

Date Submitted: December 13, 2018

Proceeding name: BCUC Regulation of Electric Vehicle Charging Service Inquiry-Phase 2

Are you currently registered as an intervener or interested party: No

Name (first and last): Village of Kaslo

City: Kaslo

Province: British Columbia

Email: cao@kaslo.ca

Phone number: [REDACTED]

Comment:

The Village wishes to ensure that this proceeding addresses situations where commercial Level 3 DCFC stations, operated by private companies, require a license of occupation or Statutory Right of Way granted by a local government for use of its property pursuant to either the Community Charter or Local Government Act. In summary: In summary, situations like the matter described below are currently occurring in the BC Interior: 1. Power company gets federal grant for private equipment to be operated commercially for a fee by private vehicle users – fee will be set by BCUC. 2. Power company wants participating municipal governments (who are very supportive) to provide 10 year licence of occupation (LOC) and potentially a SRW on municipal property/ROW at nominal or no charge 3. Local government is unsure if the power company’s proposal is compliant with sections 21-25 of the Community Charter (e.g. assistance to business prohibition) 4. Power company thus far does not clarify the situation, the implication being that the local government must seek its own legal advice if it wants an answer/assurance. 5. There is sufficient case law to give a responsible administrator and Council pause. Individuals consulted at UBCM and the Ministry of Municipal Affairs show no sign of having considered this question before. It is arguably wise for the BCUC to consider it before local governments all over BC enter arrangements for these chargers that provide land rent or SRWs below fair market value in perpetuity. While there exists excitement around this sector at present, municipalities could come under significant criticism in the future if they are perceived to have assisted business without a return of fair market value revenue to the taxpayer for use of land. The BCUC is encouraged to study this question carefully on behalf of all local governments that own property convenient for commercial DCFC stations.