

11 February 2021

Via E-filing

Ms. Marija Tresoglavic  
Acting Commission Secretary  
BC Utilities Commission  
Suite 410, 900 Howe Street  
Vancouver, BC V6Z 2N3

Dear Ms. Tresoglavic:

**Re: British Columbia Utilities Commission (BCUC, Commission)  
Creative Energy Vancouver Platforms Inc. (Creative Energy)  
2021 Long-term Resource Plan (LTRP)  
Compliance with Order G-40-21 Directive 5**

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Creative Energy writes in reply to Commission Order G-40-21 to provide the additional information requested under Directive 5.

### **Order G-40-21 Directive 5**

*Creative Energy is directed to file a public non-confidential summary of Appendix A to the Application, which to the extent possible, describes the nature of the expenditure schedule request, the reasons why confidentiality is being sought, and outlines the process for access to confidential information for interveners, by the date established in the regulatory timetable.*

Appendix A to the LTRP provides a summary description of a planned decarbonization project with specific and commercially sensitive information into the scope and scale of the project under consideration, including information into actual and forecast expenditures to review the technical and economic feasibility of the project and the high-level costs to construct.

The decarbonization project would provide low carbon energy through the use of a renewable fuel and supplement our current natural gas boilers that provide energy today. The project would reduce emissions from our system and, subject to regulatory approvals, it could be in place by early 2024.

CREATIVE ENERGY VANCOUVER  
PLATFORMS INC.

Suite 1 – 720 Beatty Street  
Vancouver, Canada  
V6B 2M1

604 688 9584 TEL  
604 688 2213 FAX  
creativeenergycanada.com

Creative Energy continues to develop and assess the project and we have commenced a public engagement process to review the project and its benefits with our Core steam customers, other stakeholders and members of the public potentially impacted by the project. We are targeting the filing of an application for a Certificate of Public Convenience and Necessity (**CPCN**) by the end of March 2021 to request Commission approval of the project. A portion of the costs of the project would be expected to be recovered from Core steam customers, subject in part to the provision of low carbon energy to potential new customers, such as the City of Vancouver, as elaborated below, and other developments in the downtown Vancouver core that will require low carbon energy.

The detailed information in Appendix A if disclosed publicly may harm our competitive position in advance of a City of Vancouver (**City**) Request for Proposals (**RFP**) for low carbon energy, as explained further below.

#### Reasons for the Request for Confidentiality

Creative Energy is requesting the Commission's acceptance pursuant to subsection 44.2(3)(a) of the UCA specifically of significant actual and forecast expenditures as detailed in Appendix A, which are required to complete studies investigating the technical and economic feasibility of project as discussed in Appendix A on the basis that making the expenditures is in the public interest. Creative Energy is of the view that completing these studies supports B.C.'s energy objectives and is in the public interest.

Creative Energy requests that the entirety of Appendix A be kept confidential pending completion of a City RFP for low carbon energy. The City has updated Creative Energy that its expecting timing to issue the RFP is April 2021. Appendix A includes details into project costs and economics in specific regard to low carbon energy, which are therefore of a commercially sensitive nature that would otherwise harm Creative Energy's competitive position if made publicly available during the intervening period while the City's RFP for low carbon energy proceeds. The pending RFP presents an emergent opportunity for Creative Energy and its current and future customers to further leverage development of a decarbonization project. Public disclosure of the information in Appendix A while the RFP process is ongoing will risk significant and undue harm to our competitive position among proponents to the City's process.

We believe that for these reasons the test for keeping Appendix A confidential is met and that parties ought to be sufficiently informed as to their interest to seek confidential access to Appendix A and to reasonably advance any inquiry they may have into the project on that basis.

#### Access to Confidential Information for Interveners

Consistent with Section 24 of the Commission's Rules of Practice and Procedure regarding requests for access to confidential documents, Creative Energy expects that it will be

appropriate for parties wishing access to confidential information to submit a request electronically to the Commission, with a copy to Creative Energy, that explains the reason(s) for the request and a statement describing how access to the information pertains to their participation in the proceeding established to review the LTRP. If a request is granted, the requesting party must sign and file with Creative Energy and the Commission a Declaration and Undertaking form before receiving a copy of the confidential information.

Creative Energy expects that it would have no objection to providing confidential information to Core steam customers that may be impacted by the project or to those intervenor groups representing such direct customer interests. However, Creative Energy requests that the Commission provide it with the opportunity to file comments on any objections or concerns that we may have, should any other registered parties seek access to confidential information. For example, and further to the discussion above, Creative Energy would expect to oppose the access to Appendix A by parties that are potential proponents to the City RFP or to other parties that are direct competitors of Creative Energy and where evident participation in prior Creative Energy regulatory proceedings was only for the purpose of monitoring and intelligence-gathering.

For further information, please contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Gorter', with a long horizontal flourish extending to the right.

Rob Gorter  
Director, Regulatory Affairs and Customer Relations