy Vancouver Platforms Inc. (Creative Energy) submitted an application to the British Columbia Utilities Commission (BCUC), pursuant to section 44.2(1)(b) of the *Utilities Commission Act*, for acceptance of a schedule of capital expenditures that Creative Energy anticipates making to complete the construction of the structure that will house its new steam plant at 720 Beatty Street in Vancouver (New Plant Premises) and to connect Creative Energy's future steam generating electric boilers and associated equipment (Decarbonization Project) to its existing steam plant (Interconnection Infrastructure) (Application);
- B. Creative Energy states that the cost to complete the New Plant Premises is approximately \$31.0 million and the cost to complete the Interconnection Infrastructure is approximately \$7.5 million. Creative Energy seeks acceptance of the following expenditures:
  - 1. \$5.2 million for New Plant Premises expenditures Creative Energy anticipates making during the period between December 2024 and January 2025; and
  - 2. \$33.3 million for New Plant Premises and Interconnection Infrastructure expenditures Creative Energy anticipates making during the period between February 2025 and the completion of the New Plant Premises and the Decarbonization Project;
- C. By Order G-269-24, dated October 23, 2024, the BCUC established a regulatory timetable for review of the Application, which included, among other things, intervenor registration, BCUC and intervenor information requests (IRs), Creative Energy responses to IRs, and final and reply arguments;

- D. The following parties requested to intervene in the proceeding:
1. British Columbia Old Age Pensioner's Organization et al. (BCOAPO);
  2. British Columbia Sustainable Energy Association (BCSEA);
  3. Commercial Energy Consumers Association of British Columbia (the CEC);
  4. Residential Consumer Intervener Association (RCIA); and
  5. Wall Financial Corporation (WFC);
- E. The BCUC notified each of BCOAPO, BCSEA, the CEC, RCIA and WFC by email on November 13, 2024 that their respective requests to intervene had been accepted, and that they were each directed to limit the number of IRs to Creative Energy to a maximum of 20 questions, inclusive of sub-questions, across all topics in the Application;
- F. By letter dated November 15, 2024, the BCUC noted that it had accepted the intervention requests of BCOAPO, BCSEA, the CEC, RCIA and WFC, and that interveners were directed to limit the number of IRs to Creative Energy to a maximum of 20 questions, inclusive of sub-questions, across all topics of the Application;
- G. On November 15, 2024, the CEC filed its IRs to Creative Energy, which exceeded 20 questions. In the cover letter accompanying its IRs, the CEC submits that the IRs should be accepted as filed, or, alternatively, requests an extension for filing its IRs to allow it to comply with the 20-question maximum limit;
- H. By letter dated November 18, 2024, Creative Energy states it is not opposed to the CEC filing IRs which comply with the 20-question maximum limit by November 19, 2024;
- I. In response, by letter dated November 18, 2024, the CEC maintains that its IRs should be accepted as filed. Alternatively, the CEC requests an extension of four days following the issuance of a BCUC determination for the filing of revised IRs;
- J. The BCUC has considered the submissions regarding the CEC's IRs and finds that the establishment of an amended regulatory timetable is warranted.

**NOW THEREFORE** for the reasons outlined in the decision accompanying this order, the BCUC establishes an amended regulatory timetable as set out in Appendix A to this order.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 20<sup>th</sup> day of November 2024.

BY ORDER

*Electronically signed by Mark Jaccard*

M. Jaccard  
Commissioner

Creative Energy Vancouver Platforms Inc.  
New Plant Premises and Interconnection Infrastructure Capital Expenditures

**REGULATORY TIMETABLE**

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Action	Date (2024)
CEC revised Information Request (IR) No. 1 to Creative Energy	Monday, November 25
Creative Energy responses to BCUC and Intervener IR No. 1	Friday, November 29
Letters of comment deadline	Tuesday, December 3
Creative Energy final argument	Thursday, December 5
Intervener final argument	Thursday, December 12
Creative Energy reply argument	Thursday, December 19

## DECISION

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### 1.0 Introduction

On September 25, 2024, Creative Energy Vancouver Platforms Inc. (Creative Energy) submitted an application to the British Columbia Utilities Commission (BCUC), pursuant to section 44.2(1)(b) of the *Utilities Commission Act*, for acceptance of a schedule of capital expenditures that Creative Energy anticipates making to complete the construction of the structure that will house its new steam plant at 720 Beatty Street in Vancouver (New Plant Premises) and to connect Creative Energy's future steam generating electric boilers and associated equipment (Decarbonization Project) to its existing steam plant (Interconnection Infrastructure) (Application).

### 1.1 Regulatory Process

By Order G-269-24, dated October 23, 2024, the BCUC established a regulatory timetable for review of the Application, which included, among other things, intervenor registration and BCUC and intervenor information requests (IRs) to Creative Energy. The intervenor registration deadline was November 8, 2024. The following parties submitted requests to the BCUC to intervene in the proceeding:

1. British Columbia Old Age Pensioner's Organization et al. (BCOAPO);
2. British Columbia Sustainable Energy Association (BCSEA);
3. Commercial Energy Consumers Association of British Columbia (the CEC);
4. Residential Consumer Intervenor Association (RCIA); and
5. Wall Financial Corporation (WFC).

On November 13, 2024, the BCUC notified each of the parties above by email that their respective requests to intervene had been approved, including the CEC. In each email, the BCUC notified the intervenor that it was directed to limit the number of IRs to Creative Energy to a maximum of 20 questions, inclusive of sub-questions, across all topics in the Application.<sup>1</sup>

By letter dated November 15, 2024 (Exhibit A-4), the BCUC noted that it had accepted the intervention requests of BCOAPO, BCSEA, the CEC, RCIA and WFC, and that intervenors were directed to limit the number of IRs to Creative Energy to a maximum of 20 questions, inclusive of sub-questions, across all topics in the Application.

On November 15, 2024, the CEC filed IRs to Creative Energy which exceed the maximum limit of 20 questions. In the cover letter accompanying its IRs, the CEC states that the late delivery of Exhibit A-4 did not provide sufficient time for intervenors to prepare IRs which comply with the 20-question maximum limit.<sup>2</sup>

The CEC states that the BCUC should permit the filing of the CEC's IRs in their entirety or, alternatively, requests an extension for filing its IRs to allow it to comply with the 20-question maximum limit.<sup>3</sup>

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<sup>1</sup> Copies of the emails approving each intervenor's request are included as Exhibit A2-1

<sup>2</sup> Exhibit C4-4, p. 1.

<sup>3</sup> Ibid.

## 1.2 Submissions Regarding the CEC Information Requests

By letter dated November 18, 2024, Creative Energy provided its response to the CEC's IR extension request. Creative Energy states that it supports an extension to the filing deadline of IRs which would allow the CEC to revise its IRs such that they are compliant with the maximum 20-question limit established by the BCUC.<sup>4</sup>

In response, by letter also dated November 18, 2024, the CEC maintains that the IRs should be accepted as filed. Alternatively, the CEC requests an extension of four days following the issuance of a BCUC determination for the filing of revised IRs, stating that "CEC's consultants are occupied with prior commitments during this period and must also consult with the other Intervener group contributing to the Information Requests."<sup>5</sup>

## 2.0 Panel Determinations

**The Panel has reviewed the submissions regarding the CEC's IRs and denies the CEC's request that it be permitted to file the IRs it submitted on November 15, 2024 (Exhibit C4-4) in their entirety. However, the Panel grants the CEC an extension until Monday, November 25, 2024 to file IRs which comply with the 20-question maximum limit, for the reasons that follow. The regulatory timetable for the review of the Application is amended accordingly, as set out in Appendix A to the order to which this decision is attached.**

Although the CEC states that the delivery of Exhibit A-4 on November 15, 2024 did not provide sufficient time for interveners to prepare IRs which comply with the maximum 20 question limit, the Panel notes that all interveners, including the CEC, were initially notified of the limitation on IRs by email on November 13, 2024. In light of this fact, and to maintain fairness to other interveners who complied with the limit on the number of IRs, the Panel does not accept that Creative Energy should be required to respond to the comparatively larger set of IRs filed by the CEC on November 15, 2024.

However, the Panel notes that Creative Energy is supportive of an extension to allow the CEC to file revised IRs. Although Creative Energy suggests that the CEC should be required to file these revised IRs by November 19, 2024, the Panel considers that a longer period of time is appropriate, to allow the CEC a meaningful opportunity to conduct the necessary revisions. Taking into account the CEC's submissions regarding the availability of its consultants and the need to conduct consultation with another intervener group, and balancing the need to ensure a timely conclusion to this proceeding, the Panel considers that an extension until Monday, November 25, 2024 is appropriate.

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<sup>4</sup> Exhibit B-6, p. 1.

<sup>5</sup> Exhibit C4-5, p. 1.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 20<sup>th</sup> day of November 2024.

*Electronically signed by Mark Jaccard*

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M. Jaccard  
Panel Chair/Commissioner

*Electronically signed by Elizabeth A. (Lisa) Brown*

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E. A. Brown  
Commissioner

*Electronically signed by Blair Lockhart*

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E. B. Lockhart  
Commissioner