



March 19, 2020

Sent via email/eFile

<b>BCUC REVIEW OF TES REGULATORY FRAMEWORK GUIDELINES</b>	<b>EXHIBIT A-9</b>
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To: Registered Parties

**Re: British Columbia Utilities Commission – Review of Thermal Energy Systems Regulatory Framework Guidelines – Project No. 1599043 – Posting of Stream A and Stream B Thermal Energy Systems Applications**

By letter dated March 9, 2020, the British Columbia Utilities Commission (BCUC) issued Exhibit A-7, which addressed submissions from registered interveners and interested parties on the draft Terms of Reference (ToR) for the BCUC's Review of Thermal Energy Systems (TES) Regulatory Framework Guidelines (Review). The final ToR for the Review are included in Appendix A to Exhibit A-7.

FortisBC Alternative Energy Service Inc. (FAES) and Mr. Flintoff filed letters in response to Exhibit A-7, dated March 12 and March 13, 2020, respectively.<sup>1</sup> On March 18, 2020, B.C. Sustainable Energy Association (BCSEA) filed a letter of comment in response to FAES's letter.<sup>2</sup>

#### FAES Letter dated March 12, 2020

BCSEA's submission on the draft ToR stated that the inclusion of energy sources at a descriptive level would be useful for the Review.<sup>3</sup> By letter dated March 5, 2020, BCSEA further clarified its submission, stating that it recommended information be provided on TES that have been approved by the BCUC to date.<sup>4</sup> In response to BCSEA's submission, the Panel stated that it believed it would be beneficial for participants in the Review to be able to view approved Stream A applications and accordingly, the Panel determined that all approved Stream A applications to date will be filed as an A2 Exhibit in the proceeding. The Panel noted that Stream B applications are posted on the BCUC's website.<sup>5</sup>

In its letter, FAES provides its interpretation of BCSEA's submission, stating that the BCSEA's submission requests that information be assembled on the primary and peaking/backup energy sources for Stream A TES. FAES submits that the BCSEA's request does not require access to approved Stream A applications, and for those documents to be put on the record as exhibits in the proceeding. FAES has undertaken the assembly of this information, which it has included in Appendix A to its letter.<sup>6</sup>

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<sup>1</sup> Exhibit C2-3, Letter dated March 12, 2020 – FAES submitting response on Exhibit A-7; Exhibit D-11-3, Letter dated March 13, 2020 – Flintoff submitting responses on Exhibit A-7.

<sup>2</sup> Exhibit C4-4, Letter dated March 18, 2020 – BCSEA response on FAES Exhibit C2-4.

<sup>3</sup> Exhibit C4-2, p. 1.

<sup>4</sup> Exhibit C4-3, p. 1.

<sup>5</sup> Exhibit A-7, p. 1.

<sup>6</sup> Exhibit C2-3, p. 2.

FAES notes that it is in receipt of an email from the BCUC received on March 11, 2020 referencing Exhibit A-7, wherein the BCUC is providing applicants an opportunity to provide redacted public versions of Stream A applications, where necessary, and to explain all confidentiality requests.<sup>7</sup> Requests for confidentiality are to be filed with the BCUC by March 20, 2020.

FAES requests that the matter of whether it remains necessary to publicly disclose additional information about the Stream A projects be discussed further during the workshops if, after reviewing the information provided in Appendix A, the BCUC still deems it necessary. Further, FAES is of the view that it is not necessary to publish these documents in advance of the workshop discussions. FAES states it has the most approved Stream A projects, and it requests that the issue be discussed at the workshop prior to undertaking a review of Stream A applications.<sup>8</sup>

In response, BCSEA confirms FAES's understanding of its submission, stating that BCSEA, for its part, BCSEA does not require access to the approved Stream A applications, or for those documents to be put on the record as exhibits in this proceeding. However, BCSEA acknowledges that the BCUC or parties may find value in having the approved applications on the record.<sup>9</sup>

The BCUC established the Review to provide an opportunity to assess any changes in the thermal energy market, lessons learnt, housekeeping amendments and any other matters relevant to the BCUC's regulation of thermal energy systems. To enable interveners and interested parties to participate fully in the Review the Panel believes it would be beneficial for participants to be able to view approved Stream A applications prior to the workshops. Further the Panel notes that whilst Stream A applications are not currently posted on the BCUC's website, all Stream A applications are publicly available. Accordingly, all approved Stream A applications to date will be filed as an A2 Exhibit in the proceeding, prior to the scheduled workshop.

The Panel acknowledges that FAES has the greatest number of approved Stream A applications. The Panel is extending the deadline for filing confidentiality requests and redacted Stream A applications to **April 16, 2020** for all Stream A applicants. Any requests for redactions due to confidentiality related to approved Stream A applications, will be reviewed by the Panel in accordance with part 4 of the BCUC Rules of Practice and Procedure<sup>10</sup>.

Sincerely,

*Original signed by:*

Patrick Wruck  
Commission Secretary

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<sup>7</sup> Exhibit C2-3, p. 2.

<sup>8</sup> Exhibit C2-3, p. 2.

<sup>9</sup> Exhibit C4-4, p. 1.

<sup>10</sup> [https://www.bcuc.com/Documents/Participant-Info/G-15-19\\_BCUC\\_Rules\\_of\\_Practice\\_and\\_Procedure.pdf](https://www.bcuc.com/Documents/Participant-Info/G-15-19_BCUC_Rules_of_Practice_and_Procedure.pdf)