bcuc
British Columbia
Utilities Commission

Marija Tresoglavic
Acting Commission Secretary

Commission.Secretary@bcuc.com
bcuc.com

Suite 410, 900 Howe Street
Vancouver, BC Canada V6Z 2N3
P: 604.660.4700
TF: 1.800.663.1385
F: 604.660.1102

June 16, 2020

Sent via email/eFile

MISSION GROUP REQUEST FOR EXEMPTION ORDER
EXHIBIT A-3

Mr. Dan Martynov
Project Manager
Mission Group Holdings Ltd.
Landmark Six – 10th Floor
1000-1631 Dickson Avenue
Kelowna, BC V1Y 0B5
dmartynov@missiongroup.ca

Re: Mission Group Holdings Ltd. – Request for Exemption Order – Project No. 1599098 – Variance of Order G-130-20

Dear Mr. Martynov:

Further to your May 19, 2020 Request for Exemption Order application, enclosed please find British Columbia Utilities Commission Order G-154-20.

Sincerely,

Original signed by:

Marija Tresoglavic
Acting Commission Secretary

/ae
Enclosure

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ORDER NUMBER
G-154-20

IN THE MATTER OF
the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

Mission Group Holdings Ltd.
Application for an Exemption pursuant to Section 88(3) of the *Utilities Commission Act*

BEFORE:
T. A. Loski, Panel Chair
C. Brewer, Commissioner
R. I. Mason, Commissioner

on June 16, 2020

ORDER

WHEREAS:

A. On May 19, 2020, Mission Group Holdings Ltd. (Mission Group) filed an application with the British Columbia Utilities Commission (BCUC) for exemption from section 71 and partial exemption from Part 3 of the *Utilities Commission Act* (UCA) with respect to its residential and office development located at 510-560 Bernard Avenue, Kelowna, B.C. (Application);

B. Mission Group's residential and office development at 510-560 Bernard Avenue, Kelowna, B.C. will consist of approximately 257 residential strata lots, 11 floors of commercial office space for lease and street level commercial retail units for lease (Development);

C. In the Application, Mission Group proposes to purchase electricity from FortisBC Inc. and then re-sell the electricity to the occupants of the Development;

D. Mission Group acknowledges in the Application that, in doing so, it will fall under the definition of a public utility as it is defined in the UCA;

E. By Order G-130-20, dated June 2, 2020, the BCUC established a public written hearing process and Regulatory Timetable for review of the Application;

F. On June 9, 2020, Mission Group filed an application to reconsider and vary Directive 2(a) of Order G-130-20 (Reconsideration);

G. In its Reconsideration, Mission Group submits that while 7,000 individuals have registered through the Development's website and expressed an interest in owning or leasing units within the Development, no commercial retail units, office units or residential units have yet been sold or leased. Mission Group states

that it would be punitive to have to provide communication to this very large database on a largely technical item that will cause confusion to the larger sales effort;

H. In its Reconsideration, Mission Group requests that the BCUC (i) waive Directive 2(a) of Order G-130-20 or (ii) modify Directive 2(a) to specify that only those that have made pre-lease enquiries for the commercial retail units or office units of the Development through the Development's website would require notification of the Application; and

I. The BCUC has reviewed the Reconsideration and determines a variance of Directive 2(a) of Order G-130-20 is warranted.

NOW THEREFORE, pursuant to section 99 of the *Utilities Commission Act*, the BCUC orders as follows:

1. Mission Group's application to reconsider and vary Directive 2(a) of Order G-130-20 is approved.

2. Effective immediately, Directive 2(a) of Order G-130-20 is replaced with the following:

    a. provide by email or mail, a copy of Order G-130-20 to any prospective tenants or lessees of the Development that have made pre-lease enquiries for the commercial retail units or office units of the Development through the Development's website.

DATED at the City of Vancouver, in the Province of British Columbia, this 16th day of June 2020.

BY ORDER

Original signed by:

T. A. Loski
Commissioner