



**ORDER NUMBER
G-114-16**

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

and

Creative Energy Vancouver Platforms Inc.
Application for Reconsideration and Variance of Order G-88-16

BEFORE:

D. M. Morton, Commissioner/Panel Chair
H. G. Harowitz, Commissioner
R. I. Mason, Commissioner

on July 15, 2016

ORDER

WHEREAS:

- A. On June 16, 2016, after a written hearing process, the British Columbia Utilities Commission (Commission) issued Order G-88-16 denying Creative Energy Vancouver Platforms Inc.'s (Creative Energy) Restated and Amended Northeast False Creek (NEFC) and Chinatown Neighbourhood Agreement Application;
- B. On July 6, 2016, Creative Energy filed with the Commission an application for a reconsideration and variance of Order G-88-16 pursuant to section 99 of the *Utilities Commission Act* (UCA) (Reconsideration Application);
- C. In the Reconsideration Application, Creative Energy submits that the Reconsideration Application shall serve as the Creative Energy submission upon which interveners may provide comment;
- D. The Commission has Reconsideration Criteria guidelines that describe a two phase process for a reconsideration request to the Commission. In the first phase, the applicant must establish a *prima facie* case that the Commission should proceed with a reconsideration. This phase may allow comments from interveners in the proceeding for which the reconsideration is being sought. If the Commission finds that a sufficient *prima facie* case has been made, the reconsideration proceeds to the second phase where the Commission hears arguments on the merits of the application; and
- E. The Panel has considered the Reconsideration Application and determines that a *prima facie* case has been made and that the application should proceed to Phase 2 of reconsideration directly.

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

- 1. The application for a reconsideration and variance of Order G-88-16 as filed by Creative Energy Vancouver Platforms Inc. (Reconsideration Application) shall proceed to Phase 2 as a written argument process as set out in the Regulatory Timetable attached as Appendix A to this order.

2. The Reconsideration Application shall serve as the Creative Energy Vancouver Platforms Inc. submission upon which interveners may provide comment.
3. The scope of the reconsideration is restricted to the issues raised in the Reconsideration Application.
4. The evidence and submissions filed in the Creative Energy Vancouver Platforms Inc.'s Restated and Amended Northeast False Creek and Chinatown Neighbourhood Agreement Application proceeding shall be included as part of the evidentiary record for the purposes of the reconsideration.

DATED at the City of Vancouver, in the Province of British Columbia, this 15th day of July 2016.

BY ORDER

Original Signed By:

D. M. Morton
Commissioner

Attachment

Creative Energy Vancouver Platforms Inc.
Reconsideration and Variance of Order G-88-16 – Phase 2

REGULATORY TIMETABLE

ACTION	DATE (2016)
Intervener Arguments on the Reconsideration Application	Thursday, July 28
Creative Energy Reply Argument	Wednesday, August 10