



NEWS RELEASE – BCUC Issues Report on the Regulation of Electric Vehicle Charging Services in BC
November 26, 2018

VANCOUVER – Today, the British Columbia Utilities Commission (BCUC) issues a report outlining its findings and recommendations from Phase 1 of the inquiry into electric vehicle (EV) charging services in the province.

After reviewing the evidence and submissions received in Phase 1, the Panel made several key findings and recommendations, outlined below.

Recommendation to Government

We recommend that the Minister of Energy, Mines and Petroleum Resources issue an exemption with respect to BCUC’s regulation of EV Charging Services but retain oversight on safety.

Market Monopoly	<ul style="list-style-type: none"> The public EV charging market, including landlords and strata corporations, does not exhibit monopoly characteristics.
Public Utility Status	<ul style="list-style-type: none"> The broad definition of “compensation” in the <i>Utilities Commission Act</i> encompasses many forms of direct and indirect compensation rendering most EV charging stations to be public utilities.
Economic Regulation	<ul style="list-style-type: none"> Economic regulation of any aspect of the EV market is not required to protect consumers from potential abuse of monopoly power. This means there is no need to regulate price and terms of service. We recommend an exemption from BCUC regulation. This recommendation also applies to landlords and/or strata corporations and any person not otherwise a public utility that provides EV charging services for compensation (e.g. Tesla, Chargepoint, Parkades, etc.).

The Inquiry will now move into Phase 2 where the BCUC will focus on the regulatory framework for EV charging service providers that are otherwise public utilities and have not been recommended for exemption (e.g. BC Hydro and FortisBC). Phase 2 topics include:

- How can exempt and non-exempt public utilities co-exist in the EV charging services market?
- What role do non-exempt public utilities have in kick-starting the EV charging services market?
- What is a non-exempt public utility’s obligation to serve EV charging customers?
- Should a public utility create a separate non-regulated business entity to provide EV charging services?
- Who should pay for the cost of any stranded assets?
- How should wholesale electricity rates be designed for EV charging services?

- Is EV charging infrastructure considered “distribution of electrical energy” for the purpose of section 3(1) of the Electrical Safety Regulation?
- What are the justifications for non-exempt public utility ratepayers (and potentially non-EV customers) to subsidize the costs of EV charging services?

To review the Panel’s detailed findings, recommendations and issues to be addressed in Phase 2, please refer to the Electric Vehicle Charging Service Inquiry Phase 1 Report [here](#).

Background

In January 2018, the BCUC established an inquiry to review the regulation of electric vehicle charging service in British Columbia. The Inquiry aimed to explore the potential regulatory issues, including the level of regulation necessary in the EV charging services market and the rates for EV charging service.

The BCUC determined a phased approach would be an appropriate way forward for the Inquiry, with the first phase of inquiry addressing the following issues:

- Does a person who does not expressly require customers to pay for EV charging services but instead recovers the cost from other services, meet the definition of a “public utility”?
- Should there be any regulation of persons that provide charging services if they are not already a regulated utility such as FortisBC or BC Hydro?

Further, the Panel stated that further clarity is needed on whether public utilities such as BC Hydro and FortisBC are permitted to invest in EV charging stations as a “prescribed undertaking” under section 18 of the *Clean Energy Act* and section 4 of the Greenhouse Gas Reduction Regulation.

Community Input and Inquiry Participation

The BCUC held 10 Community Input Sessions at 8 locations across the province where the Inquiry Panel heard from a range of British Columbians, including: EV owners; potential EV owners; EV manufacturers; charging station providers; electrical utilities; electrical ratepayer organizations; and provincial and municipal government representatives. 33 registered interveners participated in this Inquiry, the majority of whom submitted evidence, responded to information requests by the BCUC and other parties, and provided final and reply arguments. In addition, there were 51 interested parties and 20 letters of comment were submitted for the Panel’s review.

About the BCUC

The BCUC is a regulatory agency responsible for oversight of energy utilities and compulsory auto insurance in British Columbia. It is the BCUC’s role to balance the interests of customers with the interests of the businesses it regulates. The BCUC carries out fair and transparent reviews of matters within its jurisdiction and considers public input where public interest is impacted.

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