



ORDER NUMBER

F-11-25

IN THE MATTER OF

the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

British Columbia Hydro and Power Authority
2024 Rate Design
Participant Cost Award Application

BEFORE:

M. Jaccard, Panel Chair
T. A. Loski, Commissioner
W. E. Royle, Commissioner

on April 23, 2025

ORDER

WHEREAS:

- A. On June 27, 2024, pursuant to sections 58 to 61 of the *Utilities Commission Act*, British Columbia Hydro and Power Authority (BC Hydro) filed with the British Columbia Utilities Commission (BCUC), a 2024 Rate Design Application (Application), which included a proposal for changes to its residential service rates, net metering service rate, non-integrated area (NIA) rates, and Electric Tariff Terms and Conditions;
- B. By Orders G-190-24 and G-331-24, the BCUC established the regulatory timetable for the review of the Application, which included, among other things, intervenor registration, one round of information requests, final and reply arguments that excluded the net metering proposals, a deadline for BC Hydro to file an evidentiary update on its net metering proposals, and further process regarding net metering to be determined;
- C. By BCUC letter dated August 29, 2024, the BCUC accepted intervenors subject to participation requirements, such as requiring certain parties to participate as one intervenor group and scope limitations;
- D. By letter dated February 4, 2025, BC Hydro requested an extension to the deadline to file an evidentiary update on its net metering service rate proposals and requested that the BCUC initiate a separate regulatory process to review those proposals;
- E. By BCUC letter dated February 7, 2025, the BCUC, among other things, granted BC Hydro's extension request and recommended that the BCUC hold a separate proceeding to review the net metering service rate proposals (Net Metering Proceeding). The letter also stated the BCUC's intention to consider participant cost awards for the work related to BC Hydro's net metering proposals up until the establishment of the Net Metering Proceeding;

- F. By Order G-33-25, the BCUC found that a separate process to review BC Hydro's net metering service rate proposals is warranted and directed that the proposals will not be reviewed as part of the review of the Application;
- G. The following parties registered as interveners in the proceeding:
- British Columbia Old Age Pensioners' Organization et al. (BCOAPO);
 - BC Sustainable Energy Association (BCSEA);
 - Commercial Energy Consumers Association of BC (the CEC);
 - Community Solar Coalition;
 - Charge Solar, Riverside Energy Systems, High Tide Energy Inc., and Shift Energy Group Inc.;
 - The City of Vancouver, Metro Vancouver Regional District, District of North Vancouver, and the City of Richmond;
 - EcoSmart Foundation Inc. (EcoSmart);
 - FortisBC;
 - Lulu Island Energy Company Ltd.;
 - Movement of United Professionals (MoveUP);
 - Residential Consumer Intervener Association (RCIA);
 - Saulteau First Nations;
 - Wyse Meter Solutions Inc.; and
 - Kwadacha Nation and Tsay Keh Dene Nation, together the Zone II Ratepayers Group (Zone II RPG) and Gitga'at First Nation;
- H. On February 24, 2025, by Order G-42-25 with accompanying decision, the BCUC made various determinations on the Application, including approving BC Hydro to offer an optional flat rate to all residential customers, gradually flatten the tiered residential inclining block rate, extend the availability of rates in its integrated service area to customers in the NIA, and amend its Electric Tariff;
- I. The following participants filed Participant Cost Award (PCA) applications with the BCUC with respect to their participation in the proceeding:

Date	Participant	Application
March 3, 2025 (refiled on March 19, 2025)	BCOAPO	\$37,492.70
March 3, 2025	BCSEA	\$35,630.53
March 11, 2025	The CEC	\$27,856.12
February 26, 2025	EcoSmart	\$38,883.68
February 17, 2025 (refiled on March 10, 2025)	MoveUP	\$7,844.48
March 3, 2025 (refiled on March 9, 2025)	RCIA	\$23,466.36
March 3, 2025	Zone II RPG	\$21,897.78

- J. By letter dated March 27, 2025, BC Hydro provided its comments on the PCA applications, stating that the cost awards sought by BCOAPO, BCSEA, the CEC, MoveUP, RCIA, and Zone II RPG are proportionate to their involvement and BC Hydro has no objection to them receiving the cost awards requested. However, BC Hydro raised concerns with EcoSmart's cost award application and submits that it should be reduced to a maximum of \$3,310;
- K. By letter dated April 2, 2025, EcoSmart provided its reply to BC Hydro's comments; and
- L. The BCUC has reviewed the PCA applications in accordance with the criteria and rates set out in the BCUC's Rules of Practice and Procedure and makes the following determinations.

NOW THEREFORE pursuant to section 118 of the *Utilities Commission Act*, and for the reasons outlined in the decision accompanying this order, the BCUC orders as follows:

1. Costs are awarded to the following participants in the amounts listed below, inclusive of applicable taxes, for their respective participation in the BC Hydro 2024 Rate Design proceeding:

Participant	Award
BCOAPO	\$37,492.70
BCSEA	\$35,630.53
The CEC	\$27,856.12
EcoSmart	\$26,134.93
MoveUP	\$7,844.48
RCIA	\$23,466.36
Zone II RPG	\$21,897.78

2. BC Hydro is directed to reimburse the above-noted participants for the awarded amounts in a timely manner.

DATED at the City of Vancouver, in the Province of British Columbia, this 23rd day of April 2025.

BY ORDER

Electronically signed by Mark Jaccard

M. Jaccard
Commissioner

British Columbia Hydro and Power Authority
2024 Rate Design

DECISION

1.0 Introduction

On June 27, 2024, British Columbia Hydro and Power Authority (BC Hydro) filed its 2024 Rate Design Application (Application) with the British Columbia Utilities Commission (BCUC). The Application sought approval to change BC Hydro's residential service rates, net metering service rate, non-integrated area (NIA) rates, and Electric Tariff Terms and Conditions.

The BCUC established the regulatory timetable for the review of the Application, which included, among other things, intervenor registration, one round of information requests, final and reply arguments that excluded the net metering proposals, a deadline for BC Hydro to file an evidentiary update on its net metering proposals, and further process regarding net metering to be determined. Interveners were accepted by the BCUC subject to participation requirements, such as requiring certain parties to participate as one intervenor group and scope limitations.¹

On February 4, 2025, BC Hydro requested an extension to the deadline to file an evidentiary update on its net metering service rate proposals and requested that the BCUC initiate a separate regulatory process to review those proposals.² On February 7, 2025, the BCUC granted BC Hydro's extension request and recommended that the BCUC hold a separate proceeding to review the net metering service rate proposals (Net Metering Proceeding). The BCUC also stated its intention to consider participant cost awards for the work related to BC Hydro's net metering proposals up until the establishment of the Net Metering Proceeding.³ By Order G-33-25, the BCUC found that a separate process to review BC Hydro's net metering service rate proposals is warranted and directed that the proposals will not be reviewed as part of the review of the Application.

On February 24, 2025, by Order G-42-25 and accompanying decision, the BCUC made various determinations on the Application, including approving BC Hydro to offer an optional flat rate to all residential customers, gradually flatten the tiered residential inclining block rate, extend the availability of rates in its integrated service area to customers in the NIA, and amend its Electric Tariff.

Seven interveners filed participant cost award (PCA) applications with respect to their participation in the proceeding, as further described in Section 3.0 below.

2.0 Legislative Framework

Section 118(1) of the *Utilities Commission Act* provides that the BCUC may order a participant in a proceeding before the BCUC to pay all or part of the costs of another participant in the proceeding.⁴

Part VI of the BCUC's Rules of Practice and Procedure (Rules)⁵ stipulates the eligibility requirements and criteria used in assessing cost awards, including the process for applying for a cost award and eligible costs.

¹ Exhibit A-3.

² Exhibit B-7.

³ Exhibit A-9.

⁴ *Utilities Commission Act*, RSBC 1996, c 473.

⁵ Approved by Order G-296-24.

Part VI includes Rule 33, which addresses the eligibility for a cost award, and Rule 34, which addresses the costs that may be awarded, including costs that a participant who is an individual may be eligible for. In particular, Rule 34.04.2 states that a participant that is an individual, subject to Rule 34.05.4, is limited to a cost award for forgone earnings, dependant care costs and disbursements. Attachment A to the Rules sets out the maximum rate for forgone earnings at \$250 per proceeding day per person.

In addition, Rule 36.01 provides the criteria that the BCUC will consider when determining the amount of a cost award.

3.0 PCA Applications

The following interveners filed PCA applications with the BCUC regarding their participation in the proceeding, as summarized in the table below:

Date	Participant	Application
March 3, 2025 (refiled on March 19, 2025)	British Columbia Old Age Pensioners' Organization et al. (BCOAPO)	\$37,492.70
March 3, 2025	BC Sustainable Energy Association (BCSEA)	\$35,630.53
March 11, 2025	Commercial Energy Consumers Association of BC (the CEC)	\$27,856.12
February 26, 2025	EcoSmart Foundation Inc. (EcoSmart)	\$38,883.68
February 17, 2025 (refiled on March 10, 2025)	Movement of United Professionals (MoveUP)	\$7,844.48
March 3, 2025 (refiled on March 9, 2025)	Residential Consumer Intervener Association (RCIA)	\$23,466.36
March 3, 2025	Kwadacha Nation and Tsay Keh Dene Nation, together the Zone II Ratepayers Group (Zone II RPG)	\$21,897.78

On March 27, 2025, BC Hydro provided its comments with respect to the above-listed PCA applications, stating that the cost awards sought by BCOAPO, BCSEA, the CEC, MoveUP, RCIA, and Zone II RPG are proportionate to their involvement and BC Hydro has no objection to them receiving the cost awards requested. However, BC Hydro raised concerns with EcoSmart's cost award application and submits that it should be reduced to a maximum of \$3,310.⁶ On April 2, 2025, EcoSmart provided its reply to BC Hydro's comments. EcoSmart's cost award application and the related comments are discussed below.

3.1 EcoSmart

EcoSmart applied for a cost award of \$38,883.68 reflecting 157.58 hours of engineering consultant services at an hourly rate of \$235.

EcoSmart's application includes \$12,141.67 (before applicable taxes) related to an "Interim Argument" filed by EcoSmart on January 10, 2025 (Interim Argument). The Interim Argument was related to BC Hydro's net metering proposals. By email dated January 13, 2025, the BCUC informed EcoSmart that the Interim Argument

⁶ BC Hydro comments on PCA applications dated March 27, 2025, p. 2.

would not be accepted onto the proceeding record because at that time interveners were not permitted to make submissions on net metering.

In its PCA application, EcoSmart notes that the BCUC has modified the timetable and shifted the net metering aspect to a separate proceeding. Accordingly, EcoSmart states that it is open to transferring the costs related to its Interim Argument to the Net Metering Proceeding.⁷

Comments on EcoSmart's PCA Application

BC Hydro opposes EcoSmart's requested cost award and submits that it should be reduced to a maximum of \$3,310 to reflect the following two adjustments:⁸

- No compensation for the 51.67 hours claimed for time spent by EcoSmart on its Interim Argument because the filing was not in accordance with the regulatory timetable and has not formed part of the proceeding record; and
- Compensation at the individual participant rate of \$250 per day in accordance with Rule 34.04.2. BC Hydro submits that this is the appropriate rate, as EcoSmart's participation in this proceeding has been by one individual who has not been retained as an expert by another party and is participating as an individual to contribute his own perspective.

In its reply to BC Hydro's comments, EcoSmart reiterates the option it offered the BCUC to defer the costs related to its Interim Argument to the Net Metering Proceeding, in recognition of procedural timing considerations.⁹

Regarding whether EcoSmart qualifies for compensation as an organization, it states that it has participated in this proceeding as a non-profit organization, not as an individual. EcoSmart explains that it is a federally incorporated non-profit organization governed by a board of directors with a clearly defined mandate. It submits that its request to intervene form clearly identified it as an organization, and its organization information document was filed in line with Rule 9.05.¹⁰ To support its intervention, EcoSmart submits that it retained Node Engineering Ltd., an independent consulting firm, to provide technical and policy expertise. It states that Mr. Michel de Spot, who serves EcoSmart as a volunteer, also contributed analytical and technical services as a qualified expert through his professional role at Node Engineering Ltd.¹¹

Panel Determination

The Panel has reviewed the PCA applications in accordance with the Rules. The Panel is satisfied that the PCA applicants are eligible for a cost award in accordance with Rule 33.01 and have contributed to a better understanding of the issues in this proceeding. **The Panel awards PCA amounts to BCOAPO, BCSEA, the CEC, MoveUP, RCIA, and Zone II RPG as applied for. For the reasons set out below, the Panel awards a PCA amount of \$26,134.93 to EcoSmart.**

The Panel finds it appropriate to reduce EcoSmart's cost award by \$12,748.75 (i.e. \$12,141.67 plus applicable taxes), which are the costs incurred in relation to EcoSmart's Interim Argument. The filing of such an Interim Argument in relation to net metering was not contemplated by the regulatory timetable and the Interim

⁷ EcoSmart PCA application, PDF p. 1.

⁸ BC Hydro comments on PCA applications dated March 27, 2025, p. 2.

⁹ EcoSmart reply to BC Hydro comments on PCA applications dated April 2, 2025, p. 4.

¹⁰ Rule 9.05 states that a person requesting intervener status who is not an individual or a BCUC regulated entity must submit both a completed Request to Intervene Form and an informational document that includes certain information about the organization.

¹¹ EcoSmart reply to BC Hydro comments on PCA applications dated April 2, 2025, pp. 1–3.

Argument was not accepted onto the proceeding record by the Panel. As such, the Panel does not consider these costs were necessarily and properly incurred in the conduct of the proceeding in accordance with Rule 36.01(a). The Panel makes no findings on whether EcoSmart may be eligible for these costs in the Net Metering Proceeding.

With regards to the compensation rate, the Panel finds that EcoSmart is eligible for compensation as an organization rather than at the individual participant rate. The Panel is persuaded by EcoSmart that it participated in the proceeding as an organization rather than as an individual. Based on the information provided by EcoSmart, the Panel considers EcoSmart and Mr. Michel de Spot to be two separate entities even though Mr. Michel de Spot has a dual role with EcoSmart and Node Engineering Ltd. The Panel is also satisfied that Node Engineering Ltd. was retained for professional services by EcoSmart. Therefore, Rule 34.04.2 does not apply to EcoSmart's PCA application.

DATED at the City of Vancouver, in the Province of British Columbia, this 23rd day of April 2025.

Electronically signed by Mark Jaccard

M. Jaccard
Panel Chair/Commissioner

Electronically signed by Tom Loski

T. A. Loski
Commissioner

Electronically signed by Wendy Royle

W. E. Royle
Commissioner