



ORDER NUMBER
G-145-25

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

and

British Columbia Hydro and Power Authority
Net Metering Service Rates

BEFORE:

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

on June 16, 2025

ORDER

WHEREAS:

- A. By Order G-105-25 dated April 23, 2025, the British Columbia Utilities Commission (BCUC) directed interveners in the Net Metering Service Rates (Net Metering) proceeding that wished to submit evidence, to file a notice of intent to file evidence by Thursday May 15, 2025;
- B. By May 20, 2025, EcoSmart Foundation Inc. (EcoSmart); Community Solar Coalition (CSC); Clean Energy Association of British Columbia (CEBC); and Charge Solar, Riverside Energy Systems, High Tide Energy Inc. and Shift Energy Group Inc. (together, Charge Solar et al.) submitted their notices of intent to file evidence in the Net Metering proceeding;
- C. On May 28, 2025, the BCUC issued a letter addressing interveners' notices of intent to file evidence (Evidence Ruling), in which the BCUC determined that the following topics were out of scope for intervener evidence: a) solar gardens; b) rebates; and c) lifecycle greenhouse gas (GHG) emissions from different energy sources;
- D. In the Evidence Ruling, the BCUC noted that the Charge Solar et al. notice of intent to file evidence did not include all of the information required by Order G-105-25 and required Charge Solar et al. to provide the remaining required information by June 4, 2025, if it still intended to file intervener evidence.
- E. On May 30, 2025, CSC filed a letter (CSC's Letter) with the BCUC in which the CSC filed a report by Dr. Tom Mommsen (Mommsen Report) and requested that the BCUC:
 - 1. Confirm that evidence relating to the greenhouse gas (GHG) emissions of hydroelectric generation is within scope for the purpose of evaluating the proposed export compensation and

the underlying assumptions about the British Columbia Hydro and Power Authority's (BC Hydro) system GHG emissions; or

2. Alternatively, issue a clear and reasoned ruling excluding this evidence;

- F. In a letter dated June 3, 2025, Charge Solar et al. provided additional information to supplement its notice of intent to file evidence, as well as comments regarding the BCUC's determination that intervenor evidence related to rebates was out of scope;
- G. On June 3, 2025, EcoSmart filed a request for reconsideration, in which it requested that the BCUC reconsider its decision to exclude solar gardens from the scope of intervenor evidence;
- H. On June 4, 2025, the BCUC issued a letter in response to the CSC's Letter, in which the BCUC determined that the Mommsen Report was not admitted into the proceeding record, and provided a clarification of the BCUC's rationale for determining that lifecycle GHG emissions from different energy sources were out of scope for intervenor evidence;
- I. On June 5, 2025, EcoSmart filed a request for reconsideration, in which it requested that the BCUC reconsider its decision to exclude rebates from the scope of intervenor evidence;
- J. On June 6, 2025, the CSC filed a request for reconsideration in which it requested, among other matters, that the BCUC reconsider its decision to exclude lifecycle GHG emissions from different energy sources from the scope of intervenor evidence and not to allow the Mommsen Report into the proceeding record;
- K. On June 10, 2025, the CSC filed an additional request for reconsideration in which it requested, among other matters, that the BCUC reconsider and reverse the exclusion of solar gardens and BC Hydro's solar rebate program from the scope of intervenor evidence;
- L. On June 11, 2025, CEBC, filed a letter in which it requested that the BCUC clarify the extent to which intervenor evidence related to rebates is out of scope; and
- M. The BCUC has reviewed the submissions from parties and considers that the following determinations are warranted.

NOW THEREFORE for the reasons outlined in the decision accompanying this order, the BCUC orders as follows:

- 1. The determination in the Evidence Ruling that solar gardens were out of scope for intervenor evidence is rescinded.
- 2. The Evidence Ruling is varied by replacing the determination that rebates were out of scope for intervenor evidence with a determination that the following topic is out of scope for intervenor evidence:

the merits of rebates and other DSM programs, including the appropriateness of particular incentive levels and program designs

- 3. BC Hydro is directed to file a submission with the BCUC, by Friday, June 20, 2025, regarding the CSC's request that the BCUC allow the CSC to file expert evidence on hydro GHG emissions, including the Mommsen Report.
- 4. The CSC may provide a reply to BC Hydro's submission by Friday, June 27, 2025.

5. The regulatory timetable is amended as set out in Appendix A to this order.

DATED at the City of Vancouver, in the Province of British Columbia, this 16th day of June 2025.

BY ORDER

Electronically signed by Mark Jaccard

M. Jaccard
Commissioner

British Columbia Hydro and Power Authority
Net Metering Service Rates

REGULATORY TIMETABLE

Action	Date (2025) With rebuttal	Date (2025) Without rebuttal
BC Hydro submission regarding CSC request	Friday, June 20	Friday, June 20
CSC reply, if any	Friday, June 27	Friday, June 27
Intervener evidence	Thursday, July 10	Thursday, July 10
BCUC, BC Hydro and Intervener Information Request (IR) No. 1 on Intervener evidence	Thursday, July 31	Thursday, July 31
BC Hydro notice of intent to file rebuttal evidence	Thursday, August 14	Thursday, August 14
Intervener responses to BCUC, BC Hydro and Intervener IR No. 1 on Intervener evidence	Thursday, August 28	Thursday, August 28
BC Hydro rebuttal evidence, if any	Thursday, September 18	
BCUC and Intervener IRs to BC Hydro on rebuttal evidence	Thursday, October 9	
BC Hydro responses to IRs on rebuttal evidence	Thursday, October 23	
Oral Hearing	Week: November 17-21	Week: October 6-10
Filing of undertaking responses	Friday, December 5	Friday, October 24
Letters of comment deadline	Friday, December 12	Friday, November 14
Oral Final and Reply Arguments	Monday, December 15 to Wednesday, December 17	Monday, November 17 to Wednesday, November 19

British Columbia Hydro and Power Authority
Net Metering Service Rates

DECISION

1.0 Introduction

By Order G-105-25 dated April 23, 2025, the British Columbia Utilities Commission (BCUC) directed interveners in the Net Metering Service Rates (Net Metering) proceeding that intended to submit evidence to file a notice of intent to file evidence by Thursday May 15, 2025. The notice of intent was required to include a summary of the topic to be addressed by the evidence; an explanation of the relevance of the evidence and how it would assist the Panel; and details regarding who would be preparing the evidence, their credentials, the estimated cost, and the anticipated length of the evidence.

The BCUC also indicated that, based on the information provided, it retained discretion to determine whether intervenor evidence should be admitted, or to make direction regarding the scope of the evidence.

By May 20, 2025, EcoSmart Foundation Inc. (EcoSmart); Community Solar Coalition (CSC); Clean Energy Association of British Columbia (CEBC); and Charge Solar, Riverside Energy Systems, High Tide Energy Inc. and Shift Energy Group Inc. (together, Charge Solar et al.) submitted their notices of intent to file evidence in the Net Metering proceeding.¹

On May 28, 2025, the BCUC issued a letter addressing interveners' notices of intent to file evidence (Evidence Ruling), in which the BCUC determined that the following topics were out of scope for intervenor evidence: a) solar gardens; b) rebates; and c) lifecycle greenhouse gas (GHG) emissions from different energy sources. In the Evidence Ruling, the BCUC provided its reasons for determining that each of these topics was out of scope.²

The BCUC also noted in the Evidence Ruling that the Charge Solar et al. notice of intent to file evidence did not include all of the information required by Order G-105-25 and required Charge Solar et al. to provide the remaining required information by June 4, 2025, if it still intended to file intervenor evidence.³

In a letter dated June 3, 2025, Charge Solar et al. provided additional information to supplement its notice of intent to file evidence, as well as comments regarding the BCUC's determination that intervenor evidence related to rebates was out of scope (Charge Solar Evidence Letter).⁴

On May 30, 2025, the CSC filed a letter (CSC's Letter) with the BCUC in which the CSC requested that the BCUC:⁵

1. Confirm that evidence relating to the GHG emissions of hydroelectric generation is within scope for the purpose of evaluating the proposed export compensation and the underlying assumptions about the British Columbia Hydro and Power Authority's (BC Hydro) system GHG emissions; or
2. Alternatively, issue a clear and reasoned ruling excluding this evidence.

¹ Exhibit C1-8; Exhibit C10-9; Exhibit C16-4; and Exhibit C12-9.

² Exhibit A-24.

³ Ibid.

⁴ Exhibit C12-10.

⁵ Exhibit C10-11, pdf pp. 1, 5.

The CSC also filed a “Technical Report by Dr. Tom Mommsen, summarizing relevant scientific literature on hydro GHG emissions,” as Addendum A to the CSC Letter (Mommsen Report).

On June 4, 2025, the BCUC issued a letter in response to the CSC’s Letter, in which the BCUC noted that the BCUC had already ruled on the CSC’s prior request for a determination on the admissibility of GHG evidence in the Evidence Ruling, and determined that such evidence is out of scope.⁶ The BCUC accordingly determined that the Mommsen Report was not admitted into the proceeding record, and also provided a clarification of the BCUC’s rationale for determining that lifecycle GHG emissions from different energy sources were out of scope for intervenor evidence.⁷

On June 3, 2025, EcoSmart filed a request for reconsideration, in which it requested that the BCUC reconsider its decision to exclude solar gardens from the scope of intervenor evidence (EcoSmart Reconsideration on Solar Gardens).⁸

On June 5, 2025, EcoSmart filed an additional request for reconsideration, in which it requested that the BCUC reconsider its decision to exclude rebates from the scope of intervenor evidence (EcoSmart Reconsideration on Rebates).⁹

On June 6, 2025, the CSC filed a request for reconsideration in which it requested, among other matters, that the BCUC reconsider its decision to exclude lifecycle GHG emissions from different energy sources from the scope of intervenor evidence and not to allow the Mommsen Report into the proceeding record (CSC Reconsideration on GHG Emissions).¹⁰

On June 10, 2025, the CSC filed an additional request for reconsideration in which it requested, among other matters, that the BCUC reconsider and reverse the exclusion of solar gardens and BC Hydro’s solar rebate program from the scope of intervenor evidence (CSC Reconsideration on Solar Gardens and Rebates).¹¹

On June 11, 2025, CEBC filed a letter in which it requested that the BCUC clarify the extent to which intervenor evidence related to rebates is out of scope.¹²

1.1 Legislative Framework

Section 99(1) of the *Utilities Commission Act* provides that the BCUC, on application or on its own motion, may reconsider a decision, an order, a rule or a regulation of the BCUC and may confirm, vary or rescind the decision, order, rule or regulation.

Rules 25.02 of the BCUC’s Rules of Practice and Procedure¹³ (Rules) provides that the BCUC, on application or on its own motion, may reconsider a decision and may confirm, vary or rescind the decision. Rule 26.05 requires an application for reconsideration to contain a concise statement of the grounds for reconsideration, which must include one or more of the grounds set out in that Rule.

⁶ Exhibit A-25, p. 1.

⁷ Ibid., pp. 2-3.

⁸ Exhibit C1-9, p. 1.

⁹ Exhibit C1-10.

¹⁰ Exhibit C10-12.

¹¹ Exhibit C10-13.

¹² Exhibit C16-5.

¹³ BCUC Order G-296-24 dated November 14, 2024.

1.2 Structure of Decision

Below, the Panel addresses the following topics, in turn:

1. The EcoSmart Reconsideration on Solar Gardens (Section 2.0);
2. The EcoSmart Reconsideration on Rebates, Charge Solar Evidence Letter, and related requests for clarification from other interveners (Section 3.0);
3. The CSC Reconsideration on GHG Emissions (Section 4.0);
4. The CSC Reconsideration on Solar Gardens and Rebates (Section 5.0); and
5. Panel discussion regarding intervener participation in the Net Metering proceeding (Section 6.0).

2.0 EcoSmart Reconsideration on Solar Gardens

In the Evidence Ruling, the BCUC provided the following reasons for its determination that the topic of solar gardens was out of scope for intervener evidence:¹⁴

Regarding solar gardens, the Panel notes that this is a form of community generation that does not have on-site consumption. BC Hydro's proposed Community Generation Service Rate (Rate Schedule (RS) 2290) has been designed to encourage community-based generation so that customers can offset their energy charges and not to provide an alternative way for independent power producers (IPPs) to sell electricity. The Panel considers that solar gardens as defined above, are effectively akin to IPPs, and are not intended to be eligible for the Community Generation RS. Therefore, the Panel determines that evidence related to solar gardens is out of scope for intervener evidence. [Footnotes omitted]

In the EcoSmart Reconsideration on Solar Gardens, EcoSmart requested that the BCUC reconsider its decision to exclude solar gardens from the scope of intervener evidence, noting that the exclusion "may be based on a misinterpretation of the scope and intent of our [EcoSmart's] submission."¹⁵ EcoSmart submitted that it is BC Hydro's proposed compensation mechanism in the Net Metering proceeding that forces solar garden projects into a "de facto IPP framework," and stated that it aims to provide evidence that demonstrates that community generation can be managed differently from IPPs. EcoSmart added that the exclusion of such evidence would limit the BCUC's ability to evaluate well-established and broadly adopted models of community generation.¹⁶

Panel Determination

Although EcoSmart has not explicitly addressed the grounds for reconsideration set out in Rule 26.05 in the EcoSmart Reconsideration on Solar Gardens, the Panel has considered whether EcoSmart has established any of these grounds.

¹⁴ Exhibit A-24, pp. 1-2.

¹⁵ Exhibit C1-9, p. 1.

¹⁶ Ibid., p. 2.

The Panel is persuaded that intervenor evidence regarding solar gardens could provide relevant information regarding alternative methods of implementing Net Metering, which could assist the Panel in assessing BC Hydro's proposals in this proceeding. In the Panel's view, this constitutes just cause for reconsideration.

Therefore, the Panel rescinds the determination in the Evidence Ruling that solar gardens were out of scope for intervenor evidence. As such, solar gardens are now in scope for intervenor evidence.

3.0 EcoSmart Reconsideration on Rebates, Charge Solar Evidence Letter, and Related Requests for Clarification

In the Evidence Ruling, the BCUC provided the following reasons for its determination that the topic of rebates was out of scope for intervenor evidence:¹⁷

Regarding rebates, the Panel notes that BC Hydro's evidence includes information on rebates for customers that install solar generation or batteries, as well as regarding the potential effects of rebates or incentives in the overall adoption of the proposed rate schedules. The Panel notes that rebates are a form of demand side measure (DSM), and BC Hydro has indicated that it is not seeking any approvals regarding customer rebates in this proceeding. Therefore, the Panel determines that evidence related to rebates is out of scope for intervenor evidence. [Footnotes omitted]

In the EcoSmart Reconsideration on Rebates, EcoSmart requested that the Panel reconsider its decision to exclude "rebate-related matters" from the scope of intervenor evidence in the Net Metering proceeding on the grounds that there is just cause, pursuant to the Rules.¹⁸ EcoSmart submitted that BC Hydro's evidence explicitly references rebates, not only as background information, but to support the fairness of the proposed transition from net metering (RS 1289) to net billing (RS 2289), and as a means to balance the lack of behind-the-meter benefits under RS 2289 for new participants. EcoSmart stated that while it respects the Panel's position that rebates are not being reviewed for approval, it believes that there is just cause to allow limited evidence from intervenors on this topic.¹⁹

Other intervenors have also provided submissions regarding the BCUC's determination regarding rebates in the Evidence Ruling. For instance, in the Charge Solar Evidence Letter, Charge Solar et al. submitted that "rebates are central to BC Hydro's evidence to: (i) justify the approximately equivalent financial payback periods under Net-Billing compared to the existing Net-Metering framework, and (ii) to estimate expected cost-shifting to non-participating ratepayers." As such, Charge Solar et al. stated that "our evidence analyzing the financial performance of Net Billing including and excluding rebates is both aligned with the scope of evidence already submitted by BC Hydro and essential to sufficiently understand and rule on the proposed RS2289 & RS2290."²⁰

Similarly, in its June 11, 2025 letter, CEBC stated that it was unclear to CEBC whether the Evidence Ruling "means that *any* evidence relating *in any way* to rebates is out of scope, or whether the Commission intended to exclude only evidence that pertains to the Solar Rebate in itself (which we agree is not the subject of this proceeding) rather than rebates as they impact the proposed net metering rates."²¹

¹⁷ Exhibit A-24, p. 2.

¹⁸ Exhibit C1-10, p.1.

¹⁹ Ibid.

²⁰ Exhibit C12-10, p. 1.

²¹ Exhibit C16-5.

Panel Determination

As the Panel previously noted in the Evidence Ruling, rebates are a form of DSM, and BC Hydro has indicated that it is not seeking any approvals regarding customer rebates in this proceeding. Further, the Panel notes that, pursuant to government direction,²² on March 26, 2025 the BCUC accepted an expenditure schedule regarding BC Hydro's expenditures on DSM for the period from fiscal 2025 to fiscal 2027.²³ Accordingly, the Panel finds that it is appropriate to exclude evidence regarding the merits of rebates and other DSM programs from the scope of intervenor evidence. In particular, the Panel determines that evidence regarding the appropriateness of particular incentive levels and program designs for rebates and other DSM programs should be out of scope for intervenor evidence.

However, the Panel notes the submissions by EcoSmart and Charge Solar et al. observing that BC Hydro relies on rebates to support and justify the design of its Net Metering proposal. The Panel is accordingly persuaded that evidence regarding how rebates impact BC Hydro's proposed net metering rates should be in scope for intervenor evidence. In the Panel's view, this constitutes just cause to vary the Evidence Ruling to clarify the extent of intervenor evidence on rebates that will be in scope.

Therefore, the Panel varies the Evidence Ruling by replacing the determination that rebates were out of scope for intervenor evidence with a determination that the following topic is out of scope for intervenor evidence:

the merits of rebates and other DSM programs, including the appropriateness of particular incentive levels and program designs

Panel Discussion

The Panel has reviewed the notice of intent to file evidence submitted by Charge Solar et al., including the supplemental information included in the Charge Solar Evidence Letter.²⁴ In light of the scope of intervenor evidence related to rebates set out in the Panel determinations above, **the Panel considers the evidence proposed to be filed by Charge Solar et al. to be reasonable.**

4.0 The CSC Reconsideration on GHG Emissions

In the Evidence Ruling, the BCUC determined that lifecycle GHG emissions from different energy sources were out of scope for intervenor evidence.²⁵ Subsequently, in the BCUC's June 4, 2025 response to the CSC's Letter, the BCUC determined that the Mommsen Report was not admitted into the proceeding record as intervenor evidence, and also provided a clarification of the BCUC's rationale for excluding lifecycle GHG emissions from different energy sources from the scope of intervenor evidence.²⁶

The *Clean Energy Act* (CEA) defines "clean or renewable resource" as "biomass, biogas, geothermal heat, hydro, solar, ocean, wind or any other prescribed resource." As such, for the purposes of the CEA, hydropower is, by definition, a "clean or renewable resource."

Additionally, the calculation and reporting of BC's GHGs associated with electricity is not undertaken by the BCUC and is not part of the BCUC's mandate. Under the Greenhouse Gas Industrial Reporting and Control Act, the Provincial Government annually releases electricity

²² Direction No. 9 to the BCUC, Order in Council 131/2025.

²³ BCUC Order G-76-25 dated March 26, 2025.

²⁴ Exhibit C12-9, Exhibit C12-10.

²⁵ Exhibit A-24, p. 1.

²⁶ Exhibit A-25, pp. 2-3.

emission intensity factors (EEIF) for the Integrated Grid and the Fort Nelson Grid. The EEIF are calculated using the methodology outlined in Schedule D of the Greenhouse Gas Emission Reporting Regulation. Given this well-defined framework for determining GHG emissions associated with electricity in BC, the BCUC does not consider intervenor evidence regarding GHG emissions to be necessary in this proceeding. [Footnotes and hyperlinks omitted]

In the CSC Reconsideration on GHG Emissions, the CSC requested that the BCUC reconsider its determination to exclude the Mommsen Report from the proceeding record, and allow the CSC's expert evidence on hydro GHG emissions.²⁷ The CSC submitted that its request for the BCUC to "evaluate whether BC Hydro's '98% clean' claim withstands evidentiary scrutiny in the context of rate design and DER valuation" is "highly relevant to export compensation, avoided cost analysis, and the credibility of BC Hydro's underlying assumptions."²⁸

In the CSC's view, the BCUC's "reliance on emissions intensity figures published under the Greenhouse Gas Industrial Reporting and Control Act—specifically those calculated using Schedule D—represents a *de facto* deferral to the utility's sole shareholder, the Provincial Government."²⁹ The CSC suggested that "[t]hese figures are designed for inventory reporting, not marginal or time-based rate design analysis".³⁰ Further, the CSC argued that the CEA does not prohibit the BCUC from "examining actual emissions associated with legally defined clean resources." The CSC submitted that its submission of expert GHG analysis is fully consistent with the province's EEIF framework and does not seek to challenge or redefine the CEA's terminology.³¹

The CSC also raised various other concerns in the CSC Reconsideration on GHG Emissions. In particular, the CSC submitted that it was ambiguous whether or not the Evidence Ruling was mandatory or advisory in nature, and argued that the Evidence Ruling "did not contain clear procedural warnings, explicit determinations on specific subject matter, or notification that the document carried the force of a ruling."³² The CSC requested that the BCUC acknowledge that procedural clarity was lacking in the Evidence Ruling, and that future scope rulings should include express notice of reconsideration rights.³³

The CSC also submitted that its earlier request for a pause of the present proceeding pending the CleanBC review³⁴ was never formally ruled on, and that the decision to proceed without pause constituted a *de facto* denial. In the CSC's view, the "exclusion of lifecycle GHG evidence on the grounds of government jurisdiction, while refusing to allow that jurisdiction to operate through the CleanBC Review, creates a procedural contradiction that further warrants reconsideration."³⁵

Further, the CSC stated that the Mommsen Report is "already in the evidentiary record, filed by BC Hydro as part of its March 20, 2025 Application Update (Exhibit B-8)."³⁶ According to the CSC, the CSC's "submission of the same report did not constitute an attempt to reintroduce a previously excluded topic, but to ensure that this evidence—already before the Commission—is accompanied by independent interpretation and expert analysis."³⁷

²⁷ Exhibit C10-12, pp. 1, 6-7.

²⁸ *Ibid.*, p. 3.

²⁹ *Ibid.*, p. 4.

³⁰ *Ibid.*

³¹ *Ibid.*

³² *Ibid.*, p. 2.

³³ *Ibid.*, p. 6.

³⁴ Exhibit C10-5.

³⁵ Exhibit C10-12, p. 3.

³⁶ *Ibid.*, p. 5.

³⁷ *Ibid.*

The CSC argued that “[e]xcluding CSC’s ability to file an interpretive submission while allowing BC Hydro’s use of the same material creates an asymmetrical evidentiary standard,” as it “permits the utility to selectively incorporate scientific literature to support its position, while denying interveners the opportunity to respond with expert context.”³⁸ The CSC requested that, if the BCUC declines to admit the CSC’s independent submission of the Mommsen Report, then the BCUC confirm that “CSC may continue to reference and rely on the version of the report already submitted by BC Hydro for the purposes of Information Requests, interpretive commentary, and final argument.”³⁹

Panel Determination

The Panel directs BC Hydro to file a submission with the BCUC, by Friday, June 20, 2025, regarding the CSC’s request that the BCUC allow the CSC to file expert evidence on hydro GHG emissions, including the Mommsen Report. The CSC may file reply submissions on this topic by Friday, June 27, 2025. The Panel considers it appropriate to receive submissions from BC Hydro on this topic before making a determination.

Regarding the CSC’s submission that it was ambiguous whether or not the Evidence Ruling was mandatory or advisory in nature, the Panel notes that the BCUC may issue directives and determinations by way of orders and letters. The Panel finds that the language of the Evidence Ruling made it clear that the Panel had made a binding determination regarding the scope of intervener evidence. With regards to the CSC’s request that the BCUC’s “future scope rulings should include express notice of reconsideration rights,” the Panel notes that Part V of the Rules sets out the Rules applicable to reconsiderations of BCUC decisions. In addition, Rule 1 provides that “[a]ny person engaged in any matter before the BCUC must follow all rules, guidelines and practice directives that are issued by the BCUC.” Interveners in BCUC proceedings, including the CSC, should accordingly familiarize themselves with the Rules. The BCUC does not, in general, need to provide notice of reconsideration rights as part of its decisions.

Regarding the CSC’s submission that its earlier request for a pause of the present proceeding pending the CleanBC review was never formally ruled on, and that the decision to proceed without pause constituted a *de facto* denial, the Panel notes that the precise timeline for the finalization of the CleanBC review is unclear, and the BCUC makes determinations based on the state of the law and policy at the time applications are filed as a matter of course. As such, the Panel affirms that it is appropriate to continue with the process that has been established for the Net Metering proceeding.

Regarding the CSC’s request that the BCUC confirm whether the CSC may continue to reference and rely on the version of the Mommsen Report already submitted by BC Hydro for the purposes of information requests (IRs), interpretive commentary, and final argument, the Panel notes that its determinations on scope in the Evidence Ruling only relate to the scope of intervener evidence.⁴⁰

5.0 CSC Reconsideration on Solar Gardens and Rebates

In the CSC Reconsideration on Solar Gardens and Rebates, the CSC requested that the BCUC:

³⁸ Exhibit C10-12, p. 5.

³⁹ *Ibid.*, p. 6.

⁴⁰ Exhibit A-24, p. 2.

- reconsider and reverse the exclusion of “solar gardens” from scope;⁴¹
- clarify the scope status of Virtual Net Metering (VNM), given that the BCUC has “only explicitly ruled that ‘solar gardens’ are out of scope” and has not provided guidance on how solar gardens relate to VNM;⁴²
- confirm that BC Hydro’s “Solar Rebate program is within scope for evidentiary review”;⁴³
- confirm that BC Hydro’s “Load Displacement and \$0.00/kWh pilot export programs are within scope and subject to IRs and evidence”;⁴⁴ and
- as an alternative, direct BC Hydro to revise its modeling to exclude rebate assumptions, so that all evidence is considered on a consistent and testable basis.⁴⁵

Panel Determination

The Panel addresses each of the CSC’s requests in the CSC Reconsideration on Solar Gardens and Rebates, in turn, below.

As set out in Section 2.0 of this decision, above, the Panel has rescinded the determination in the Evidence Ruling that solar gardens were out of scope for intervener evidence. As such, **the Panel determines that no further action is required to address the CSC’s request that the BCUC reconsider and reverse the exclusion of “solar gardens” from scope.**

Regarding the CSC’s request for clarification regarding the scope status of VNM, the Panel notes that its rulings on the scope of intervener evidence, including the Evidence Ruling and the current decision, have not excluded VNM as a topic. Therefore, VNM is in scope for intervener evidence, subject to any submissions being relevant and applicable to this proceeding. Therefore, **the Panel determines that no further action is required to address the CSC’s request regarding VNM.**

As set out in Section 3.0 of this decision, above, the Panel has varied the determination in the Evidence Ruling that rebates were out of scope for intervener evidence. Evidence regarding how rebates impact BC Hydro’s proposed net metering rates are now in scope for intervener evidence, while the merits of rebates and other DSM programs, including the appropriateness of particular incentive levels and program designs, remain out of scope for intervener evidence. In light of this variance, **the Panel determines that no further action is required to address the CSC’s request regarding confirmation of whether BC Hydro’s “Solar Rebate program is within scope for evidentiary review.”**

Regarding the CSC’s request for confirmation that BC Hydro’s “Load Displacement and \$0.00/kWh pilot export programs are within scope and subject to IRs and evidence,” the Panel notes that the programs referenced by the CSC appear to be part of BC Hydro’s DSM programs. To the extent that this is the case, the Panel’s determinations in Section 3.0 of this decision, above, apply to BC Hydro’s Load Displacement and \$0.00/kWh pilot export programs as well. **The Panel determines that no further action is required to address CSC’s request regarding BC Hydro’s Load Displacement and \$0.00/kWh pilot export programs.**

⁴¹ Exhibit C10-13, pp. 1-2, 4.

⁴² Exhibit C10-13, pp. 3-5.

⁴³ Ibid., pp. 4-5.

⁴⁴ Ibid., pp. 1, 5.

⁴⁵ Ibid., p. 5.

Finally, given the Panel’s determinations regarding rebates set out in Section 3.0 of this decision, above, which have resulted in evidence regarding how rebates impact BC Hydro’s proposed net metering rates now being in scope for intervener evidence, **the Panel determines that no further action is required to address the CSC’s alternative request for the Panel to direct BC Hydro to revise its modeling to exclude rebate assumptions.**

6.0 Panel Discussion regarding Intervener Participation

The Panel notes that there was significant repetition in interveners’ submissions and reconsideration requests regarding the Evidence Ruling. For instance, the relief sought by CSC in the CSC Reconsideration on Solar Gardens and Rebates had significant overlap with the relief sought by EcoSmart in the EcoSmart Reconsideration on Solar Gardens and the EcoSmart Reconsideration on Rebates. However, the CSC did not address how its requested relief related to the relief sought by EcoSmart.

The Panel expects that, in the future, interveners will assess the extent to which their submissions relate to the submissions that have already been filed by other parties on related topics, and tailor their submissions accordingly, in order to avoid an unnecessary duplication of efforts and ensure an efficient process. The Panel also reminds interveners of Rule 10.02, which states that “[i]ntervenors are expected to take reasonable efforts to avoid the duplication of evidence.”

DATED at the City of Vancouver, in the Province of British Columbia, this 16th day of June 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