



ORDER NUMBER
G-147-25

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

and

Cambie Gardens Energy Limited Partnership
Terms of Service and Rates for the City of Vancouver and S.U.C.C.E.S.S. Affordable Housing Society

BEFORE:

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

on June 16, 2025

ORDER

WHEREAS:

- A. By Order G-249-24, dated September 24, 2024, the British Columbia Utilities Commission (BCUC) issued its decision (Complaint Decision) regarding a complaint filed by S.U.C.C.E.S.S. Affordable Housing Society (SUCCESS) and the City of Vancouver (City). The complaint was regarding the inability to reach an agreement between Cambie Gardens Energy Limited Partnership (CGE) and SUCCESS on the rates and terms for the delivery of thermal energy service from the CGE thermal energy system (TES);
- B. By Order G-373-21, dated December 15, 2021, the BCUC granted CGE an exemption from sections 44.1, 45 and 59–61 of the *Utilities Commission Act* (UCA) for the CGE TES in accordance with the BCUC's TES Guidelines that were in effect at that time by Order G-27-15;
- C. The BCUC in the Complaint Decision provided recommendations and guidance to CGE and the City and SUCCESS with respect to rates and terms of the service agreement and directed that the parties had an additional six months from the date of G-249-24 to negotiate a long-term service agreement. The BCUC further directed that the parties were to provide notification to the BCUC if they were unable to reach agreement within this time period;
- D. By letters dated March 21, 2025 and March 25, 2025, with updates filed on April 28, 2025 and April 22, 2025 respectively, CGE and the City and SUCCESS confirmed that they have not reached agreement on a long-term service agreement; and
- E. The BCUC has reviewed the submissions and determines that initiating a proceeding and establishing a regulatory timetable is warranted.

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

1. A regulatory timetable is established, as set out in Appendix A to this order.
2. CGE is directed, as soon as practicable, but not later than Thursday, June 19, 2025 to provide a copy of this Order and Decision to its customers of the CGE TES (other than SUCCESS) namely its commercial customer and its residential strata customer.
3. CGE is directed to file with the BCUC the information set out in Section 2 of the Decision accompanying this Order by Thursday, June 26, 2025.
4. CGE and the City and SUCCESS are invited to provide submissions and reply submissions by Thursday, July 17, 2025 and Tuesday July 29, 2025, respectively, on the topics set out in Section 2 of the Decision accompanying this Order.
5. In accordance with the BCUC's Rules of Practice and Procedure, any party wishing to comment is invited to submit a Letter of Comment by the date established in the regulatory timetable. Letters of Comment must be submitted by way of the Letter of Comment Form available on the BCUC's website at <https://www.bcuc.com/Forms/LetterOfComment>.

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

Cambie Gardens Energy Limited Partnership
Terms of Service and Rates for the City of Vancouver and S.U.C.C.E.S.S. Affordable Housing Society

REGULATORY TIMETABLE

Action	Date (2025)
CGE to provide notice	Thursday, June 19
CGE to file further information	Thursday, June 26
Letter of comment deadline	Thursday, July 10
CGE and the City and SUCCESS written submissions	Thursday, July 17
CGE and the City and SUCCESS reply submissions	Tuesday, July 29

DECISION

1.0 Introduction

By Order G-249-24, dated September 24, 2024, the British Columbia Utilities Commission (BCUC) issued its decision (Complaint Decision) regarding a complaint filed by S.U.C.C.E.S.S. Affordable Housing Society (SUCCESS) and the City of Vancouver (City). The complaint was regarding the inability to reach an agreement between Cambie Gardens Energy Limited Partnership (CGE) and SUCCESS on the rates and terms for the delivery of thermal energy service from the CGE thermal energy system (TES). In the Complaint Decision, the BCUC provided recommendations and guidance to the parties with respect to rates and terms of the service agreement and directed that the parties had an additional six months from the date of Order G-249-24 to negotiate a long-term service agreement. The BCUC further directed that the parties were to provide notification to the BCUC if they were unable to reach agreement within this time period.¹

By letters dated March 21, 2025 and March 25, 2025, with updates filed on April 28, 2025 and April 22, 2025, CGE and the City and SUCCESS, respectively, confirmed that they have not reached agreement on a long-term service agreement.

CGE is a Legacy Stream A TES² under the BCUC's regulatory framework for TES and is exempt from sections 44.1, 45 and 59–61 of the *Utilities Commission Act* (UCA) for the CGE TES pursuant to BCUC Order G-373-21.³ The City is the owner of an airspace parcel that is leased by SUCCESS, who receives thermal energy services from CGE.

2.0 Panel Determination

The Panel observes that the parties have had over eight months since the BCUC's issuance of the Complaint Decision to negotiate a long-term service agreement, which has proven to be unsuccessful. The Complaint Decision provided numerous recommendations to the parties regarding the long-term service agreement, so the Panel considers it unfortunate that the parties were not able to come to an agreement during this time. Given no long-term agreement has been reached, which is a requirement of the BCUC's TES Guidelines, the Panel determines that initiating a proceeding and establishing a regulatory timetable, with the intent to set CGE's rates and terms of service with respect to its service to SUCCESS, is warranted. The Panel will consider the necessary amendments to CGE's exemption to facilitate the setting of CGE's rates and terms of service and whether and how CGE has implemented the BCUC's recommendations as set out in Order G-249-24.

As set out by the regulatory timetable, CGE is to file with the BCUC the following information by June 26, 2025. This filing must include:

1. The proposed service agreement with SUCCESS blacklined showing all changes from the service agreement filed in Appendix C of Exhibit B-4-1 of the complaint proceeding.
2. CGE's financial model that supports CGE's proposed service agreement, in working excel format.

¹ G-249-24, Directive 1 and 2.

² The BCUC's TES Guidelines, approved by Order G-48-25, provide that a Legacy Stream A TES is a TES that was granted an individual Stream A exemption order prior to issuance of the current TES Guidelines (February 26, 2025).

³ G-373-21 dated December 15, 2021.

3. An assessment of how and where (page number and/or clause reference) the proposed service agreement implements the BCUC's recommendations provided in Order G-249-24. If applicable, CGE is to provide rationale for any of the BCUC's recommendations not implemented.

Following the filing of the above information, CGE and the City and SUCCESS may provide submissions and reply submissions regarding the following:

1. The BCUC's intention to amend CGE's exemption, which is currently set out by Order G-373-21, to rescind CGE's exemption from sections 59-61 of the UCA with respect to its service to SUCCESS. It is the BCUC's intention to leave in effect CGE's exemption from sections 44.1 and 45 of the UCA and CGE's exemption from sections 59-61 of the UCA with respect to its service to its strata and commercial customers, who already have long-term service agreements in place.
2. CGE's proposed service agreement, including whether CGE has reasonably incorporated the BCUC's recommendations as set out by Order G-249-24. Submissions on CGE's proposed service agreement should address whether the BCUC's recommendations have been reasonably implemented and any new facts or changes in circumstances that have occurred since issuance of Order G-249-24. Parties should not revisit issues that were raised in the complaint proceeding.

Subject to consideration of the above items, the Panel intends to issue a decision setting CGE's rates and terms of service with respect to CGE's service to SUCCESS. The Panel may, however, amend the regulatory timetable if it determines necessary to do so.

If a party wishes to keep confidential any information in a document filed in this proceeding, it must apply for and provide justification to the BCUC in accordance with Part IV of the BCUC's Rules of Practice and Procedure. Parties must also file a proposed redacted version of the document that the BCUC can make publicly available.

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 Elizabeth (Lisa) Brown

E. A. Brown
Commissioner