



ORDER NUMBER
G-76-26

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

and

Greater Vancouver Sewerage and Drainage District
Exemption under Section 88(3) of the *Utilities Commission Act*

BEFORE:

E. A. Brown, Commissioner

on April 7, 2026

ORDER

WHEREAS:

- A. On September 9, 2025, the Greater Vancouver Sewerage and Drainage District (GVS&DD) filed an application with the British Columbia Utilities Commission (BCUC) pursuant to section 88(3) of the *Utilities Commission Act* (UCA) seeking approval for exemption from Part 3 of the UCA except for sections 22, 42, and 43, in respect of its planned project (Project) to recover waste heat from its domestic solid waste disposal facility in Burnaby, BC and deliver thermal energy to the City of Burnaby, for use in the City's planned district energy systems, primarily in the Edmonds and Metrotown neighborhoods (Application);
- B. Under the UCA, a public utility is defined in section 1, in part, as:

A person, or the person's lessee, trustee, receiver or liquidator, who owns or operates in British Columbia, equipment or facilities for the (a) production, generation, storage, transmission, sale, delivery or provision of electricity, natural gas, steam or any other agent for the production of light, heat, cold or power to or for the public or a corporation for compensation...
- C. GVS&DD is a body corporate and politic existing pursuant to the *Greater Vancouver Sewerage and Drainage District Act* for the provision of solid waste services, and operates the Waste-to-Energy Facility from which the Project will draw waste heat to generate thermal energy under a Thermal Energy Sale and Purchase Agreement (TESPA), dated July 16, 2025;
- D. In the Application, GVS&DD states that it intends to install equipment to recover waste heat from its Waste-to-Energy Facility, which it has operated since 1988, and deliver that waste heat to the City of Burnaby via a closed-loop hot water pipeline system;
- E. GVS&DD will fall within the definition of a "public utility" under the UCA as a result of undertaking the Project and selling thermal energy to the City of Burnaby;
- F. By Order G-243-25 dated October 9, 2025, the BCUC established a written comment process and regulatory timetable for review of the Application, which included public notice of the Application, one round of BCUC

Information Requests, a Letter of Comment submission period and GVS&DD responses to letters of comment and final argument;

- G. By Order G-25-26 dated February 12, 2026, the BCUC established a further regulatory timetable to provide GVS&DD an opportunity to respond to a letter of comment from Zero Waste British Columbia and to submit any further argument relating to this letter of comment. On February 19, 2026, GVS&DD submitted its response to the Zero Waste British Columbia letters of comment and further final argument;
- H. Section 88(3) of the UCA provides that the BCUC may grant an exemption from the UCA with the advance approval of the minister responsible for the administration of the *Hydro and Power Authority Act*;
- I. By letter dated March 31, 2026, attached as Appendix A to this order, the Minister responsible for the administration of the *Hydro and Power Authority Act* granted advance approval to the BCUC to exempt GVS&DD from certain requirements of Part 3 of the UCA; and
- J. The BCUC has reviewed the Application and determines that granting a partial exemption to GVS&DD from the operation of the UCA is warranted.

NOW THEREFORE the BCUC orders as follows:

- 1. Pursuant to section 88(3) of the UCA, the BCUC, having been granted advance approval by the Minister responsible for the administration of the *Hydro and Power Authority Act*, exempts GVS&DD from the requirements of Part 3 of the UCA, except for sections 22, 42, and 43, with respect to the Project.
- 2. The exemption referred to in Directive 1 of this order remains in effect until the BCUC orders that the exemption no longer applies.

DATED at the City of Vancouver, in the Province of British Columbia, this 7th day of April 2026.

BY ORDER

Electronically signed by Elizabeth A. (Lisa) Brown

E. A. Brown
Commissioner



March 31, 2026

149933

Via email: Proceedings@bcuc.com

Registrar
British Columbia Utilities Commission
Suite 410, 900 Howe Street
Vancouver, BC V6Z 2N3

Dear Registrar:

Thank you for your letter of March 5, 2026, regarding the GVS&DD - Exemption Approval request. Your letter requested advance approval to issue an order pursuant to section 88(3) of the *Utilities Commission Act* (UCA).

The BCUC is seeking advance approval to issue an Order for an exemption from Part 3 of the UCA, excluding sections 22, 42, and 43, with respect to GVS&DD's plans to provide thermal energy to the City of Burnaby.

I, Adrian Dix, Minister of Energy and Climate Solutions, confirm that, pursuant to section 88 (3) of the UCA, approval is given to the British Columbia Utilities Commission (BCUC) to make the exemptions from the indicated provisions of the UCA as set out in the attached draft order of the BCUC.

Sincerely,

Adrian Dix
Minister

Ministry of
Energy and
Climate Solutions

Office of the Minister

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pc: Honourable Niki Sharma, Attorney General of BC
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APPENDIX B

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