

Commission Secretary BCUC:EX

From: Oskar Kwieton <kwieton@shapepm.com>
Sent: Tuesday, September 27, 2016 3:50 PM
To: Commission Secretary BCUC:EX
Subject: Exemption from Regulation
Attachments: RME_VLT1_3122_MT_LEHMAN_RD.PDF; RME_VLT2_3122_MT_LEHMAN_RD.PDF;
RME_VLT3_3122_MT_LEHMAN_RD.PDF; RME_MALL_4567_LOUGHEED_HWY.PDF

Please consider this as formal application for exemption from part 3 of the utilities commission act. To be exempt from regulation as a “public utility” as we would like to resell electricity as per the enclosed resale of metered electricity agreements with BC Hydro and resell to tenants with leases longer than 5 years. The precedent for granting exemption was set by awarding an exemption to Templeton DOC Limited Partnership order G-131-15 on August 4, 2015.

If granted the exemption we agree the following;

1. The charges for electricity for each Lessee, inclusive of the Administration Fee, must not exceed the charges that each Lessee would have paid to purchase electricity directly from BC Hydro on an individual basis under the applicable BC Hydro tariff;
2. The exemption will remain in effect until the Commission, after a hearing on its own motion or after a hearing on a complaint by an interested person for which sufficient notice has been given to the persons the Commission believes may be affected, orders that the exemption no longer applies; and
3. We will comply with the BC Hydro and Power Authority Tariff and Terms and Conditions for the Resale of Electricity.

Let me know if you have any questions or require any further information.

Best regards,



Oskar Kwieton Director of Facilities, Operations and Maintenance

D 604.694.7667 **M** 604.360.1097 **W** shapeproperties.com

MAKING PLACES THAT MATTER

2020 One Bentall Centre | 505 Burrard Street, Box 206 | Vancouver, BC | V7X 1M6



Shape Property Management Corp.
2020 – 505 Burrard St.
Vancouver, BC V7X 1M6

13 September 2016

Account number: 8439255
For service at: **VLT3 – 3122 Mt Lehman Rd., Abbotsford, BC**

Resale of Metered Electricity Agreement

Dear Customer,

This agreement applies to any resale of metered electricity purchased by you from BC Hydro at the above location at any time after [Date]. The following terms and conditions apply to every such resale of electricity.

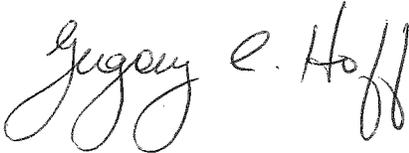
1. You must follow the requirements of the *Electricity and Gas Inspection Act*. This includes getting a Certificate of Registration.
2. You must follow the requirements of the *Utilities Commission Act*. This includes applying to the BC Utilities Commission for exemption from regulation as a “public utility” if you want to resell electricity to a tenant who has a lease term of longer than five years.
3. You may not charge tenants more than the price they would have been charged if served directly by BC Hydro, as outlined in section 9.2 of the Terms and Conditions of the Electric Tariff (copy provided below).
4. BC Hydro will not read, test or maintain any meters it does not own.
5. You must advise your tenants of these arrangements in writing.
6. At any reasonable time requested by BC Hydro, you must provide BC Hydro access to tenant billing records for rate audit purposes. BC Hydro will provide at least 10 business days’ notice of an audit.
7. For each tenant, you must retain a minimum of one year’s electricity usage records, for assistance in resolution of possible disputes.
8. You must advise your tenants of upcoming rate changes as part of your standard procedures.
9. You will be responsible to collect and remit applicable taxes associated with the resale of electricity.

BC Hydro's Electric Tariff, including Rate Schedules can be viewed at bchydro.com/tariffs.

Please note Terms and Conditions 9.2 of the Electric Tariff states:

“Resale of electricity - If a Customer wishes to sell electricity which the Customer has purchased from BC Hydro to a tenant of that Customer on the same premises on a metered basis, then the Customer shall agree that the selling price for such Electricity shall not exceed the price which BC Hydro would have charged had that tenant been a Customer of BC Hydro. This requirement shall be included in an agreement for resale between BC Hydro and the Customer.”

Sincerely,

A handwritten signature in black ink that reads "Gregory C. Hoff". The signature is written in a cursive style with a large, looped 'G' and 'H'.

Gregory C. Hoff | Billing Service Analyst Work Leader

BC Hydro

333 Dunsmuir St, 11th floor

Vancouver, BC V6B 5R3

P 604 979-5444

F 604 528-2516

E bsa.casc@bchydro.com

W bchydro.com

Smart about power in all we do.

ACE036



Shape Property Management Corp.
2020 – 505 Burrard St.
Vancouver, BC V7X 1M6

13 September 2016

Account number: 8518720
For service at: **VLT2 – 3122 Mt Lehman Rd., Abbotsford, BC**

Resale of Metered Electricity Agreement

Dear Customer,

This agreement applies to any resale of metered electricity purchased by you from BC Hydro at the above location at any time after [Date]. The following terms and conditions apply to every such resale of electricity.

1. You must follow the requirements of the *Electricity and Gas Inspection Act*. This includes getting a Certificate of Registration.
2. You must follow the requirements of the *Utilities Commission Act*. This includes applying to the BC Utilities Commission for exemption from regulation as a “public utility” if you want to resell electricity to a tenant who has a lease term of longer than five years.
3. You may not charge tenants more than the price they would have been charged if served directly by BC Hydro, as outlined in section 9.2 of the Terms and Conditions of the Electric Tariff (copy provided below).
4. BC Hydro will not read, test or maintain any meters it does not own.
5. You must advise your tenants of these arrangements in writing.
6. At any reasonable time requested by BC Hydro, you must provide BC Hydro access to tenant billing records for rate audit purposes. BC Hydro will provide at least 10 business days’ notice of an audit.
7. For each tenant, you must retain a minimum of one year’s electricity usage records, for assistance in resolution of possible disputes.
8. You must advise your tenants of upcoming rate changes as part of your standard procedures.
9. You will be responsible to collect and remit applicable taxes associated with the resale of electricity.

BC Hydro's Electric Tariff, including Rate Schedules can be viewed at bchydro.com/tariffs.

Please note Terms and Conditions 9.2 of the Electric Tariff states:

“Resale of electricity - If a Customer wishes to sell electricity which the Customer has purchased from BC Hydro to a tenant of that Customer on the same premises on a metered basis, then the Customer shall agree that the selling price for such Electricity shall not exceed the price which BC Hydro would have charged had that tenant been a Customer of BC Hydro. This requirement shall be included in an agreement for resale between BC Hydro and the Customer.”

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Gregory C. Hoff | Billing Service Analyst Work Leader
BC Hydro

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Shape Property Management Corp.
2020 – 505 Burrard St.
Vancouver, BC V7X 1M6

13 September 2016

Account number: 8508082
For service at: **VLT1 – 3122 Mt Lehman Rd., Abbotsford, BC**

Resale of Metered Electricity Agreement

Dear Customer,

This agreement applies to any resale of metered electricity purchased by you from BC Hydro at the above location at any time after [Date]. The following terms and conditions apply to every such resale of electricity.

1. You must follow the requirements of the *Electricity and Gas Inspection Act*. This includes getting a Certificate of Registration.
2. You must follow the requirements of the *Utilities Commission Act*. This includes applying to the BC Utilities Commission for exemption from regulation as a “public utility” if you want to resell electricity to a tenant who has a lease term of longer than five years.
3. You may not charge tenants more than the price they would have been charged if served directly by BC Hydro, as outlined in section 9.2 of the Terms and Conditions of the Electric Tariff (copy provided below).
4. BC Hydro will not read, test or maintain any meters it does not own.
5. You must advise your tenants of these arrangements in writing.
6. At any reasonable time requested by BC Hydro, you must provide BC Hydro access to tenant billing records for rate audit purposes. BC Hydro will provide at least 10 business days’ notice of an audit.
7. For each tenant, you must retain a minimum of one year’s electricity usage records, for assistance in resolution of possible disputes.
8. You must advise your tenants of upcoming rate changes as part of your standard procedures.
9. You will be responsible to collect and remit applicable taxes associated with the resale of electricity.

BC Hydro's Electric Tariff, including Rate Schedules can be viewed at bchydro.com/tariffs.

Please note Terms and Conditions 9.2 of the Electric Tariff states:

“Resale of electricity - If a Customer wishes to sell electricity which the Customer has purchased from BC Hydro to a tenant of that Customer on the same premises on a metered basis, then the Customer shall agree that the selling price for such Electricity shall not exceed the price which BC Hydro would have charged had that tenant been a Customer of BC Hydro. This requirement shall be included in an agreement for resale between BC Hydro and the Customer.”

Sincerely,

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Gregory C. Hoff | Billing Service Analyst Work Leader

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Agreement For Resale Of Metered Electricity

BETWEEN: Shape Property Management Corp.

(Customer's name)

MALL - 4567 Lougheed Hwy., Burnaby, BC

(Service Address)

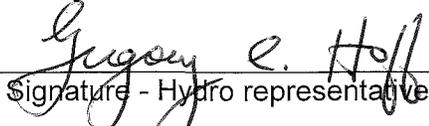
Account number: 7835857

AND: British Columbia Hydro and Power Authority ("BC Hydro")

In this agreement, the customer is authorized to resell metered electricity purchased from BC Hydro pursuant to the following terms and conditions. These terms and conditions are noted below and are in addition to those contained in the Electric Tariff, Terms and Conditions, 9.2 Resale of Electricity.

"If a Customer wishes to sell Electricity which the Customer has purchased from BC Hydro to a tenant of that Customer on the same Premises on a metered basis then the Customer shall agree that the selling price for such Electricity shall not exceed the price which BC Hydro would have charged had that tenant been a Customer of BC Hydro. This requirement shall be included in an agreement for resale between BC Hydro and the Customer."

1. The requirements of the Electricity and Gas Inspection Act must be followed and a Certificate of Registration under the Act shall be obtained by the Customer.
2. The requirements of the Utilities Commission Act must be followed in that, where it is proposed to resell to a tenant who has a lease for a term of more than 5 years, application to the British Columbia Utilities Commission must be made for exemption from regulation as a "public utility".
3. In accordance with the above Terms and Conditions of the Electric Tariff, individual tenants shall not be charged more than the price they would have been charged if served directly by BC Hydro.
4. BC Hydro will not read, test or maintain any meters not owned by BC Hydro.
5. Individual tenants shall be advised of these arrangements in writing by the Customer.
6. BC Hydro shall at reasonable times, and upon ten business days notice, have access to tenant billing records for rate audit purposes.
7. The Customer will retain a minimum of one year's consumption records for each of the tenants, for assistance in resolution of possible consumption disputes.
8. The Customer will include provisions in procedures to advise the tenant of rate changes.
9. The Customer will be responsible for the collection and remittance of all applicable Provincial and Federal taxes associated with the resale of electricity.



Signature - Hydro representative

05 August 2016

Date