



October 16, 2017

Sent via email

Letter L-25-17

J.L.

Re: British Columbia Hydro and Power Authority – Complaint filed by J.L.

Dear J.L.:

On April 20, 2017, a customer (J.L.) of British Columbia Hydro and Power Authority (BC Hydro) filed a complaint with the British Columbia Utilities Commission (Commission) concerning the eligibility of legacy meter customers participating in the BC Hydro Team Power Smart (TPS) program (complaint).

Summary of the complaint

J.L. is a legacy meter customer who wishes to participate in BC Hydro's TPS program, which is under the demand-side management (DSM) program. The TPS program offers rewards to customers that achieve a 10 percent reduction in their annual home electricity consumption.

From April 20, 2017 to May 26, 2017, J.L. provided the Commission with additional information regarding the complaint. Through correspondence dated May 3, 2017 and May 12, 2017, BC Hydro provided the Commission with information in response to the complaint.

In its response to the complaint, BC Hydro states the TPS program was originally administered with manually read meter consumption data. Following the widespread installation of BC Hydro smart meters, the software administering the TPS program was updated to be automated and connected solely to the smart meter consumption database. BC Hydro submits that automation of the TPS program software is in line with the delivery of cost-effective DSM programs. BC Hydro states that, as the TPS program is currently structured, legacy meter customers are ineligible to participate.

J.L. refers to sections 25, 39, 59(1), 59(2) and 64(1) of the *Utilities Commission Act* (UCA) in submitting the complaint. J.L. states that BC Hydro has not adequately taken its customers into consideration by restricting eligibility to participate in the TPS program, as it was previously technically feasible for legacy meter customers to participate.

The complaint has been reviewed in accordance with the Commission's Customer Complaints Guide.

For DSM expenditure schedules filed by a public utility under section 44.2 of the UCA, the Commission notes it may only accept a schedule, reject a schedule, or accept a schedule in part. Therefore, it is not within the Commission's regulatory ability to make direction(s) on specific DSM programs undertaken by BC Hydro. Further to the legal limitations of the Commission's involvement in the DSM program under section 44.2 of the UCA, the Commission also notes it does not have jurisdiction under other sections of the UCA to take further action on the complaint. Sections of the UCA raised by the Complainant (including sections 25, 39, 59 and 64) relate to the provision of Service and Rates of a public utility. Considering that this specific DSM program does not fall within

the definition of Service nor Rate within section 1 of the UCA, and as the regulation of DSM under section 44.2 of the UCA does not constitute a rate, these sections provide no jurisdiction in this matter.

Pursuant to section 83 of the UCA, and for the reasons outlined above, the Commission does not have jurisdiction to review the matter further and therefore the complaint is closed.

Sincerely,

Original signed by:

Patrick Wruck
Commission Secretary

PS/nd

cc: British Columbia Hydro and Power Authority
customer.relations@bchydro.com