



ORDER NUMBER

F-17-25

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

Participant Cost Award Application

BEFORE:

M. Jaccard, Panel Chair

E. A. Brown, Commissioner

E. B. Lockhart, Commissioner

on June 9, 2025

ORDER

WHEREAS:

- A. On September 25, 2024, Creative Energy Vancouver Platforms Inc. (Creative Energy) applied to the British Columbia Utilities Commission (BCUC), pursuant to section 44.2(1)(b) of the *Utilities Commission Act* (UCA), for acceptance of a schedule of capital expenditures related to the construction of the structure that will house its new steam plant at 720 Beatty Street in Vancouver and the connection of Creative Energy's future steam generating electric boilers and associated equipment to its existing steam plant (Application);
- B. By Orders G-269-24, G-304-24 and G-337-24, the BCUC established and amended a regulatory timetable for review of the Application, which included, among other things, intervenor registration, BCUC and intervenor information requests (IRs), Panel IRs, letters of comment, Creative Energy responses to IRs, and final and reply arguments;
- C. The following parties registered as intervenors: British Columbia Old Age Pensioners' Organization et al. (BCOAPO), BC Sustainable Energy Association (BCSEA), Commercial Energy Consumers Association of British Columbia (the CEC), Residential Consumer Intervener Association (RCIA), and Wall Financial Corporation;
- D. By Order G-94-25, dated April 10, 2025, the BCUC rejected the Application;
- E. The following intervenors filed Participant Cost Award (PCA) applications with the BCUC with respect to their participation in the proceeding:

Date	Participant	Application
April 14, 2025	The CEC	\$43,366.14
April 16, 2025	RCIA	\$20,330.89
April 17, 2025	BCOAPO	\$27,648.43
April 17, 2025	BCSEA	\$7,788.73

- F. By letter dated May 12, 2025, Creative Energy provided its comments on the PCA applications. By letter dated May 21, 2025, the CEC provided its reply to Creative Energy's comments on its PCA application; and
- G. 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 determines that the PCA applications should be approved.

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

- Costs are awarded to the following participants in the listed amounts for their participation in the Creative Energy New Plant Premises and Interconnection Infrastructure Capital Expenditures proceeding:

Participant	Award
The CEC	\$43,366.14
RCIA	\$20,330.89
BCOAPO	\$27,648.43
BCSEA	\$7,788.73

- Creative Energy is directed to reimburse the above-noted interveners for the awarded amounts in a timely manner.

DATED at the City of Vancouver, in the Province of British Columbia, this 9th day of June 2025.

BY ORDER

Electronically signed by Mark Jaccard

M. Jaccard
Commissioner

Creative Energy Vancouver Platforms Inc.
New Plant Premises and Interconnection Infrastructure Capital Expenditures
Participant Cost Award Decision

DECISION

1.0 Background

On September 25, 2024, Creative Energy Vancouver Platforms Inc. (Creative Energy) applied to the British Columbia Utilities Commission (BCUC), pursuant to section 44.2(1)(b) of the Utilities Commission Act (UCA), for acceptance of a schedule of capital expenditures related to the construction of the structure that will house its new steam plant at 720 Beatty Street in Vancouver and the connection of Creative Energy's future steam generating electric boilers and associated equipment to its existing steam plant (Application). The BCUC established and amended a regulatory timetable for review of the Application, which included, among other things, intervener registration, BCUC and intervener information requests (IRs), Panel IRs, letters of comment, Creative Energy responses to IRs, and final and reply arguments.¹

The following parties registered as interveners in the proceeding: British Columbia Old Age Pensioners' Organization et al. (BCOAPO), BC Sustainable Energy Association (BCSEA), the Commercial Energy Consumers Association of British Columbia (the CEC), Residential Consumer Intervener Association (RCIA), and Wall Financial Corporation.

On April 10, 2025, by Order G-94-25, the BCUC rejected the Application.

2.0 Legislative and Regulatory Framework

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

The BCUC's rules applicable to participant cost awards (PCA) are set out in Part VI of the BCUC Rules of Practice and Procedure (Rules).² Rule 36.01 provides that the BCUC will determine the amount of a cost award, if any, in accordance with the purpose of the PCA rules and that it will consider the applicable criteria set out under this rule.

¹ Orders G-269-24, G-304-24 and G-337-24.

² Order G-296-24, dated November 14, 2024.

3.0 PCA Applications

The following interveners filed PCA applications with respect to their participation in the proceeding:

Date	Participant	Application
April 14, 2025	The CEC	\$43,366.14
April 16, 2025	RCIA	\$20,330.89
April 17, 2025	BCOAPO	\$27,648.43
April 17, 2025	BCSEA	\$7,788.73

4.0 Creative Energy Comments

By letter dated May 12, 2025, Creative Energy provided its comments on the PCA applications, in which it submits that the CEC's requested PCA amount of \$43,366.14 is excessive as it exceeds the next highest intervener PCA request by more than \$15,000.

Creative Energy submits that the CEC's participation in the proceeding did not provide significantly higher value than other interveners. Further, Creative Energy questioned the efficiency of the CEC's participation by noting the need to extend the deadline for IR No. 1 and the CEC's need to refile confidentiality undertaking forms.³

5.0 The CEC Reply

By letter dated May 21, 2025, the CEC replied to Creative Energy's comments. Among other things, the CEC notes in its reply submission that it coordinated its participation with another intervener and that this added to the CEC's costs. The CEC submits that, had the other intervener participated independently, overall intervener costs would likely have been greater.

Further, the CEC states that the 20 IR limit imposed by the BCUC in this proceeding was imposed late in the process and that efforts to respond to the 20 question limit similarly added costs to the CEC.

The CEC also states that Creative Energy's assessment of its cost shows no logic or analysis, as it relies on a simple comparison of the CEC's costs to the costs of other interveners and does not consider the value added by the CEC's participation. The CEC submits that it has contributed to a better understanding by the BCUC of the issues in the proceeding, noting in particular that the CEC's final argument submissions were relied upon throughout the BCUC's decision.

Panel Determinations

The Panel awards PCA amounts to the CEC, RCIA, BCOAPO and BCSEA as applied for.

The Panel has reviewed the PCA applications in accordance with the assessment criteria and rates set out in the Rules. The Panel considers that the participation in the proceeding by each of the interveners seeking a cost award contributed to a better understanding by the BCUC of the issues raised in this proceeding.

³ Exhibit C4-2-1 & C4-2-2.

The Panel provides the following specific comments with respect to the CEC's PCA application. The Panel acknowledges that the CEC is seeking costs that exceed the costs sought by the other interveners. The Panel considers that under the circumstances, the CEC's conduct was appropriate and that the CEC made reasonable efforts to conform to the IR limit thereby avoiding unnecessarily lengthening the proceeding. Further, the Panel commends the CEC for coordinating its participation with another intervener to reduce overall costs. The Panel recognizes that this coordination caused the CEC to incur additional costs.

DATED at the City of Vancouver, in the Province of British Columbia, this 9th day of June 2025.

Electronically signed by Mark Jaccard

M. Jaccard
Panel Chair/Commissioner

Electronically signed by Elizabeth Brown

E. A. Brown
Commissioner

Electronically signed by Blair Lockhart

E. B. Lockhart
Commissioner