



**ORDER NUMBER**  
**G-24-26**

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 February 12, 2026

**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 of Cambie Gardens Energy Limited Partnership (CGE) and SUCCESS to reach an agreement 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 to 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. CGE provides thermal energy to three customers: SUCCESS, which is a tenant of an airspace parcel owned by the City; a residential strata; and a commercial customer. CGE has executed service agreements in place with its residential strata and commercial customers;
- D. In the Complaint Decision, the BCUC provided recommendations and guidance to CGE and the City and SUCCESS with respect to rates and terms of a 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 period;
- E. 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 had not reached agreement on a long-term service agreement;

- F. By Order G-147-25, dated June 16, 2025, the BCUC initiated a proceeding to set CGE's rates and terms of service with respect to its service to SUCCESS and established a regulatory timetable. The regulatory timetable included provision of notice to the other customers of the CGE TES, information to be filed by CGE, a letter of comment deadline, and submissions from CGE and the City and SUCCESS;
- G. By Order G-294-25, dated December 11, 2025, the BCUC found that varying CGE's Stream A TES exemption to enable the BCUC to set CGE's rates and terms of service for SUCCESS was warranted. Specifically, the BCUC found that CGE should no longer be exempt from sections 59 to 61 of the UCA with respect to its service to SUCCESS. The BCUC also directed CGE to revise its service agreement with SUCCESS in accordance with the directives set out by the decision attached to Order G-294-25 and file it with the BCUC by January 20, 2026;
- H. On January 20, 2026, CGE filed its revised service agreement with SUCCESS, and accompanying financial model in response to Order G-294-25;
- I. By Order G-24-26, dated February 12, 2026, the BCUC, with advance approval from the Minister responsible for the administration of the *Hydro and Power Authority Act*, varied CGE's exemption such that CGE is no longer exempt from sections 59 to 61 of the UCA with respect to its service to SUCCESS. Specifically, the BCUC varied Order G-373-21 to state that CGE is exempt from sections 44.1, 45 and 59 to 61 of the UCA with respect to CGE's service to the residential strata customer and the commercial customer of the CGE TES and sections 44.1 and 45 of the UCA with respect to CGE's service to SUCCESS; and
- J. The BCUC has reviewed the evidence and submissions in this proceeding and finds the following determinations are warranted.

**NOW THEREFORE** pursuant to Sections 59 to 61 of the UCA, and for the reasons outlined in the decision accompanying G-294-25, the BCUC orders as follows:

1. CGE's service agreement with SUCCESS, as filed in Exhibit B-9, and subject to the revisions set out in Appendix A to this Order is approved effective September 15, 2022 (Service Agreement).
2. CGE is approved to charge a basic charge of \$2.27 per square foot per annum on a permanent basis, effective September 15, 2022, with an annual escalation rate of 3.0 percent for the duration of the Service Agreement. Basic charge adjustments are subject to the performance review terms set out in the Service Agreement.
3. CGE is approved to charge a variable energy charge on a permanent basis, effective September 15, 2022, to recover actual fuel costs on a flow-through basis, in accordance with the terms set out in the Service Agreement.
4. CGE is directed to file a fully executed Service Agreement with the BCUC for endorsement by Thursday, March 12, 2026.
5. CGE's financial model filed in Exhibit B-9-1 will be held confidential unless the BCUC determines otherwise.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 12<sup>th</sup> day of February 2026.

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

**SERVICE AGREEMENT REVISIONS**

	<b>Original – Exhibit B-9</b>	<b>Directed Revision</b>
1	<p>The second sentence of Section 23 (a) states:</p> <p>At least six months prior to implementing a rate change under the Performance Ratio as a result of the Performance Review, the Utility will send an information package to the Customer to explain the calculation of the Performance Ratio, including details of the forecast and actual costs used in this calculation.</p>	<p>Replace with:</p> <p>At least six months prior to the end of a Performance Term, the Utility will send an information package to the Customer to explain the calculation of the Performance Ratio, including details of the forecast and actual costs used in this calculation.</p>
2	<p>Section 23 (d) states in part “Variable Energy Chart”</p>	<p>Replace with: Variable Energy Charge</p>
3	<p>Schedule C, Performance Ratio Report, includes the following items below “Cost of Service – At Rate 1 Allocation”:</p> <ul style="list-style-type: none"> <li>Operations and Maintenance</li> <li>Sustaining Maintenance</li> <li>Insurance</li> <li>Leases</li> <li>Depreciation</li> <li>Interest Costs</li> <li>Capital Replacements</li> </ul>	<p>Below Cost of Service – At Rate 1 Allocation, replace with:</p> <ul style="list-style-type: none"> <li>Operations and Maintenance</li> <li>Sustaining Maintenance</li> <li>Insurance</li> <li>Leases</li> <li>Depreciation</li> <li>Current and Deferred Income Taxes</li> <li>Capital Carrying Costs</li> </ul>
4	<p>Schedule E: Row 4 of Column “Performance Term Review Date” states “Year 20”</p>	<p>Replace “Year 20” with “Year 25”</p>
5	<p>Schedule E: Column “Performance Term Review Years” includes the following items:</p> <ul style="list-style-type: none"> <li>Year 1 – 9</li> <li>Year 11-14</li> <li>Years 16-19</li> <li>Years 21-24</li> </ul>	<p>Replace the items below column “Performance Term Review Years” with the following:</p> <ul style="list-style-type: none"> <li>Years 1-9</li> <li>Years 10-14</li> <li>Years 15-19</li> <li>Years 20-24</li> </ul>