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**ORDER NUMBER**
**G-50-19**

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

and

British Columbia Utilities Commission
An Inquiry into the Regulation of Electric Vehicle Charging Service – Phase 2

**BEFORE:**
D. M. Morton, Commissioner / Panel Chair
A. K. Fung, QC, Commissioner
H. G. Harowitz, Commissioner

on March 6, 2019

**ORDER**

**WHEREAS:**

A. By Order G-10-18 dated January 12, 2018, the British Columbia Utilities Commission (BCUC) established an inquiry into the regulation of electric vehicle charging service (Inquiry) pursuant to section 82 of the Utilities Commission Act (UCA);

B. By Order G-119-18 dated July 4, 2018, the BCUC determined that a phased approach is appropriate for the Inquiry;

C. On November 26, 2018, the BCUC issued the Phase 1 Report for the Inquiry. In the Phase 1 Report, the Panel provided a set of items for intervener evidence and submissions in Phase 2;

D. By Order G-231-18 dated December 6, 2018, the BCUC initiated Phase 2 of the Inquiry and established a regulatory timetable which includes one round of written intervener evidence on Phase 2 scoped items;

E. By January 28, 2019, the BCUC received submissions from interveners on the Phase 2 scoped items;

F. On February 27, 2019, pursuant to Order G-27-19 dated February 8, 2019, the BCUC held a procedural conference for submissions by the interveners to consider further process in Phase 2 of the Inquiry; and

G. The BCUC considers that amending the regulatory timetable for further process and revising the scope of Phase 2 of the Inquiry are warranted.

**NOW THEREFORE** for reasons attached as Appendix A to this order, the BCUC establishes the regulatory timetable for final and reply arguments on the revised scope.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 6th day of March 2019.

BY ORDER

*Original signed by:*

D. M. Morton
Commissioner

Attachment

British Columbia Utilities Commission
An Inquiry into the Regulation of Electric Vehicle Charging Service

**REASONS FOR DECISION**

**Table of Contents**

**Page no.**

## 1.0 Background

On January 12, 2018, the British Columbia Utilities Commission (BCUC) established an Inquiry into the regulation of electric vehicle (EV) charging service (Inquiry). The Inquiry is set out to explore the potential regulatory issues, including the level of regulation necessary in the EV charging stations market, the rates for EV charging service, and any other matters that should be considered by the BCUC.

On November 26, 2018, the BCUC issued the Phase 1 Report.[1] In the Phase 1 Report, the Panel recommended that the Minister of Energy, Mines and Petroleum Resources issue an exemption with respect to the BCUC's regulation of EV charging services but that the BCUC retain oversight on safety.

By Order G-231-18 dated December 6, 2018, the BCUC set out the scope and regulatory timetable for Phase 2 of the Inquiry. Phase 2 of the Inquiry focuses on the regulatory framework for EV charging service providers that in Phase 1 were not recommended for exemption (e.g. BC Hydro and FortisBC Inc.) (non-exempt public utilities). The 14 scoped items in Phase 2 are provided in Appendix A of Order G-231-18. By January 28, 2019, the BCUC received submissions from interveners on the Phase 2 scoped items.

By Order G-27-19 dated February 8, 2019 and letter dated February 13, 2019[2], the BCUC established a Procedural Conference for submissions by the interveners to consider further process in Phase 2 of the Inquiry.

The Procedural Conference was held on February 27, 2018 to receive submissions from registered interveners on the following matters:

1. Whether the evidentiary record is adequate for the Panel's deliberation for the scope items in Phase 2:

    a. If so, should Phase 2 of the Inquiry now proceed to final argument?

    b. If not, please specify which areas in the Phase 2 scoped items require additional evidence. What is the nature of the evidence anticipated? What is the appropriate regulatory review process to gather this evidence for an adequate evidentiary record?

    For example, for the items set out in the regulatory framework for non-exempt public utilities and the wholesale rate sections, is there adequate evidence regarding other jurisdictions' business models, approaches, and experience regarding non-exempt public utilities providing EV charging services? What are the maturity level of the EV charging market and the applicable government policy directions in those jurisdictions? How and why is this evidence relevant, if at all, in consideration of BC's current legislative and policy framework?

2. The appropriate timeline of any subsequent process considering the interveners' submissions on item #1 above.

3. Any other procedural or scope matters interveners wish to present to the Panel for consideration.

[1] BCUC Electric Vehicle Charging Service Inquiry Phase One Report (2018), retrieved from: https://www.bcuc.com/Documents/Arguments/2018/DOC_53093_2018-11-26-PhaseOne-Report.pdf
[2] Exhibit A-40

The following parties made appearances and submissions at the Procedural Conference:

- British Columbia Ministry of Energy, Mines and Petroleum Resources (MEMPR)[3]
- British Columbia Hydro and Power Authority (BC Hydro)
- FortisBC Inc. (FBC) and FortisBC Energy Inc. (FEI)
- Commercial Energy Consumers Association of British Columbia (CEC)
- British Columbia Old Age Pensioners' Organization, et al. (BCOAPO)
- Clean Energy Association of British Columbia (CEABC)
- ChargePoint
- Mr. Don Flintoff (Flintoff)
- Community Energy Association (CEA)
- BC Sustainable Energy Association and Sierra Club of BC (BCSEA)
- AddÉnergie Technologies Inc. (AddEnergie)
- Siemens
- Alliance for Transportation Electrification (Alliance)

## 2.0 Submissions by the Parties

The Procedural Conference was held to receive submissions by the interveners for the Panel to consider further regulatory process in Phase 2 of the Inquiry. In order to establish further process, the Panel will first consider if and how the interveners' submissions have any impact on the existing Phase 2 scoped items. Given the scope, the Panel will then consider the appropriate path to proceed with the Inquiry.

### 2.1 Scope Item – Should non-exempt public utilities provide EV charging services?

Phase 2 of the Inquiry primarily focuses on the regulatory framework for non-exempt public utilities, such as BC Hydro and FBC. The scoped items for Phase 2 are set out in Order G-231-18 and provided in Section 2.2 of these Reasons.

In its submission at the Procedural Conference, MEMPR provided an overview of the Province of British Columbia's (BC) efforts to reduce emissions and noted the recent Clean BC Plan.[4] MEMPR indicated that the Province of BC has reached a conclusion that non-exempt public utilities will invest and will be allowed to recover costs in delivering EV charging services. MEMPR submitted that the Province of BC "strongly supports investments in electric vehicle charging services by those non-exempt public utilities" and "it would be appropriate for non-exempt public utilities to recover those costs from ratepayers."[5] MEMPR further stated:

> The Province [of BC] is currently considering its options so as to achieve these outcomes, which include for instance proposing legislative or regulatory changes. And although no particular course of action has been chosen at this time, the Province intends to move very quickly to achieve those outcomes.

MEMPR therefore suggests that recommendations to government regarding the overarching question of whether it is appropriate for public utilities to deliver EV charging services, and recommendations relating to

[3] Ms Graff, legal counsel for the Province of BC, is representing her client MEMPR in this proceeding.
[4] Procedural Conference Transcript Volume 10, MEMPR, p. 691.
[5] ibid., MEMPR, pp. 691–692.

cost recovery, will have little value because the Province of BC has already reached conclusions on those matters (i.e. Scope Items 1 to 9).[6]

However, MEMPR submitted that the BC government would benefit from any findings of fact or recommendation that could flow from the Inquiry.[7] MEMPR values any input and guidance from the Panel at the close of this Inquiry in order to further develop and refine its policy.[8] For example, any findings or recommendations relating to Greenhouse Gas Reduction Regulation (GGRR) amendments, level of non-exempt public utility involvement (e.g. time and investment limits), price regulations, how costs are recovered and geographic considerations may be beneficial to achieve the government's policy objectives.[9]

As a result of MEMPR's policy position, AddEnergie, BC Hydro, and MEMPR suggested that the Panel should now narrow the scope of the Inquiry,[10] noting that the Inquiry is now dealing with a different set of circumstances. Some interveners were concerned about the lack of details as to how non-exempt public utilities will participate in the market and agreed that the "devil is in the details."[11]

In terms of other scoping comments, Flintoff and CEA submitted that they assume the scope of the Inquiry only covers Direct Current Fast Charging (DCFC) charging stations and perhaps high density level 2 in Multi-Unit Residential Building (MURB) situations, and not Level 1 or Level 2 charging.[12]

### *Panel Determination*

The BC government stated it "strongly supports investments in electric vehicle charging services by those non-exempt public utilities" and argued "it would be appropriate for non-exempt public utilities to recover those costs from ratepayers." Many interveners support this view and those that don't express support nonetheless accept that participation in light of the government's stated position but argue that the scope of the non-exempt public utility involvement is still an issue in this Inquiry.

**The Panel accepts that there is a role for non-exempt utilities in providing public EV charging services. To reflect this public policy objective the Panel finds it appropriate to narrow the scope for Phase 2 of the Inquiry to addressing the manner in which they should participate.**

## 2.2 Other Scope Items

Several interveners suggested some of the Phase 2 scoped items, such as wholesale tariffs, may be items that could be addressed in a specific utility application or some other proceeding rather than in this Inquiry.[13] FBC submitted that detailed determinations are not necessary at this time for items such as potential stranded assets or the design of wholesale tariffs, as the BCUC likely does not have sufficient evidence with respect to wholesale tariffs in this Inquiry.[14] BC Hydro, MEMPR, and ChargePoint submitted that specific concerns or issues could be more appropriately addressed in a context of a specific application.[15]

[6] ibid., MEMPR, pp. 693–694, 704, 759–760.
[7] ibid. , MEMPR, p. 700.
[8] ibid., MEMPR, pp. 759–761.
[9] ibid., MEMPR, pp. 700–701, 759, 767.
[10] Ibid., AddEnergie, p. 743; BC Hydro, p. 755; MEMPR, pp. 758–759.
[11] ibid., CEC, pp. 715–716; CEABC, pp. 723, 726–727, 734; Flintoff, pp. 733, 751; BC Hydro, p. 756; MEMPR, p. 761.
[12] ibid., Flintoff, p. 734; CEA, p. 736.
[13] ibid., BC Hydro, p. 756; ChargePoint, pp. 731–732; FBC, p. 709; MEMPR, p. 761.
[14] ibid., FBC, p. 709; BC Hydro, p. 756.
[15] ibid., BC Hydro, p. 756; MEMPR, p. 761; ChargePoint, p. 731.

On this issue, the Panel Chair posed the following questions, regarding non-exempt utility participation, to Ms Graff representing MEMPR:

> THE CHAIRPERSON: So to use that as an example then, that is a fairly wide open statement that they should recover their costs. Should they recover all of their costs? What costs should be considered recoverable? How should they be recovered, et cetera, et cetera. So what you are saying is that you would like recommendations on answers to those questions?
>
> MS. GRAFF: They could certainly be of use, yes.
>
> THE CHAIRPERSON: Okay, and things like should there be price regulation of utility services, would you like recommendations on those too? And would you like recommendations on geographic areas that utilities should be involved? Or should they just participate everywhere across the province?
>
> MS. GRAFF: Again, I think any recommendations that the panel may reach would be of use in that regard, yes.[16]

In response to a question by Commissioner Fung, MEMPR responded:

> … but for some of these items, as I've mentioned, it may require a specific application to the Commission in order for them to be canvassed in a meaningful way.[17]

MEMPR also submitted that:

> Therefore, without an application to the Commission that proposes specific electric vehicle charging investments or specific rates, we submit that it would be difficult for interveners to present meaningful evidence or argument and it would be equally difficult for the Commission to reach meaningful conclusions. For all these reasons the province submits that any additional evidence is very unlikely to be relevant or of assistance in this phase of the inquiry.[18]

In response to a question by Commissioner Harowitz, MEMPR responded:

> Yes, so any questions that ask that overarching, higher level question, there is no need for any further evidentiary submission or argument on that point, or any recommendations from the Panel on that point. The same goes for the basic principle that cost recovery should be available for those public utilities.
>
> Now, when it comes to the specific level of detail, you may well be correct that there are some questions within questions number 1 to 9 that go to a level of detail that could certainly be the subject of further discussion that we may benefit from.
>
> So, I apologize if I have been a bit too broad in my identification of the scope items, and I guess the intent is not to have them disregarded in their entirety if there is something within any specific scope item that can be of assistance.[19]

[16] ibid., MEMPR, p. 701.
[17] Ibid., MEMPR, p. 702.
[18] ibid., MEMPR, p. 696.
[19] ibid., MEMPR, p. 704–705.

ChargePoint agreed that many issues in the Phase 2 questions belong in utility-specific applications:

> We agree with what we heard earlier this morning that a lot of the devil is in the details. We were going to say this morning that a lot of the issues that were canvassed in those Phase 2 questions you posed, I think 25 questions and sub-questions, a lot of that does belong in utility specific applications.[20]

MEMPR agreed with BC Hydro that some of the issues would be better addressed in the context of a specific application to the BCUC:

> I also concur with my friend Ms. Ferguson [representing BC Hydro] with respect to the fact that some of the concerns that were raised this morning, the very specific concerns or issues that of course remain to be resolved would perhaps be better addressed in a context of an application, a specific application to the Commission and that this may well not be the forum for resolving all of these issues, even though again we very much acknowledge that the devil is in the detail and that a lot of details remain to be worked out.[21]

### *Panel Determination*

The Panel has reviewed the scope items in light of the submissions made by Interveners and makes the following adjustments:

1. As discussed previously, we have removed any scope items relating to whether non-exempt public utilities should provide EV charging services. The Panel has identified those items in the table below.
2. We concur with those parties that argue that some scope items are best addressed by the BCUC in the context of specific applications rather than in Phase 2 of this Inquiry. However, we also note that some interveners, including MEMPR, are of the view that recommendations from the Panel on these items would be useful. The Panel has identified those items in the table below and will provide high level guidance on those issues.
3. There are two items in scope for Phase 2 for which the report will provide recommendations to government. These are scope item #13 and #14 and they are also identified in the table below.

**The following table summarizes the original scope items for Phase 2 along with the blacklined revised scope.**

[20] ibid., Chargepoint, p. 731.
[21] ibid., MEMPR, p. 761.

| | Original | Removed, revised, or retained | Panel comment |
|---|---|---|---|
| 1 | Can both regulatory models – little or no regulation for those exempt public utilities and the participation of non-exempt utilities – co-exist? In the absence of price regulation, how can EV charging providers that are not otherwise public utilities (which would be exempt from regulation in accordance with the Panel's recommendation) be protected from being undercut by non-exempt public utilities? Should non-exempt public utilities be restricted to participate only in remote geographical locations that are currently uneconomical for exempt EV charging providers to serve? | ~~Can both regulatory models – little or no regulation for those exempt public utilities and the participation of non-exempt utilities – co-exist?~~ In the absence of price regulation, how can EV charging providers that are not otherwise public utilities (which would be exempt from regulation in accordance with the Panel's recommendation) be protected from being undercut by non-exempt public utilities? Should non-exempt public utilities be restricted to participate only in remote geographical locations that are currently uneconomical for exempt EV charging providers to serve? | The Panel will provide high level guidance for future applications. |
| 2 | If the provision of EV charging is exempt from regulation, is there any justification for non-exempt public utilities to provide EV charging services? If the role of non-exempt public utilities is to kick start the market, how can the BCUC determine when the kick start is no longer needed? What is the role of those utilities once that kick start is completed? If there are stranded assets at that time how should they be dealt with? | ~~If the provision of EV charging is exempt from regulation, is there any justification for non-exempt public utilities to provide EV charging services? If the role of non-exempt public utilities is to kick start the market, how can the BCUC determine when the kick start is no longer needed? What is the role of those utilities once that kick start is completed? If there are stranded assets at that time how should they be dealt with?~~ | Removed |
| 3 | If non-exempt public utilities participate in the EV charging market, should EV charging customers constitute a separate class from which costs associated with EV charging infrastructure is recovered? Or should the service be offered in a separate non-regulated business? What are the implications of each of these regulatory models? | ~~If~~ For EV charging services provided by non-exempt public utilities participating in the EV charging market, should EV charging customers constitute a separate class from which costs associated with EV charging infrastructure is recovered? ~~Or should the service be offered in a separate non-regulated business? What are the implications of each of these regulatory models?~~ | Panel will provide high level guidance for future applications. |

| | Original | Removed, revised, or retained | Panel comment |
|---|---|---|---|
| 4 | Should other customer classes of non-exempt public utilities subsidize costs associated with the provision of charging services that can't be recovered from EV charging customers? How much of the cost is it appropriate for them to subsidize – should there be a cap? | Should other customer classes of non-exempt public utilities subsidize costs associated with the provision of charging services that can't be recovered from EV charging customers? How much of the cost is it appropriate for them to subsidize – should there be a cap? | Panel will provide high level guidance for future applications. |
| 5 | If assets are stranded as a result of changing technology or other factors, who should pay for the potential stranded EV charging assets which may be in the non-exempt public utility's rate base? | If assets are stranded as a result of changing technology or other factors, who should pay for the potential stranded EV charging assets which may be in the non-exempt public utility's rate base? | Panel will provide high level guidance for future applications. |
| 6 | In the context of BCUC economic regulation, what regulatory justification is required to allow existing utilities to cross subsidize EV charging services? If EV charging services add incremental load, does that justify cross-subsidization? Would the incremental load appear without the subsidization? | In the context of BCUC economic regulation, what regulatory justification is required to allow existing utilities to cross subsidize EV charging services? If EV charging services add incremental load, does that justify cross-subsidization? Would the incremental load appear without the subsidization? | Panel will provide high level guidance for future applications. |
| 7 | What are the implications of the province's energy objectives, as stated in the Clean Energy Act, with respect to non-exempt public utilities providing potentially subsidized EV charging services? Are there non-economic justifications such as environmental benefits or meeting greenhouse gas reduction targets? | ~~What are the implications of the province's energy objectives, as stated in the Clean Energy Act, with respect to non-exempt public utilities providing potentially subsidized EV charging services? Are there non-economic justifications such as environmental benefits or meeting greenhouse gas reduction targets?~~ | Removed |
| 8 | If non-exempt public utilities participate in the EV charging market, do they have any obligation to serve EV charging customers? | ~~If~~ Do non-exempt public utilities participating in the EV charging market~~, do they~~ have any obligation to serve EV charging customers? | Panel will provide high level guidance for future applications and resolution of complaints. |

| | Original | Removed, revised, or retained | Panel comment |
|---|---|---|---|
| 9 | Should non-exempt public utilities be provided the same exemptions in regard to EV charging services as are other EV charging market participants? This includes exemption from Part 3 of the UCA, with similar retentions of certain sections by the BCUC. | ~~Should non-exempt public utilities be provided the same exemptions in regard to EV charging services as are other EV charging market participants? This includes exemption from Part 3 of the UCA, with similar retentions of certain sections by the BCUC.~~ | Removed |
| 10 | Any other comments that may be helpful to the Panel. | Any other comments that may be helpful to the Panel, given the scope as revised. | N/A |
| 11 | Is there a need for a specific tariff provisions for the wholesale provision of electricity for the purpose of EV charging? | Is there a need for a specific tariff provisions for the wholesale provision of electricity for the purpose of EV charging? | The Panel will provide high level guidance for future applications. |
| 12 | If so, how should this wholesale tariff be designed? Is a time of use rate appropriate? Should there be any differences depending on the type of EV charging – Level 1, Level 2, and/or DCFC stations? | If so, how should this wholesale tariff be designed? Is a time of use rate appropriate? Should there be any differences depending on the type of EV charging – Level 1, Level 2, and/or DCFC stations? | Panel will provide high level guidance for future applications. |
| 13 | Section 3 of the Electrical Safety Regulation states that it "does not apply to a public utility as defined in the Utilities Commission Act in the exercise of its function as a utility with respect to the generation, transmission and distribution of electrical energy". Further, "distribution equipment" is a defined term in the UCA. Although it seems clear that EV charging equipment is not "generation or transmission", the Panel did not make any finding in the Phase 1 Report on whether EV charging infrastructure is "distribution equipment." The Panel invites submissions on this issue in Phase 2.<br><br>In responding, Interveners are requested to consider the status of the provider – for example, is the interpretation different for a non-exempt public utility than it would be for an exempt utility or a | Section 3 of the Electrical Safety Regulation states that it "does not apply to a public utility as defined in the Utilities Commission Act in the exercise of its function as a utility with respect to the generation, transmission and distribution of electrical energy". Further, "distribution equipment" is a defined term in the UCA. Although it seems clear that EV charging equipment is not "generation or transmission", the Panel did not make any finding in the Phase 1 Report on whether EV charging infrastructure is "distribution equipment." The Panel invites submissions on this issue in Phase 2.<br><br>In responding, Interveners are requested to consider the status of the provider – for example, is the interpretation different for a non-exempt public utility than it would be for an exempt utility or a | Panel will make recommendations to the Ministry. |

| | Original | Removed, revised, or retained | Panel comment |
|---|---|---|---|
| | provider excluded from the definition of a public utility? | provider excluded from the definition of a public utility? | |
| 14 | In Phase 2, the Panel invites submissions from Interveners on whether amendments to the Greenhouse Gas Reduction Regulation to allow public utilities to own and operate EV charging stations as a "prescribed undertaking" are appropriate and if so, the appropriate extent and scope of such undertaking. | In Phase 2, the Panel invites submissions from Interveners on whether amendments to the Greenhouse Gas Reduction Regulation to allow public utilities to own and operate EV charging stations as a "prescribed undertaking" are appropriate and if so, the appropriate extent and scope of such undertaking. | Panel will make recommendations to the Ministry |

### 2.3 Adequacy of Evidence and Further Process

*Adequacy of Evidence*

Many interveners expressed views that the current evidentiary record is sufficient for the Panel to proceed and submit that it is unlikely that new evidence will result in any new perspectives or opinions.[22] MEMPR submitted that any potential gaps in the evidentiary record are most likely due to a lack of available information and not a failure on the part of interveners to identify and submit that information in the Inquiry.[23] BCOAPO viewed that the record is likely sufficient to set a framework, but if the BCUC's report is to provide definitive answers, including the scoped items about the wholesale tariff, then additional details will be needed.[24]

CEC suggested the option that the Panel issue a strawman, for its position on the evidence received to date for interveners to comment. [25] However, CEABC suggests that setting out a strawman would be difficult because there is insufficient detail about government's policy.[26]

BCOAPO suggested a jurisdictional survey and/or a round of information requests for further process.[27] No other interveners suggested further process to gather more evidence. BCSEA disagreed with information requests because interveners have had sufficient exposure to other parties' views and extension to the process would have diminishing returns.[28]

*Panel Determination*

The Panel agrees that the evidentiary record is adequate, given the revised scope of the Inquiry**. Therefore no further evidentiary process will be scheduled.**

With regard to a strawman, the Panel is of the view that given the revised scope and the lack of details surrounding the implementation of government's policy objectives, a strawman proposal would be of little value or assistance to the parties at this stage.

*Final Argument*

The majority of the interveners do not oppose the opportunity to file final and reply arguments,[29] although some interveners view that such additional process is not necessary.[30] BC Hydro submitted that the submissions have already been largely a mix of argument and evidence.[31] MEMPR submitted that interveners have already made their positions known through their submissions, which answered the questions posed by the Panel.[32]

[22] ibid., MEMPR, p. 696; BC Hydro, p. 706; FBC, p. 710; CEC, p. 715; CEA, p. 736; BCSEA, p. 739; AddEnergie, p. 743; Siemens, p. 747.
[23] ibid., MEMPR, p. 695.
[24] ibid., BCOAPO, pp. 719–721, 754.
[25] ibid., CEC, pp. 715–716.
[26] ibid., CEABC, pp. 727–728, 734.
[27] ibid., BCOAPO, pp. 719–721.
[28] ibid., BCSEA, p. 740.
[29] ibid., FBC, p. 709; BCOAPO, pp. 720–721; CEABC, p. 753; Flintoff, p. 733; CEA, p. 736; BCSEA, pp. 739–740; AddEnergie, p. 743; Siemens, p. 7; BC Hydro, p. 755; MEMPR, p. 766.
[30] ibid., MEMPR, p. 697; BC Hydro, p. 707.
[31] ibid., BC Hydro, p. 707.
[32] ibid., MEMPR, p. 697.

BCOAPO submitted that while some parties chose to submit arguments in their evidence submissions, not all parties did so (citing its own case as an example), on the basis of the expectation that there would be an opportunity to file arguments in due course. [33] In response, MEMPR submitted that it "would be fair to provide a final argument opportunity."[34]

### *Panel Determination*

**The Panel finds that providing an opportunity for final and reply arguments is warranted.** However, as has been pointed out, many parties have provided their argument already and to the extent that is the case, those parties are requested to avoid unnecessary repetition.

### *Timing*

Similar to Phase 1 of the Inquiry, several interveners at this Procedural Conference urge the Panel to provide a timely and quick report to provide investment certainty to the EV charging market and to achieve the Province of BC's emission reduction mandate.[35] AddEnergie also submitted that jurisdictions across Canada are interested in the BCUC's advice, determinations and findings in the Inquiry.[36]

In terms of setting the regulatory timetable, if the BCUC is to provide a round of final argument, the majority of the interveners indicate that a three to five weeks timeline from the date of the Order, and a subsequent two to three weeks reply would be appropriate.[37]

### *Panel Determination*

The Panel accepts the need for timely decisions. We also agree with the three to five week timeline proposed by most interveners. The regulatory timetable for final argument is:

| Action | Date (2019) |
|---|---|
| Final Argument on Revised Scope | Thursday, March 28 |
| Reply Argument on Revised Scope | Wednesday, April 10 |

The Panel intends to issue its Phase 2 findings in two reports. The first report will provide the Panel's recommendations to the Ministry on the application of Electrical Safety Standards (scope item 13) and the scope of prescribed undertakings in the GGRR regulation that apply to EV charging infrastructure (scope item 14). **The Panel acknowledges the importance of scope items 13 and 14 and accordingly will issue its recommendation on these issues as soon as possible following receipt of final and reply argument in accordance with the amended regulatory timetable.**

The second report will deal with all remaining matters in the revised scope. However, in the interim, we note that at this time there is no prohibition on non-exempt public utility involvement in the provision of EV charging services and, given the revised scope of this Inquiry, there will be no recommendation otherwise.

[33] ibid., BCOAPO, pp. 721, 754.
[34] ibid., MEMPR, p. 767.
[35] ibid., FBC, p. 710; ChargePoint, p. 730; CEA, pp. 736–737; AddEnergie, pp. 743–744; Siemens, p. 747.
[36] ibid., AddEnergie, p. 743-744.
[37] ibid., BC Hydro, p. 707; FBC, p. 711; BCSEA, pp. 741–742.