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FAES Regulatory Affairs Correspondence
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BCUC File 60002

March 19, 2019

British Columbia Utilities Commission
Suite 410, 900 Howe Street
Vancouver, BC
V6Z 2N3

Attention: Mr. Patrick Wruck, Commission Secretary and Manager, Regulatory Support

Dear Mr. Wruck:

Re: British Columbia Utilities Commission (BCUC) – An Inquiry into the Regulation of Electric Vehicle Charging Service – Phase 2 ~ Project No. 1598941
FortisBC Alternative Energy Services Inc. (FAES) Request for Late Intervener Registration

FAES seeks leave from the BCUC for late registration to participate as an intervener in the BCUC Inquiry into the Regulation of Electric (EV) Vehicle Charging Service (EV Inquiry) – Phase 2. FAES is aware that the proceeding process is advanced and FAES has been monitoring the filings to date from both the EV Inquiry Phase 1 and Phase 2. FAES proposes to join the proceeding at its current stage as FAES does not intend to file evidence¹ nor delay the timetable in any way to accommodate its participation. FAES does wish to file a Final Argument based on the Revised Scope, by March 28, 2019, in accordance with the timetable established in Order G-50-19. FAES believes that granting late intervener status would not prejudice any of the other registered parties nor would it cause any procedural fairness issues.

The BCUC found in Phase 1 of the EV Inquiry that:

1. the EV charging market does not exhibit natural monopoly characteristics²,
2. persons who are not otherwise public utilities should be exempt from regulation³, and
3. a strata that is otherwise a public utility should also be exempted from regulation.⁴

¹ Appendix A to Order G-50-19 section 2.3 “The Panel agrees that the evidentiary record is adequate, given the revised scope of the Inquiry. **Therefore, no further evidentiary process will be scheduled.**”

² BCUC – EV Inquiry Phase 1 Report Findings 1 – 6.

³ BCUC – EV Inquiry Phase 1 Report Findings 11 – 19.

⁴ BCUC – EV Inquiry Phase 1 Report Findings 20 – 23.

Phase 2 of the EV Inquiry was initiated to focus on the nature and level of regulation for EV charging associated with non-exempt utilities.⁵

FAES is an affiliated regulated business of FortisBC Energy Inc. and FortisBC Inc. operating in a non-natural monopoly environment (ARBNNM) that is providing thermal energy service (TES) to the market in BC. FAES was an active participant in the development of the BCUC TES Guidelines, which were developed to address the regulatory treatment of TES services that were considered to lack natural monopoly characteristics but were public utilities according to the *Utilities Commission Act* (UCA).⁶ FAES has the following TES projects in BC:

1. Three Micro TES systems with a capital cost of \$500 thousand or less that are exempt from Part 3 of the UCA other than sections 42, 43 and 44.
2. Twenty-eight Registered Stream A TES systems, which are on-site TES with an initial capital cost above \$500 thousand but less than \$15 million that are exempt from sections 44.1, 45 to 46 and 59 to 61 of the UCA.
3. The Delta School District, which is regulated similar to other public utility systems, requiring rate and other approvals.

Accordingly, from the perspective of the EV Inquiry, FAES is otherwise a public utility and, therefore, may be “non-exempt”.

FAES primary focus for its submission will be to address question 10, “Any other comments that may be helpful to the Panel”. Given that FAES is an ARBNNM that provides TES in a non-natural monopoly environment which has similar characteristics to EV charging service, it has a unique perspective that is important for the Panel to consider when issuing its report on Phase 2 and recommendations to government.

If you require further information or have any questions regarding this submission, please contact Grant Bierlmeier at (604) 443-6548.

Sincerely,

FORTISBC ALTERNATIVE ENERGY SERVICES INC.

Original signed:

Lloyd Jacobs
General Manager

cc (email only): Registered Parties

⁵ On December 8, 2018, the BCUC issued Order G-231-08 setting out the scope and timetable for Phase 2 of the Inquiry to focus on the regulatory framework for EV charging service providers that in Phase 1 were not recommended for exemptions. Exemption was recommended in Phase 1 for persons who are not otherwise public utilities.

⁶ AES Report page 76 “The Panel finds that TES systems other than Discrete Energy Systems meet the definition of “public utility” in the UCA, and are regulated. However, the degree of natural monopoly characteristics and the degree of consumer protection required will affect the form of regulation.”

Date Submitted: March 19, 2019

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

Participant contact information

Organization or individual name: FortisBC Alternative Energy Services Inc.

City: Vancouver

Province: British Columbia

Email: faes.regulatory.affairs@fortisbc.com

Phone number: 6044436548

For organizations only - representative contact information

Name: Grant Bierlmeier

Organization (if different from above):

City:

Province:

Email:

Phone number:

Also representing (if applicable):

Additional information

Please state your reasons for intervening in this proceeding:

Please refer to FAES' letter dated March 19, 2019

Please state how you are directly or sufficiently affected by the Commission's decision in this matter; or describe your experience, information, or expertise relevant to this matter that would contribute to the Commission's decision making:

Please refer to FAES' letter dated March 19, 2019

Please list the key issues you intend to address in the proceeding:

Please refer to FAES' letter dated March 19, 2019

For administrative purposes only

Do you intend to participate fully, including attendance at hearings and submission of evidence or information requests, if applicable?: Yes

Do you intend to request PACA funding? This does not impact your ability to participate: No

Have you or your organization web-registered as an intervener or interested party in the past 12 months?: Yes

If yes, please provide your username: jjoly