



ORDER NUMBER
G-319-24

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

and

FortisBC Alternative Energy Services Inc.
Stream A Registration of the Raphael Thermal Energy System

BEFORE:

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

on November 28, 2024

ORDER

WHEREAS:

- A. On October 1, 2024, FortisBC Alternative Energy Services Inc. (FAES) filed with the British Columbia Utilities Commission (BCUC) an application to register the Raphael Thermal Energy System (TES) as a Stream A TES (Application), in accordance with the BCUC TES Regulatory Framework Guidelines (TES Guidelines);
- B. On November 4, 2024, the BCUC issued BCUC Staff Questions No. 1;
- C. On November 8, 2024, FAES filed its responses to BCUC Staff Questions No. 1 and a revised Application (Revised Application) for the Raphael TES;
- D. FAES requests that certain information contained in the Revised Application be held confidential by the BCUC in perpetuity, pursuant to Section 18 of the BCUC's Rules of Practice and Procedure established by Order G-296-24. Specifically, FAES requests that information relating to construction costs, purchase price, operating costs, design data, drawings, and specifications be kept confidential. FAES states that the information is commercially sensitive and if publicly disclosed, could reasonably be expected to result in harm or prejudice to FAES's competitive or negotiating position with other parties or future projects;
- E. On August 27, 2014, the BCUC issued Order G-121-14 granting an exemption to a person, or the person's lessee, trustee, receiver or liquidator, who owns or operates in British Columbia a Stream A TES for the production, generation, storage, transmission, sale, delivery or provision of any agent for the production of heat or cold for compensation, with a capital cost less than a maximum threshold and greater than a minimum threshold, from sections 44.1, 45 and 59-61 of the *Utilities Commission Act* (UCA) for that specific TES. The exemption only applies if:
 - 1. The person files information that allows the BCUC to determine that Order G-121-14 applies to the person's specific TES;
 - 2. The BCUC determines that Order G-121-14 applies to the person's specific TES;

- F. On August 28, 2014, the BCUC issued Order G-127-14 approving the TES Guidelines and, on March 2, 2015, revisions to the TES Guidelines were approved by Order G-27-15; and
- G. The BCUC has reviewed the Revised Application and responses to BCUC Staff Questions No. 1 and is satisfied that the Raphael TES meets the characteristics of a Stream A TES and is suitable for exemption.

NOW THEREFORE pursuant to section 88(3) of the UCA and by the advance approval of the Lieutenant Governor in Council (Order in Council 400/14), the BCUC orders as follows:

- 1. FAES is exempt from sections 44.1, 45 and 59 to 61 of the UCA for the Raphael TES.
- 2. FAES must file with the BCUC, an annual report for the Raphael TES in accordance with Stream A annual reporting guidelines, as provided in Appendix B of the TES Guidelines, as may be amended from time to time.
- 3. Information related to construction costs, purchase price, operating costs, design data, drawings, and specifications filed by FAES shall be treated as confidential unless otherwise determined by the BCUC.

DATED at the City of Vancouver, in the Province of British Columbia, this 28th day of November 2024.

BY ORDER

Electronically signed by Bernard Magnan

B. A. Magnan
Commissioner