

Date Submitted: September 10, 2019

Proceeding name: BCUC Municipal Energy Utilities Inquiry

Participant contact information

Organization or individual name: Lulu Island Energy Company Ltd.

City: Richmond

Province: British Columbia

Email: acapuccinelloiraci@richmond.ca

Phone number: 604-247-4636

For organizations only - representative contact information

Name: Anthony Capuccinello Iraci

Organization (if different from above):

City: Richmond

Province: British Columbia

Email: acapuccinelloiraci@richmond.ca

Phone number: 604-247-4636

Also representing (if applicable):

Additional information

Please state your reasons for intervening in this proceeding:

Although the district energy utility services provided by the City of Richmond (the “City”) through its wholly owned municipal corporation, Lulu Island Energy Company Ltd. (“LIEC”) are regulated by City Council and do not fall under the jurisdiction of the BCUC, the City and LIEC will be able to provide the BCUC with valuable insight and perspective on: (i) the effectiveness of such regulation by City Council and by municipalities in general over district energy utility services;

(ii) the operating structures and models currently used or that may be used to deliver such district energy utility services; (iii) the matters this Inquiry will seek to achieve clarity on, including the objectives of municipal governments and the municipal government jurisdiction and regulatory scheme related to the provision of district energy utility services; (iv) the imperative not to infringe or interfere with municipal government jurisdiction in relation to the provision of district energy utility services; and (v) the benefit of affirming the broad interpretation of municipal government legislation including the broad exclusion from the definition of “public utility” found in the Utilities Commission Act.

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:

This Inquiry and the Inquiry Report contemplated by this proceeding may negatively impact the City and LIEC by potentially making findings and/or recommendations that: (i) effect the manner the City, through LIEC, provides district energy utility services; (ii) frustrate the ability of the City, through LIEC, to achieve its legitimate objectives; and (iii) infringe on the jurisdiction of the City and of municipalities in general, to provide district energy utility services through a variety of models and structures, including through a wholly owned municipal corporation. Given that the City as a level of government is required to regulate and provide utility services and has successfully regulated and provided district energy utility services through its wholly owned municipal corporation, LIEC, the Commission will benefit from the relevant experience, information and expertise that the City and LIEC will contribute to the Commission’s decision making.

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

All issues, including issues of jurisdiction and issues related to the ownership and operation of such district energy utility services.

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?: No

If yes, please provide your username: