



ORDER NUMBER
G-1-24

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

and

Wyse Meter Solutions Inc.
Submetering Systems and Rates for Service

BEFORE:

E. B. Lockhart, Panel Chair
B. A. Magnan, Commissioner

on January 4, 2024

ORDER

WHEREAS:

- A. On November 30, 2023, Wyse Meter Solutions Inc. (Wyse) filed an application (Application) with the British Columbia Utilities Commission (BCUC), seeking, among other things:
- i. a Certificate of Public Convenience and Necessity (CPCN) pursuant to sections 45 and 46 of the *Utilities Commission Act* (UCA) to install, own, and operate existing and future electricity and thermal energy submetering equipment and operating systems in multi-unit residential and commercial properties throughout British Columbia (BC);
 - ii. permanent approval of rates currently filed and endorsed on an interim basis per BCUC Order G-168-23 (Existing Rates), pursuant to sections 58 to 60 of the UCA, for the provision of electricity submetering service and thermal energy submetering service, effective June 28, 2023;
 - iii. interim and subsequent permanent approval of rates, effective January 1, 2024, pursuant to sections 58 to 60 of the UCA, for the provision of electricity submetering service and thermal energy submetering service;
 - iv. exemption pursuant to section 88(3) of the UCA from sections 58 to 60 of the UCA in the matter specifically of the approval of contracted charges for recovery of the capital cost of new submetering systems negotiated between a building owner and Wyse; and
 - v. approval of the BC submetering services tariff, inclusive of the conditions of service, rate schedules and standard charges as set forth in Appendix C of the Application (BC Submetering Services Tariff);
- B. In the Application, Wyse requests that the BCUC set out in advance the extent of issues and information requests that an intervening party may be permitted to ask; and
- C. The BCUC determines that continuation of the Existing Rates on an interim basis is warranted and establishes a regulatory timetable and scoping guidance for review of the Application.

NOW THEREFORE the BCUC orders, pursuant to sections 58 to 61 and 90 of the UCA, as follows:

1. The Wyse request for new interim rates effective January 1, 2024 is denied, for the reasons set out in Appendix B attached to this order. The Existing Rates are to continue on an interim basis, effective June 28, 2023, as approved in Order G-168-23, subject to any further determinations made by the BCUC.
2. A written hearing process is established for the review of the Application in accordance with the regulatory timetable set out in Appendix A to this order. The scope of the hearing will be limited to the specific circumstances of Wyse and the Application, and not submetering more broadly.
3. Wyse is directed to publish the Application and a copy of this order on its website at: www.wysemeter.com by January 17, 2024. The Application and the order are to remain on the Wyse website until a final determination in relation to the Application has been issued.
4. Wyse is directed to provide notice of the Application and a copy of this order, electronically where possible, to all customers of Wyse located in BC as a bill insert in the next billing cycle or by January 31, 2024, whichever is sooner.
5. Wyse is directed to provide the BCUC with written confirmation of compliance with the above notice requirements by February 5, 2024.

DATED at the City of Vancouver, in the Province of British Columbia, this 4th day of January 2024.

BY ORDER

Original signed by:

E. B. Lockhart
Commissioner

Attachment

Wyse Meter Solutions Inc.
Submetering Systems and Rates for Service

REGULATORY TIMETABLE

Action	Date (2024)
Wyse provides Notice of the Application and this Order on its website	Wednesday, January 17
Wyse provides Notice to all customers (residents and buildings owners)	Wednesday, January 31
Wyse provides BCUC with written confirmation of compliance with the notice requirements	Monday, February 5
Intervener Registration	Wednesday, February 7
BCUC Information Request (IR) No. 1 to Wyse	Wednesday, February 14
Intervener IR No. 1 to Wyse	Thursday, February 22
Wyse Response to IR No. 1	Thursday, March 7
Further process	To be determined

Wyse Meter Solutions Inc.
Submetering Systems and Rates for Service

REASONS FOR DECISION

1.0 INTRODUCTION

Wyse Meter Solutions Inc. (Wyse) is a submetering service provider that installs and operates submeters to measure, among other commodities, electricity and/or thermal energy consumption in individual units of multi-residential buildings, such as apartment rental units and condo units, downstream of the bulk meter. On June 28, 2023, following a public review process, the British Columbia Utilities Commission (BCUC) found that Wyse meets the definition of a public utility under the *Utilities Commission Act* (UCA). By Order G-168-23, Wyse was directed to file an application with the BCUC seeking all required regulatory approvals for its rates, electric tariff, general terms and conditions and operating system. The BCUC also directed that the existing rates charged by Wyse be made interim effective June 28, 2023 (Existing Rates).¹

On November 30, 2023, Wyse filed an application with the BCUC (Application), seeking, among other things, permanent approval effective January 1, 2024 of a BC submetering services tariff (attached to the Application as Appendix C), including conditions of service, rate schedules, rates for service, and standard charges (BC Submetering Services Tariff).² Further, Wyse requests the approval of the rate schedules and rates for service in the BC Submetering Services Tariff to be made effective January 1, 2024, on an interim basis, pending a final BCUC decision on the Application.³

Following its initial review of the Application, the BCUC declines to grant interim approval to the rate schedules and rates for service of the BC Submetering Services Tariff set out in the Application and instead leaves the Existing Rates in effect on an interim basis. The reasons for the decision are as follows.

2.0 LEGISLATIVE FRAMEWORK

Section 60 of the UCA requires that, in setting a rate under the UCA, the BCUC must consider all matters that it considers proper and relevant affecting the rate, and have due regard to the setting of a rate that is not unjust or unreasonable. Under section 60 (1)(b.1) of the UCA, the BCUC may use any method of setting the rate that it considers advisable and may order that the rate is to remain in effect for a specified period. Section 61 (1) of the UCA requires that a public utility must file with the BCUC schedules showing all rates established by it and collected, charged or enforced or to be collected or enforced.

3.0 REQUEST FOR INTERIM RATES EFFECTIVE JANUARY 1, 2024

On June 28, 2023, by Order G-168-23, Wyse was directed to file with the BCUC interim tariff pages reflecting existing rates currently being charged to customers, i.e., the Existing Rates. By Directive 4 of that Order the

¹ Decision and Order G-168-23, p. ii.

² Application, pp. 4–5.

³ Application, pp. 4 –5.

Existing Rates were made interim and any differences between the interim and permanent rates, once approved by the BCUC, were to be refundable or recoverable with interest.⁴

Wyse's Existing Rates are described in Appendix B of the Application and include the following:⁵

- for electricity:
 - basic charge of 21.10 cents per day;
 - energy charge Step 1 of 9.59 cents per kilowatt-hour (kWh) for first 1,350 in an average two month billing period (22.1918 kWh per day);
 - energy charge Step 2 of 14.22 cents per kWh over the 1,350 Step 1 threshold;
 - minimum charge of 21.10 cents per day, equal to basic charge;
 - bad debt recovery fee of \$0.49 per bill; and
 - regulatory administration fee of \$0.61 per bill.
- for thermal energy:
 - administration fee of \$13.70 per monthly bill;
 - thermal energy charge of 10.98 cents per equivalent kWh for heating and cooling; and
 - hot water heating charge of 4.96 cents per equivalent kWh for hot water heating.

Wyse requests that new interim rates be established effective January 1, 2024.⁶ Specifically, Wyse requests that:

- the rates for electricity submetering service and for thermal energy submetering service set forth in the Application Part 2 (section 5.3.2) be set effective January 1, 2024, on an interim basis as follows:
 - for Service and Administration – \$5.76/unit/month,
 - for Regulatory Asset – \$2.18/unit/month,
 - for Regulatory Administration – \$0.61/unit/month, and
 - for Bad Debt Recovery – \$0.53/unit/month;⁷
- the rate for thermal energy submetering service set forth in the Application Part 2 (section 5.3.2) to recover the capital charge set out in the contract for thermal energy submetering to Building 4 (Building 4 System Cost Recovery) be set effective January 1, 2024 on an interim basis;⁸ and
- the energy charge for electricity submetering service equivalent to the price of BC Hydro Electricity, as defined by the rates set out under BC Hydro Rate Schedule 1121 – Multiple Residential Service as set forth in the Application Part 2 (section 5.1.3) be set effective January 1, 2024, on an interim basis as follows:
 - A Step 1 rate (\$/kWh) for consumption of electricity (kWh) in an average one-month billing period up to the Step 1 consumption threshold, as approved by the BCUC and in effect during the monthly billing period; and

⁴ Decision and Order G-168-23, p. 33.

⁵ Application, Appendix B, pp. 2–3.

⁶ Application, pp. 4–5.

⁷ Application, p. 52.

⁸ Application, p. 5.

- A Step 2 rate (\$/kWh) for consumption (kWh) of electricity over the Step 1 consumption threshold in an average one-month billing period, as approved by the BCUC and in effect during the monthly billing period;⁹ and
- the energy charge for thermal energy submetering service which is unique to each building and is estimated and provided to Wyse by each building owner that has contracted with Wyse to take Thermal Energy Submetering Service as set forth in the Application Part 2 (section 5.1.3) be set effective January 1, 2024 on an interim basis.¹⁰

Panel Determination

The Panel notes that the Application is the first by Wyse to establish permanent rates for the public utility. The Existing Rates were approved on an interim basis at the time Wyse was found to be a public utility, and absent a further order from the BCUC, will remain in effect.

The Panel observes that whereas in the Existing Rates the energy charges are defined with specific, quantified rate values, the Wyse proposed interim rates for energy charges (electricity and thermal energy) are not defined with a specific, quantified rate value in the BC Submetering Services Tariff. The implications of this approach in the BC Submetering Services Tariff are a matter for consideration in the hearing as the Panel considers whether the requested rates are just and reasonable.

Further, the Panel observes material differences in the rate schedules and rates for service of the BC Submetering Services Tariff when compared to the Existing Rates. As such, the rates proposed in the Application represent not just a change in the costs to Wyse's customers, but also a change in rate structure and definition.

The Panel considers that additional information is required to sufficiently assess the impact of the proposed rate changes. Further, any variance between the Existing Rates and permanent rates will be refunded to or collected from customers. As such, the Panel considers that there is an insufficient basis to support a change to Wyse's interim rates at this time. **Therefore, the Panel declines to grant interim approval of the rate schedules and rates for service of the BC Submetering Services Tariff set out in the Application. The Existing Rates are to continue on an interim basis, effective June 28, 2023, as approved in Order G-168-23, subject to any further determinations made by the BCUC.**

⁹ Application, p. 43.

¹⁰ Application, p. 43.