



ORDER NUMBER
G-251-25

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

and

TAB Utility Corp.
Partial Transfer of TES Ownership Interest

BEFORE:

A. K. Fung, KC, Commissioner

on October 17, 2025

ORDER

WHEREAS:

- A. On July 16, 2025, TAB Utility Corp. filed an application with the British Columbia Utilities Commission (BCUC) seeking approval of a transfer of a reviewable interest pursuant to section 54(8) of the *Utilities Commission Act*;
- B. By Order G-200-25 dated August 15, 2025 and Order G-219-25 dated September 8, 2025, the BCUC established and amended a regulatory timetable for review of the Application. The regulatory timetable included, among other things, BCUC information requests (IRs) to Tab Utility Corp.;
- C. On October 9, 2025, TAB Utility Corp. filed its responses to BCUC IR No. 1. Included in the responses was a request for an extension to the deadline for TAB Utility Corp. to respond to BCUC IR 1.4 as well as a request for clarifications from the BCUC regarding certain other IRs; and
- D. The BCUC has reviewed TAB Utility Corp.'s request and finds the following determinations to be warranted.

NOW THEREFORE the BCUC orders as follows:

- 1. An amended regulatory timetable is established, as set out in Appendix A to this order.
- 2. TAB Utility Corp. is directed to file a response to BCUC IR 1.4 by October 31, 2025.
- 3. TAB Utility Corp. is directed to file responses to the Panel IRs outlined in Appendix B to this order by October 31, 2025.

DATED at the City of Vancouver, in the Province of British Columbia, this 17th day of October 2025.

BY ORDER

Electronically signed by Anna Fung

A. K. Fung, KC
Commissioner

Attachments

TAB Utility Corp.
Partial Transfer of TES Ownership Interest

REGULATORY TIMETABLE

Action	Date (2025)
TAB Utility Corp. response to BCUC IR 1.4	Friday, October 31
TAB Utility Corp. responses to Panel IRs	Friday, October 31
Letters of Comment deadline	Friday, November 7
TAB Utility Corp. responses to letters of comment, if any, and final argument	Monday, November 17

TAB Utility Corp.
Partial Transfer of TES Ownership Interest

PANEL INFORMATION REQUEST NO. 1 TO TAB UTILITY CORP.

**1.0 Reference: BRENTWOOD TES STREAM A EXEMPTION
Exhibit B-5, BCUC IRs 1.1, 1.3.2, 1.5; Order G-172-20; Order G-47-25**

On October 9, 2025, TAB Utility Corp. filed its responses to BCUC information request (IR) No. 1. As part of its responses, TAB Utility Corp. indicated that both TAB Utility Corp. and TAB Utility Limited Partnership meet the definition of a public utility under the *Utilities Commission Act* (UCA). Further, TAB Utility Corp. requested clarification from the BCUC regarding certain IRs, including whether the BCUC “does not view TAB Utility Corp. as a public utility able to continue as such to operate the Brentwood TES”.

The Panel acknowledges TAB Utility Corp.’s questions and clarifies that, in addition to examining any necessary approvals under section 54 of the UCA, the Panel’s focus is on determining the proper level of BCUC oversight of TAB Utility Limited Partnership moving forward, as TAB Utility Corp. has received a Stream A TES exemption via Order G-172-20, but TAB Utility Limited Partnership has not.

As the Stream A class exemption authorized by BCUC Order G-121-14 was recently discontinued¹ and TAB Utility Corp.’s response to BCUC IR 1.3.3 indicates that the Brentwood TES does not currently meet the criteria for a Fixed Scale TES exemption, the Panel is interested in exploring whether the grant to TAB Utility Limited Partnership, pursuant to section 88(3) of the UCA, of a stand-alone exemption equivalent to the Stream A exemption provided to TAB Utility Corp. would serve the objects and purposes of the UCA and be in the public interest.

BCUC IRs 1.4 and 1.5 solicit TAB Utility Corp.’s views on whether (i) the current level of BCUC oversight of the Brentwood TES is adequate, and (ii) the grant of a section 88(3) exemption to TAB Utility Limited Partnership from sections 44.1, 45 and 59 to 61 of the UCA is warranted. The Panel requires further information regarding these matters.

- 1.1 In light of the clarification above, please provide a further response to BCUC IR 1.5 explaining TAB Utility Corp.’s views as to whether the grant of an exemption from sections 44.1, 45 and 59 to 61 of the UCA to TAB Utility Limited Partnership pursuant to section 88(3) of the UCA would serve the objects and purposes of the UCA and be in the public interest.
- 1.2 If TAB Utility Limited Partnership were granted an exemption from sections 44.1, 45 and 59 to 61 of the UCA, pursuant to section 88(3) of the UCA, please discuss TAB Utility Corp.’s views, with supporting rationale, as to which of the following scenarios would be preferable:
 - (a) the Stream A TES exemption issued to TAB Utility Corp. in Order G-172-20 remains in effect in addition to the new TAB Utility Limited Partnership section 88(3) exemption; or
 - (b) Order G-172-20 is rescinded and a single section 88(3) exemption applies to TAB Utility Limited Partnership (and thereby its constituent partners including TAB Utility Corp.).

¹ See BCUC Order G-47-25.

- 1.3 Please discuss any reporting or other conditions that TAB Utility Corp. considers would be appropriate for inclusion in any exemption order issued to TAB Utility Limited Partnership pursuant to section 88(3) of the UCA.
 - 1.3.1 Please discuss, with rationale, any differences in reporting requirements or other conditions that TAB Utility Corp. considers would be appropriate if the exemption issued pursuant to Order G-172-20 were to remain in effect versus being rescinded.