

April 10, 2019

British Columbia Utilities Commission
Suite 410, 900 Howe Street
Vancouver, B.C.
E-Filing

Attention: Mr. P. Wruck, Commission Secretary

Dear Sirs/Mesdames:

**Re: British Columbia Utilities Commission (“BCUC”)
An Inquiry into the Regulation of Electric Vehicle Charging Service
Phase 2 – Project No. 1598941
Reply Argument on Revised Scope**

The Clean Energy Association of B.C. (“CEABC”) has reviewed the final submissions/arguments of the other interveners. It agrees with some of the points raised and disagrees with others. In response the CEABC is restricting its comments to the points set out below. Failure to comment on any particular matter is not indicative of support or opposition.

1. Level Playing

In the Ministry of Energy Mines and Petroleum Resources’ Final Submission it says¹:

“MEMPR supports a role for both traditional public utilities, such as BC Hydro and FortisBC, and other entities in delivering EV charging services.,,

In co-operation with the Federal Government, the Province has provided, and intends to continue providing, funding for charging infrastructure that is available to both exempt and non-exempt public utilities”

Assuming the term “*other entities*” includes the private sector then there is a need to try to maintain as level a playing field as possible for investment in electric vehicle charging stations. It is not an academic matter.

¹ Page 2.

As well as the CEABC², BrightSide Solutions has raised this concern and in particular states³:

“...Clearly where one party in the market has the ability to subsidize investment and to have full cost recovery certainty, and the other must take commercial risk, there is no level playing field...”

The BCUC needs to provide ground maintenance for the playing field.

As a possible precedent, BrightSide Solutions also makes extensive reference⁴ to the BCUC’s Alternative Energy Services Inquiry into the use of natural gas for transportation vehicles. However it also states:⁵

“... It should be noted; however, that there has been minimal participation in the supply of fueling stations by non-utility market participants...”

Assuming this statement is correct, it indicates that there is no level playing field for the provision of natural gas fueling stations for transportation vehicles. The regulatory structure, including the use of a Green House Gas Reduction Regulation, should not be used as a precedent for the EV charging market. Material improvements are required.

2. Interconnection

The CEABC notes that other interveners have raised concerns about interconnecting to the distribution systems of non-exempt public utilities⁶. If not dealt with in a non-discriminatory and transparent manner, interconnection can adversely impact the ability of an exempt public utility to provide EV charging services. In this respect, any figures provided by interveners about the amount of required potential investment in province-wide EV charging services that don’t include interconnection costs are not very useful.

3. Amendments to the Greenhouse Gas Reduction Regulation

² Final Submission/Argument, Page 2, response to Question 1

³ Final Submission/Argument, Page 3

⁴ Final Submission/Argument, Pages 1-2

⁵ Inquiry into the Offering of Products and Services in Alternative Energy Solutions and Other Initiatives, December 27, 2012

⁶ BrightSide Solutions Final Submission/Argument, page 4, BCAOPO Final Submission/Argument, page 3

In its Final Submission⁷ the CEABC said that in the absence of a clear indication of “*Government Intentions*” with respect to allowing non-exempt public utilities into the EV charging market, it had no firm position on amending the Greenhouse Gas Reduction Regulation to facilitate this outcome. After reviewing the Final Positions/Arguments of the other interveners it has now concluded that this regulation ought not to be so amended or another regulation passed. In order to maintain a level playing field the BCUC must maintain its traditional oversight over non-exempt public utilities as set out in the Utilities Commission Act⁸.

By way of precedent, the CEABC is particularly concerned about the absence of development of the natural gas fueling market for transportation vehicles. In this instance, the Greenhouse Gas Reduction Regulation replaced the BCUC as the primary “regulator” with the result that no competitive market has developed.

According to MEMPR, this is not the desired outcome in the EV charging market.

All of which is respectfully submitted.

Sincerely,

A handwritten signature in black ink, appearing to read "M Mullany", with a long, sweeping horizontal flourish extending to the right.

Martin Mullany

⁷ Page 7, CEABC response to Question 14

⁸ Page 7, response to Question 14 for a brief review of the BCUC’s regulatory oversight authority