



December 31, 2019

## **INFORMATION RELEASE – BCUC Issues Indigenous Utilities Regulation Inquiry Interim Report**

VANCOUVER – On December 31, 2019, the British Columbia Utilities Commission (BCUC) issued its [Interim Report](#) for its inquiry into the regulation of Indigenous energy utilities to the Minister responsible for the *Hydro and Power Authority Act*.

The Interim Report provides an update on the Inquiry process, an overview of the BCUC’s engagement activities, and a summary of the proposed recommendations included in the [BCUC Draft Report](#).

The Inquiry Process was initiated in March 2019. In June and July 2019, the BCUC held a series of ten Community Input Sessions throughout British Columbia to hear comments on the issues raised in the Inquiry. The BCUC hosted an additional Community Input Session to coincide with the BC Assembly of First Nations 16th Annual General Assembly held in Vancouver on September 18, 2019.

Registered Interveners had the opportunity to file written evidence, submit and respond to information requests, and submit final arguments. The BCUC received 19 written evidence submissions from 21 Registered Interveners who represented a range of Indigenous Nations, special interest groups and existing utilities. In addition, the BCUC received eight letters of comment.

Based on the comments and submissions received during the Inquiry engagement process, in November 2019, the Panel released its [Draft Report](#) with proposed recommendations regarding the potential regulatory framework for Indigenous-owned and operated energy utilities in British Columbia. The BCUC is now hosting a series of eight Draft Report Workshops to gather feedback on its proposed recommendations. Six Draft Report Workshops took place in late-2019, and two more will take place in January 2020.

In addition to providing input at a Draft Report Workshop, the public may submit written comments on the report until March 2, 2020, with an opportunity to reply to other written comments by March 31, 2020. The BCUC will provide a Final Report to the Minister Responsible for the *Hydro and Power Authority Act* by April 30, 2020.

### **Background**

On March 11, 2019, the Lieutenant Governor in Council, pursuant to section 5(1) of the *Utilities Commission Act* (UCA), directed the British Columbia Utilities Commission (BCUC) to provide recommendations to the BC Government regarding the regulation of Indigenous utilities in British Columbia. The terms of the Inquiry are outlined in [Order in Council \(OIC\) No. 108](#). The BCUC established the Inquiry on March 19, 2019 by Order [G-62-19](#).

The inquiry is exploring and seeking feedback on a number of important questions, including:

- What are the characteristics of an “Indigenous Utility” with respect to:
  - The ownership and operation of the utility;
  - What services are provided;
  - Who the services are provided to; and/or,
  - The location or area served by the utility?

- Should Indigenous utilities be regulated or not? And if so, how?
  - If they should be regulated, should they be regulated by the UCA or another mechanism?
  - If unregulated, how will the interests of indigenous utility ratepayers be protected?

Currently, under the UCA most utilities with a connection to an Indigenous community are regulated by the BCUC as public utilities. Some utilities have requested exemptions from existing regulatory requirements.

Anyone wishing to participate in a Draft Report Workshop is encouraged to register in advance via email to [Commission.Secretary@bcuc.com](mailto:Commission.Secretary@bcuc.com) or by telephone at 1-800-663-1385. The following workshops will take place in 2020:

LOCATION	DATE (2019)	TIME	VENUE
Kamloops	<b>Tuesday, Jan 14</b>	10am	Coast Kamloops Hotel & Conference Centre 1250 Rogers Way, Kamloops, BC V1S 1N5 Room: Ballroom A&B
Fort St. John	<b>Friday, Jan 17</b>	10am	Pomeroy Hotel & Conference Centre 11308 Alaska Rd, Fort St John, BC V1J 5T5 Room: Scotty Room

For more information about this Inquiry, please see the proceeding page on the BCUC website [here](#).

#### About the BCUC

The BCUC is a regulatory agency responsible for the 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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