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August 6, 2019

Sent via email/eFile

Re: British Columbia Utilities Commission – An Inquiry into the Regulation of Electric Vehicle Charging Service – Phase 2 - Project No. 1598941

On June 24, 2019, the British Columbia Utilities Commission (BCUC) issued its Phase 2 Report into the Inquiry into the Regulation of Electric Vehicle Charging Service. The BCUC hereby issues an errata correcting page 45 of the Phase 2 Report. The corrections do not change the Panel's findings.

Sincerely,

Original signed by:

Patrick Wruck
Commission Secretary

/dg
Enclosure

Accordingly, the Panel recommends that if Government considers it appropriate to amend the GGRR to define EV charging infrastructure as a prescribed undertaking:

- **The scope of the prescribed undertaking should be defined as narrowly as possible and monetary caps and/or time limits provided for the prescribed undertaking.**
    - **Consideration should be given to stipulating which costs can be included. For example, should ancillary services associated with a highway charging station be included in the prescribed undertaking? To the extent that any land acquisition, site preparation, paving, costs are incurred in respect of ancillary services, should they also be segregated?**
    - **Consideration should also be given to geography and/or other descriptors that set out where non-exempt investments are appropriate.**
- **Furthermore, we recommend that the BCUC retain its jurisdiction to ultimately determine whether the proposed investment qualifies as a prescribed undertaking under the definition set out in the GGRR.**

The above discussion does not set out mutually exclusive approaches and is not intended to portray binary choices. Instead, it presents a spectrum of possible regulatory options depending on the degree of prescriptiveness of the specific Government direction or policy in question. For example, Government could provide broad direction with more narrowly defined direction in specific areas.

9.3.3 Panel Recommendations regarding legislative amendments

While the following recommendation s regarding the UCA are directly applicable to EVCS, they are also broadly applied to the review of other utility capital investments.

~~As w~~We previously discussed sections 44.2 and 45–46 in section 9.1.2~~3.0~~ of this Report. T~~, t~~here are inconsistencies in the language between sections 44.2 and 45–46 and also within each of these sections. These inconsistencies present challenges to decision makers. The inconsistences are summarized as follows:

1. Section 46 requires that, when reviewing a CPCN application filed by BC Hydro, the BCUC consider "the interests of persons in British Columbians who receive or may receive service from" the applicant. However, when reviewing a section 44.2 expenditure schedule application, this requirement ~~only~~ applies to applications from ~~BC Hydro~~all public utilities.
2. When reviewing a CPCN application for a public utility other than BC Hydro, the BCUC is not~~only~~ required to consider the Energy Objectives as enumerated in section 2 of the *Clean Energy Act* if the "matters addressed in the application" have been found to be in the public interest in the review, under section 44.1, of a long-term resource plan. However, there is a~~no~~ requirement under s44.1 to consider the Energy Objectives under section 2 of the *Clean Energy Act* for all public~~non-exempt~~ utilities ~~other than BC Hydro~~.
3. For both BC Hydro CPCN reviews and reviews of an expenditure under sections 45 and 46 and expenditure reviews under section 44.2, the BCUC is required to consider "BC's energy objectives"; for any other non-exempt public utility, the BCUC is required to consider "the applicable of BC's energy objectives." However, the UCA is silent on which energy objectives are "applicable."