



**ORDER NUMBER
G-169-25**

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 July 4, 2025

ORDER

WHEREAS:

- A. By Orders G-39-25 dated February 21, 2025, G-105-25 dated April 23, 2025 and G-145-25 dated June 16, 2025, the British Columbia Utilities Commission (BCUC) established and amended the Net Metering Service Rates (Net Metering) proceeding timetable;
- B. On May 15, 2025, the Community Solar Coalition (CSC) submitted its notice 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, in which the BCUC determined the topics that were out of scope for intervenor evidence, which included lifecycle greenhouse gas (GHG) emissions from different energy sources;
- D. 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 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;
- E. 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;

- F. On June 6, 2025, the CSC filed a request for reconsideration (CSC's 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 intervener evidence and not to allow the Mommsen Report into the proceeding record;
- G. By Order G-145-25 dated June 16, 2025, the BCUC directed BC Hydro to file a submission with the BCUC regarding the CSC's Request for Reconsideration by June 20, 2025, and permitted the CSC to provide a reply to BC Hydro's submission by June 27, 2025;
- H. On June 20, 2025, BC Hydro filed a submission (BC Hydro's Submission) regarding CSC's Request for Reconsideration;
- I. On June 27, 2025, the CSC filed a submission (CSC's Submission) that included a reply to BC Hydro's Submission; a request for a procedural conference to clarify the scope of allowable evidence, among other things; and a request for reconsideration of the Net Metering proceeding timetable set out and amended in Orders G-105-25 and G-145-25; and
- J. The BCUC has reviewed the submissions of CSC and BC Hydro and finds the following determinations are warranted.

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

1. The CSC's request for reconsideration of the exclusion of lifecycle GHG emissions from different energy sources from the scope for intervener evidence and the rejection of the Mommsen Report as intervener evidence is denied.
2. The CSC's request for a procedural conference is denied.
3. The CSC's request for a reconsideration of the Net Metering proceeding timetable set out and amended in Orders G-105-25 and G-145-25 is summarily dismissed.

DATED at the City of Vancouver, in the Province of British Columbia, this 4th day of July 2025.

BY ORDER

Electronically signed by Mark Jaccard

M. Jaccard
Commissioner

British Columbia Hydro and Power Authority
Net Metering Service Rates

DECISION

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1.0 Introduction

By Orders G-39-25, G-105-25 and G-145-25, dated February 21, 2025, April 23, 2025 and June 16, 2025, respectively, the British Columbia Utilities Commission (BCUC) established and amended the British Columbia Hydro and Power Authority (BC Hydro) Net Metering Service Rates (Net Metering) proceeding timetable.

On May 15, 2025, the Community Solar Coalition (CSC) submitted its notice of intent to file evidence in the Net Metering proceeding which included, among other topics, evidence on lifecycle greenhouse gas (GHG) emissions from hydropower.

On May 28, 2025, the BCUC issued a letter addressing interveners' notices of intent to file evidence (Evidence Ruling), in which the BCUC determined the topics that were out of scope for intervenor evidence, which included lifecycle greenhouse gas (GHG) emissions from different energy sources.

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 GHG emissions of hydroelectric generation is within scope for the purpose of evaluating the proposed export compensation and the underlying assumptions about the BC Hydro system GHG emissions; or
2. Alternatively, issue a clear and reasoned ruling excluding this evidence.

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.

On June 6, 2025, the CSC filed a request for reconsideration (CSC's 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.

By Order G-145-25 dated June 16, 2025, the BCUC directed BC Hydro to file a submission with the BCUC regarding the CSC's Request for Reconsideration by June 20, 2025, and permitted the CSC to provide a reply to BC Hydro's submission and June 27, 2025.

On June 20, 2025, BC Hydro filed a submission (BC Hydro's Submission) regarding CSC's Request for Reconsideration.

On June 27, 2025, the CSC filed a submission (CSC's Submission) that included a reply to BC Hydro's Submission; a request for a procedural conference to clarify the scope of allowable evidence, among other things; and a request for reconsideration of the Net Metering proceeding timetable set out and amended in Orders G-105-25 and G-145-25.

In the sections below, the Panel summarizes and provides its determinations on CSC's Request for Reconsideration regarding intervenor evidence scope, the CSC's request for a procedural conference, and the CSC's request for reconsideration of the Net Metering proceeding timetable set out and amended in Orders G-105-25 and G-145-25.

2.0 CSC's Request for Reconsideration on GHG Emissions

Below, the Panel first provides an overview of the BCUC's rationale in the Evidence Ruling and its subsequent clarification for the exclusion of lifecycle GHG emissions from different energy sources from the scope of intervenor evidence. Then, the Panel describes CSC's Request for Reconsideration, BC Hydro's Submission and CSC's reply. Finally, the Panel sets out its determination on the CSC's request for reconsideration of the exclusion of lifecycle GHG emissions from different energy sources from the scope for intervenor evidence and the rejection of the Mommsen Report as intervenor evidence.

2.1 BCUC Evidence Rulings

In the Evidence Ruling, the BCUC determined that lifecycle GHG emissions from different energy sources were out of scope for intervenor evidence.¹ 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 clarification of the BCUC's rationale for excluding lifecycle GHG emissions from different energy sources from the scope of intervenor evidence:²

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 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]

2.2 CSC'S Request for Reconsideration

In the CSC's Request for Reconsideration, 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 hydropower GHG emissions due to its relevance in assessing "export valuation, avoided cost analysis, and DER [distributed energy resources] valuation."³

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." The CSC suggested that "[t]hese figures are designed for inventory reporting, not marginal or time-based rate design analysis." 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.⁴

¹ Exhibit A-24, p. 1.

² Exhibit A-25, pp. 2-3.

³ Exhibit C10-12, pp. 1-6-7.

⁴ Exhibit C10-12, p. 4.

The CSC argued that “[e]xcluding CSC’s ability to file an interpretive submission while allowing BC Hydro’s use of the same material [the Mommsen Report] 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.” The CSC requested that, if the BCUC declines to admit the CSC’s independent submission of the Mommsen Report, then the BCUC confirms 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.”⁵

2.3 BC Hydro’s Submission on CSC’s Reconsideration Request

In BC Hydro’s Submission in response to CSC’s Request for Reconsideration, BC Hydro submits that the BCUC’s decision to disallow intervenor evidence on hydropower GHG emissions, including the Mommsen Report, was reasonable and that the BCUC should confirm its decision.⁶

BC Hydro submits that its position, as indicated in response to information requests to the CSC,⁷ is that the Self-Generation Service Rate and the Community Generation Service Rate should not reflect a value based on GHG emissions for the following reasons:⁸

- Societal benefits should not be included in the Energy Price;
- Environment and climate benefits of distributed solar should be “assumed to be zero due to the existing non-emitting resource mix and no planned buildout of emitting resources”;
- The CEA defines “clean or renewable resource” as “biomass, biogas, geothermal heat, hydro, solar, ocean, wind or any other prescribed resource”; and
- To the extent that the energy contribution from net metering increases, this will decrease the amount of utility-scale clean or renewable resources that BC Hydro would otherwise acquire.

BC Hydro submits that the BCUC, based on its legal framework, cannot differentiate between hydro and solar, on the basis of GHG emissions, when setting a rate. It adds that sections 58 to 61 of the *Utilities Commission Act* set out the BCUC’s rate-setting function and the legal test for rates to be fair, just and not unduly discriminatory. Given the CEA definition of “clean” treats “hydro” and “solar” as equivalent, treating those resources differently in the Self-Generation Service Rate or Community Generation-Service Rate based on GHG emissions would be, in BC Hydro’s submission, unjust and unduly discriminatory, and therefore, outside of the BCUC’s rate setting function.⁹

Finally, with respect to BC Hydro’s inclusion of the Mommsen Report in its application, BC Hydro explains that it established the Net Metering Working Group to help BC Hydro better understand the needs and perspectives of customers and stakeholders participating in BC Hydro’s net metering service. In order to be transparent about disagreements, BC Hydro adds that it encouraged working group members to make submissions in this proceeding regarding any disagreements they may have with BC Hydro and the Mommsen Report was part of BC Hydro’s application as a record of feedback received during engagement to help facilitate transparency around areas of disagreement.¹⁰

⁵ Exhibit C10-12, pp. 5-6.

⁶ Exhibit B-17, p. 1.

⁷ Exhibit B-15, CSC IR1 1.1.8.

⁸ Exhibit B-17, pp. 1-2.

⁹ *Ibid.*, pp. 2-3.

¹⁰ Exhibit B-17, p. 2, based on information in Exhibit B-1, sections 3.4.3 and 3.4.7.

2.4 CSC's Reply to BC Hydro's Submission

In its reply to BC Hydro's Submission, the CSC reiterates its disagreement with BC Hydro's perspective that climate, emissions and societal value should be out of scope when considering the value of solar.¹¹

The CSC notes that one of Dunsky's responses to CSC IRs provided calculations of avoided GHG emissions under different assumptions, that they revealed a higher "Value of Solar" under specific assumptions, and that BC Hydro did not object to that evidence being on the record. The CSC adds that modelling assumptions on whether solar provides GHG benefits are highly material.¹²

CSC submits that excluding societal benefits, such as avoided emissions or resilience, narrows the analysis in ways that distort DER valuation.¹³

CSC also states that BC Hydro's position that, based on the CEA, distinguishing between hydro and solar from an emissions perspective would be unjust and unduly discriminatory is not consistent with its different treatment of the same resources based on capacity profile and integration costs.¹⁴

Finally, CSC reiterates that it would be procedurally unfair for the BCUC to accept arguments or modelling from BC Hydro and its consultants that touch on GHG emissions and DER climate value, while denying interveners the right to present responsive evidence on the same topics.¹⁵

Panel Determination

The CSC's request for reconsideration of the exclusion of lifecycle GHG emissions from different energy sources from the scope for intervener evidence and the rejection of the Mommsen Report as intervener evidence is denied. Accordingly, as previously determined, evidence on lifecycle GHG emissions from different energy sources is out of scope for intervener evidence. The Panel is not persuaded by the CSC's submissions that further intervener evidence on lifecycle GHG emissions is necessary to determine a just and reasonable rate in the Net Metering proceeding.

The BCUC is empowered to establish its own processes, and the Panel observes that the filing of intervener evidence is not a requirement or the norm for all proceedings. In this proceeding, while the Panel has permitted intervener evidence, it is empowered to limit the scope of intervener evidence to those topics that may facilitate a better understanding of issues in the proceeding.¹⁶ In summary, procedural fairness does not require that intervener evidence must be admitted on every topic that is explored by BC Hydro in its application. Additionally, the Panel observes that the broader topic of whether social and environmental attributes should inform the rate design has not been excluded from the scope of the proceeding.

Finally, the Panel is not persuaded that there is just cause to contest the Panel's previous decision on the scope of intervener evidence, which was based upon the well-defined framework for determining GHG emissions associated with electricity in BC. As noted above, the determination on scope relates only to intervener evidence, and the Panel observes that CSC has had the opportunity to ask information requests on the topic of hydropower GHG emissions, which BC Hydro has responded to, and remain part of the evidentiary record. In the Panel's view, the issue of lifecycle GHG emissions for the purpose of setting a just and reasonable rate for net

¹¹ Exhibit C10-17, p. 3.

¹² Ibid., pp. 3-4.

¹³ Ibid., p. 3.

¹⁴ Ibid., p. 4.

¹⁵ Ibid., p. 5.

¹⁶ For example, see Order G-255-24 dated September 27, 2024, in the FortisBC Energy Inc. and FortisBC Inc. 2025 to 2027 Rate Setting Framework proceeding, p. 2.

metering services can be sufficiently addressed through other means, such as information requests and argument, and intervenor evidence is not necessary for the CSC to be able to fairly present its case on this matter. In summary, the Panel finds that intervenor evidence regarding GHG emissions would not assist the BCUC's determination on setting a rate for net metering services that is just, reasonable, and not unduly discriminatory. Accordingly, the Panel dismisses CSC's reconsideration request.

3.0 CSC's Request for a Procedural Conference

CSC's Submission included a request for a procedural conference on the basis of "persistent ambiguity regarding scope of allowable evidence, procedural asymmetry affecting interveners and uncertainty regarding participant cost award (PCA) eligibility."¹⁷

CSC identifies the "requested outcomes" of the procedural conference as follows:¹⁸

- Clarify the scope of admissible evidence, particularly regarding greenhouse gas emissions, rebates, and DER valuation;
- Provide guidance on PCA eligibility, in light of current uncertainty around scope and process;
- Address concerns about premature implementation and misleading public communication regarding Rate Schedules 2289 and 2290;
- Direct BC Hydro to remove or revise public-facing materials that portray RS 2289 and RS 2290 as approved, including:
 - Taking down or correcting misleading website content and rebate terms; and
 - Reinstating the use of the term "Net Metering" in place of "Self-Generation" to reflect that Rate Schedule 1289 remains in legal force;
 - Reversing the current requirement that rebate recipients must pre-commit to RS 2289, which has not been approved by the Commission and remains subject to review;
- Provide a forum for solar installers and developers to share firsthand experience of market impacts to date; and
- Reaffirm the Commission's authority and responsibility to approve, rather than retroactively validate, rate design proposals.

Panel Determination

The Panel denies CSC's request for a procedural conference. The Panel notes that the CSC's requested outcomes either have already been addressed in the proceeding, such as clarification of the scope of admissible evidence and the process for applying for PCA;¹⁹ are not part of the scope of the proceeding (for example, matters related to BC Hydro's public communications on its website); or are substantive matters relating to the approvals sought by BC Hydro in this proceeding that may be more appropriately addressed in final arguments. Finally, the BCUC's jurisdiction and authority for the purpose of the current proceeding is clearly defined in sections 58 to 61 of the *Utilities Commissions Act*. Additionally, a procedural conference would result in an unwarranted delay to the regulatory timetable and would require imposing additional time and expense upon all parties in the proceeding.

¹⁷ Exhibit C10-17, Request for Procedural conference, p. 1 (pdf p. 10).

¹⁸ Ibid.

¹⁹ Exhibit A-24; Exhibit A-25; Exhibit A-26; and Exhibit A-28.

4.0 CSC's Request to Reconsider the Proceeding Timetable

In CSC's Submission, as part of its request for a procedural conference, the CSC requests that the Panel reconsider the issuance of the timetable initially established in Order G-105-25 and instead delay the Net Metering proceeding to await the outcome of a forthcoming CleanBC Review. CSC notes that the published Terms of Reference for the CleanBC Review indicate that new policy will overlap with the outcome of the Net Metering proceeding. CSC adds that "[a] procedural conference is needed to ensure alignment, consistency, and clarity on how CleanBC will be reflected and treated in utility regulatory actions."²⁰

Panel Determination

The Panel summarily dismisses CSC's request for a reconsideration of the Net Metering proceeding timetable. The Panel observes that CSC has proposed a pause of the Net Metering proceeding in previous submissions,²¹ and this matter was addressed in the decision accompanying Order G-145-25, as follows:²²

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.

CSC has not demonstrated any just cause for the Panel to reconsider its previous determination on this topic. Additionally, the Panel notes that the timeline in the Terms of Reference for the CleanBC Review refers to the filing of a report which will include recommendations to Government,²³ and does not represent a timeline for the implementation of any new policy.

DATED at the City of Vancouver, in the Province of British Columbia, this 4th day of July 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

²⁰ Exhibit C10-17, Request for Procedural conference, p. 4 (pdf p. 14).

²¹ Exhibit C10-5; Exhibit C10-12, p.3.

²² BCUC Order G-145-25, p. 7.

²³ See sections 2 and 3 of the Terms of Reference.