British Columbia Utilities Commission

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Request to Intervene

In accordance with the Commission's Rules of Practice and Procedure, a Request to Intervene form must be received by the Commission by the deadline included in the proceeding's regulatory timetable. Please provide a completed form to the Commission Secretary at commission.secretary@bcuc.com. If email is unavailable, forms may be mailed to the Commission Secretary at the address above.

Proceeding Name: **SSL Sustainable Services Ltd. Geothermal Energy System Status**	Date: August 29, 2016

Participant contact information	
Organization name: **CITY OF LANGFORD**	
City: Langford	Province B.C.
Email:	Phone:
If your organization has not submitted an informational document in the last 12 months, please file it with this form.	
For organizations only – representative contact information	
Name: L. John Alexander, **counsel**	
Organization (if different from above): Cox Taylor, Barristers and Solicitors 26 Bastion Sq. Victoria, B.C. V8W 1H9	
City: Victoria	Province: B.C.
Email: alexander@coxtaylor.ca	Phone: 250-388-4457
Also representing (if applicable)	
Additional information	
On August 18, 2016, the Municipal Council of the City of Langford passed the following resolution: "That the CAO seek full party status in the BCUC proceeding established under G-67-16 regarding the status of SSL Sustainable Services Ltd. As a public utility, either by becoming a full participant or alternatively applying for intervener status." This satisfies Sec. 114 of the *UCA.*	

The BC Utilities Commission is authorized to collect and publish a person or organization's personal information when they participate in a matter before the Commission under sections 26(c) and 33.1(r)(ii) and (iii) of the *Freedom of Information and Protection of Privacy Act* (FOIPPA). Subject to FOIPPA, all documents filed in respect to an application will be placed on the public record.

Please state how you are directly or sufficiently affected by the Commission's decision in this matter; or describe your experience, information, or expertise relevant to this matter that would contribute to the Commission's decision making:

Pursuant to the City of Langford Multi Utility Bylaw, 2010 the City has established an "Energy Service" that consists of geo-thermal source, and local distribution system within a defined portion of the City, wholly within the municipal boundary. Pursuant to the bylaw the City may provide the service directly, or through another person or organization.

In accordance with the bylaw, the City entered in to a "Partnering Agreement" as defined in the *Community Charter* with SSL Sustainable Services Ltd. The agreement specifies that during its term, SSL operate both a water and energy system, in accordance with the terms set out in the agreement, and under the Multi-Utility Bylaw.

The services are provided at present within a master planned community, known as Westhills, and the Westhills developer, and its companies, including SSL Sustainable Services Ltd. have built and maintain some ownership of the hard assets making up the distribution systems.

The City, through the Multi-Utility Bylaw Schedule B-E regulates all aspects of the supply of water, including rates.

The City, through the Multi-Utility Bylaw Schedule F-H regulates all aspects of the supply of energy, including rates.

The City says that SSL Sustainable Services Ltd. Is not a "public utility" as defined in the *UCA,* and the Westhills district energy system falls within exemption from the definition referencing "(c) a municipality … in respect of services provided by the municipality … within its own boundaries."

The City is a responsible local government, most closely connected with the needs of its citizens, and does not wish to lose regulatory control over its services. Council is best suited to regulate, and will be most responsive to concerns of ratepayers.

Please list the key issues you intend to address in the proceeding.

The City will argue that it is directly affected by the current proceeding, and should have full status including the right to appeal and/or judicial review.
The City will argue that it is entitled to full procedural fairness protection in the hearing process, and that it should have standing to participate in procedural matters and decisions in this proceeding.
The City will argue that the SSL Sustainable Services Ltd. Energy system is not a public utility, and the BCUC should decline any jurisdiction over its rates or other activities.

For administrative purposes only		
Do you intend to participate fully, including attendance at hearings and submission of evidence or information requests, if applicable?	Yes	
Do you intend to request PACA funding? This does not impact your ability to participate.		No
Have you or your organization web-registered as an intervener or interested party in the past 12 months?		No
If yes, please provide your username:		

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