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May 31, 2021

Mr. Patrick Wruck
Commission Secretary and Manager
Regulatory Support
British Columbia Utilities Commission
Suite 410, 900 Howe Street
Vancouver, BC V6Z 2N3

Dear Mr. Wruck:

**RE: Project No. 1599190
British Columbia Utilities Commission (BCUC or Commission)
British Columbia Hydro and Power Authority (BC Hydro)
Public Electric Vehicle Fast Charging Rate Application (the Application)**

BC Hydro writes in response to BCUC Order No. G-89-21, which requests BC Hydro's reply submission on further process for the above-mentioned proceeding by May 31, 2021.

BC Hydro's May 25, 2021 submission on further process proposed that the review of the Application proceed to final written arguments. BC Hydro's view is that the evidence in the proceeding, including the Application and responses to 640 Commission and intervener information requests, is sufficient for the BCUC to make a decision.

BC Hydro's Submissions on Intervener Submissions on Further Process

The British Columbia Old Age Pensioners' Organization et al. (**BCOAPO**); BC Sustainable Energy Association and Vancouver Electric Vehicle Association (**BCSEA-VEVA**); Commercial Energy Consumers Association of British Columbia (**CEC**); Donald Flintoff (**FLINTOFF**); Residential Consumer Intervenor Association (**RCIA**); The Owners, Strata Plan VR 2673 (**STRATAPLANVR2673**); and Suncor Energy Services Inc. (**SUNCOR**) provided submissions on further process.

Of the seven interveners who filed submissions, four (BCSEA-VEVA, CEC, RCIA, and STRATAPLANVR2673) support proceeding to final written argument. For example, RCIA provides following support for proceeding to written final argument:

“RCIA is of the opinion that the evidentiary record is adequate and is therefore supportive of proceeding to a written final argument phase.”¹

However, three interveners (BCOAPO, SUNCOR and FLINTOFF) suggest a second round of information requests. SUNCOR also requests the opportunity to file intervenor evidence.

In considering the need for further process, BC Hydro notes the following:

- Given that interim rates were just put in place and there is not any further data at this time, the existing record with regard to optimum pricing for the Proposed Rates is comprehensive and further information requests will likely not add further insight. Rather, time is required to collect and analyze data and report back through a public evaluation process, which could lead to adjustments to optimize pricing, on the basis of this additional information;
- Matters related to the recovery of costs for the fast charging stations are the subject of BC Hydro’s Fiscal 2022 Revenue Requirements Application. In particular, the topic was discussed in Chapter 2 of that application, in responses to approximately 80 information requests, and at the review session on March 4 and 5, 2021. BC Hydro’s next revenue requirements application, to be filed in August 2021, will continue to include information on cost recovery for the fast charging stations. Accordingly, BC Hydro submits that given the limited scope of this Application and to avoid any potential of discussing the same issues before two different panels, the issues relating to cost recovery for BC Hydro’s fast charging stations should not be further addressed in this proceeding; and
- While issues and challenges that private electric vehicle charging operators face in the provincial market is important, BC Hydro notes that they were extensively examined through the BCUC’s “An Inquiry into the Regulation of Electric Vehicle Charging Service” (**EV Inquiry**). The outcomes of the EV Inquiry included an exemption of electric vehicle charging service providers that are not otherwise public utilities from regulation under Part 3 of the UCA other than safety², and Order in Council No. 339 (**OIC 339**), amending the Greenhouse Gas Reduction (Clean Energy) Regulation (**GGRR**) by adding provisions that make certain electric vehicle fast charging stations “prescribed undertakings” (section 5 of the GGRR)³ under section 18 of the *Clean Energy Act*. Accordingly, in the interest of regulatory efficiency and given these matters have been considered and resolved through the Inquiry, BC Hydro suggests that these issues do not need to be examined further in this proceeding.

For the reasons set out above, BC Hydro submits that a second round of information requests may not be required or productive at this time. As an alternative, if the BCUC

¹ Exhibit C5-3

² The Phase 1 BCUC report can be found at <https://www.bcuc.com/ApplicationView.aspx?ApplicationId=613>.

³ OIC 339 is included as Appendix G to the Application.

determines that further process is required, BC Hydro suggests that the Commission could consider a Streamlined Review Process, focused specifically on the rationale and basis for the Proposed Rates. BC Hydro would suggest the week of July 12, 2021 as a potential date.

With regard to SUNCOR's request to submit intervenor evidence, BC Hydro does not object to SUNCOR having this opportunity. However, we note that no other intervenor has requested the opportunity to submit evidence and that if intervenor evidence is submitted, there should be opportunity for information requests and rebuttal evidence.

BC Hydro would also like to acknowledge the following comment and request by FLINTOFF:

"I would like to comment on some BCH's responses. My suggestion would be that BCH be requested to provide "hyperlinks" to the appropriate sections within a document or to another proceeding document."⁴

BC Hydro appreciates this feedback. To assist with further review, BC Hydro would highlight its responses to the following Fiscal 2022 Revenue Requirement Application information requests: BCUC IRs 1.1.1, 1.1.2, 1.1.3, 1.1.4 and 1.1.5. References to these information request responses were included in some of BC Hydro's responses in this proceeding.

For further information, please contact Anthea Jubb at 604-623-3545 or by email at bchydroregulatorygroup@bchydro.com.

Yours sincerely,



Chris Sandve
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⁴ Exhibit C12-3