



**ORDER NUMBER**  
**G-38-25**

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

and

Kelowna OWS Utility Inc.  
Complaint filed by Strata EPS 7397

**BEFORE:**

B. A. Magnan, Panel Chair  
W. M. Everett, KC, Commissioner

on February 21, 2025

**ORDER**

**WHEREAS:**

- A. On December 28, 2022, a complaint was filed on behalf of Strata EPS 7397 (Strata) regarding the thermal energy services the Strata receives from Kelowna OWS Utility Inc. (Kelowna OWS) (Complaint);
- B. By Order G-302-23, the British Columbia Utilities Commission (BCUC) directed Kelowna OWS to file a Third-Party Engineer Report no later than 90 days following the BCUC's approval of the terms of engagement for a proposed form of agreement for the retainer of a qualified and independent third-party engineer (Third-Party Engineer Retainer Agreement);
- C. On December 8, 2023, Kelowna OWS filed with the BCUC the Third-Party Engineer Retainer Agreement, which established four Focus Areas as the scope of work to be completed by Falcon Engineering Ltd. regarding the Complaint (i.e. Focus Areas 1, 2, 3 and 4);
- D. On March 12, 2024, Kelowna OWS filed the Third-Party Engineer Report, which included information regarding Focus Area 1, but did not include any information regarding Focus Areas 2, 3, and 4;
- E. By Order G-118-24, the BCUC established the deadlines for filing the Third-Party Engineer Reports for Focus Areas 2, 3, and 4. Order G-212-24 later amended the filing deadline for the Third-Party Engineer Report for Focus Area 4;
- F. On April 29, 2024, Kelowna OWS filed the Third-Party Engineer Report for Focus Area 2;
- G. On June 25, 2024, Kelowna OWS filed the Third-Party Engineer Report for Focus Area 3;
- H. On August 29, 2024, Kelowna OWS filed the Third-Party Engineer Report for Focus Area 4;

- I. By letter dated October 8, 2024, the BCUC directed that Kelowna OWS provide an update with respect to the status, next steps, anticipated completion and cost of correction for each of the twelve identified corrective actions in the Third-Party Engineering Report for Focus Area 4 by December 16, 2024. On December 12, 2024, Kelowna OWS filed the requested update; and
- J. The BCUC has considered the submissions filed to date in this proceeding and determines that further process is warranted.

**NOW THEREFORE** the BCUC establishes a further regulatory timetable for the review of the Complaint, as set out in Appendix A to this order.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 21<sup>st</sup> day of February 2025.

BY ORDER

*Electronically signed by Bernard Magnan*

B. A. Magnan  
Commissioner

Attachment

Kelowna OWS Utility Inc.  
Complaint filed by Strata EPS 7397

**REGULATORY TIMETABLE**

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Action	Date (2025)
Kelowna OWS submits a further update to Third-Party Engineer Report for Focus Area 4	Thursday, March 13
Strata written submissions, if any, regarding status of the Complaint	Thursday, March 27
Kelowna OWS written reply submissions	Thursday, April 3