



**ORDER NUMBER
G-258-25**

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

and

Cambie Gardens Energy Limited Partnership
Terms of Service and Rates for the City of Vancouver and S.U.C.C.E.S.S. Affordable Housing Society

BEFORE:

M. Jaccard, Panel Chair
E. A. Brown, Commissioner

on October 29, 2025

ORDER

WHEREAS:

- A. By Order G-249-24, dated September 24, 2024, the British Columbia Utilities Commission (BCUC) issued its decision (Complaint Decision) regarding a complaint filed by S.U.C.C.E.S.S. Affordable Housing Society (SUCCESS) and the City of Vancouver (City). The complaint was regarding Cambie Gardens Energy Limited Partnership (CGE) and SUCCESS' inability to reach an agreement on the rates and terms for the delivery of thermal energy service from the CGE thermal energy system (TES);
- B. In the Complaint Decision, the BCUC provided recommendations and guidance to CGE and the City and SUCCESS with respect to rates and terms of the service agreement and directed that the parties had an additional six months from the date of Order G-249-24 to negotiate a long-term service agreement. The BCUC further directed that the parties were to provide notification to the BCUC if they were unable to reach agreement within this time period;
- C. By letters dated March 21, 2025 and March 25, 2025, with updates filed on April 28, 2025 and April 22, 2025 respectively, CGE and the City and SUCCESS confirmed that they had not reached agreement on a long-term service agreement;
- D. By Order G-147-25, dated June 16, 2025, the BCUC initiated a proceeding with the intent to set CGE's rates and terms of service with respect to its service to SUCCESS and established a regulatory timetable. The regulatory timetable included: provision of notice to the customers of the CGE TES (other than SUCCESS), namely CGE's commercial customer and its residential strata customer; information to be filed by CGE; a letter of comment deadline of July 10, 2025, and submissions from CGE and the City and SUCCESS. Order G-147-25 also set out the topics CGE and the City and SUCCESS were to provide submissions on;
- E. On August 24, 2025, counsel for the Owners of Cambie Gardens, Strata Plan EPS 8413 (the Residential Strata) submitted a letter to the BCUC, which, among other things, stated that it had not received a copy of

Order G-147-25 or its accompanying decision from CGE. The Residential Strata stated that it only recently became aware of the proceeding and wishes to submit its letter of comment for consideration by the Panel;

- F. On August 27, 2025 and September 8, 2025 the BCUC requested confirmation from CGE that it provided Order G-147-25 and the accompanying decision to all customers of the CGE TES, including the Residential Strata as well as additional documentation regarding the current contact representative for the Residential Strata;
- G. On August 27, 2025 and September 18, 2025, CGE filed additional information, in which CGE states that it provided notice of the proceeding via email on June 19, 2025 to CGE's commercial customer as well as an agent at Rancho Management Services. CGE states that Rancho Management Services is the designated representative for the Residential Strata;
- H. On October 9, 2025, the BCUC requested that the Residential Strata provide a response to CGE's submissions that Rancho Management Services is a designated representative of the Residential Strata;
- I. On October 15, 2025, the Residential Strata filed its response to CGE's submissions, in which it states that Rancho Management Services was never the designated representative for the Residential Strata in relation to the subject regulatory proceeding. The Residential Strata also noted that the Rancho Management Services agent identified by CGE has been on leave since March 2025;
- J. On October 20, 2025, CGE filed its reply to the Residential Strata's submission, in which it states that consistent with past practice, CGE delivered notice to the identified agent at Rancho Management Services, as done in prior instances. CGE stated that no automatic reply or bounce-back indicated that identified agent was unavailable or on leave; therefore, CGE reasonably believed notice had been properly delivered; and
- K. The Panel has reviewed the submissions and finds that the following determinations are warranted.

NOW THEREFORE for the reasons outlined in the decision accompanying this order, the BCUC orders as follows:

- 1. The Residential Strata's August 24, 2025 letter of comment, with attachment Exhibit A removed, is accepted into the evidentiary record of the proceeding on matters that are within the scope of this proceeding.
- 2. A regulatory timetable is established, as set out in Appendix A to this order.

DATED at the City of Vancouver, in the Province of British Columbia, this 29th day of October 2025.

BY ORDER

Electronically signed by Mark Jaccard

M. Jaccard
Commissioner

Cambie Gardens Energy Limited Partnership
Terms of Service and Rates for the City of Vancouver and S.U.C.C.E.S.S. Affordable Housing Society

REGULATORY TIMETABLE

Action	Date (2025)
CGE and the City and SUCCESS response to the Residential Strata's letter of comment on matters within the scope of this proceeding.	Wednesday, November 5

DECISION

1.0 Introduction

By Order G-249-24, dated September 24, 2024, the British Columbia Utilities Commission (BCUC) issued its decision (Complaint Decision) regarding a complaint filed by S.U.C.C.E.S.S. Affordable Housing Society (SUCCESS) and the City of Vancouver (City). The complaint was regarding Cambie Gardens Energy Limited Partnership (CGE) and SUCCESS' inability to reach an agreement on the rates and terms for the delivery of thermal energy service from the CGE thermal energy system (TES). In the Complaint Decision, the BCUC provided recommendations and guidance to the parties with respect to rates and terms of the service agreement and directed that the parties had an additional six months from the date of Order G-249-24 to negotiate a long-term service agreement. The BCUC further directed that the parties were to provide notification to the BCUC if they were unable to reach agreement within this time period.¹

By letters dated March 21, 2025 and March 25, 2025, with updates filed on April 28, 2025 and April 22, 2025, CGE and the City and SUCCESS, respectively, confirmed that they had not reached agreement on a long-term service agreement.

On June 16, 2025, by Order G-147-25, the BCUC, noting that no long-term agreement had been reached, which is a requirement of the BCUC's TES Guidelines, initiated a proceeding and established a regulatory timetable with the intent to set CGE's rates and terms of service with respect to its service to SUCCESS. In addition, the BCUC set out that the proceeding would also consider the necessary amendments to CGE's exemption to facilitate the setting of CGE's rates and terms of service for its service to SUCCESS and whether and how CGE has implemented the BCUC's recommendations as set out by the Complaint Decision.²

The regulatory timetable established for the proceeding included: provision of notice to the customers of the CGE TES (other than SUCCESS), namely CGE's commercial customer and its residential strata customer; information to be filed by CGE; a letter of comment deadline of July 10, 2025, and submissions from CGE and the City and SUCCESS. The topics on which CGE and the City and SUCCESS were to provide submissions and reply submissions were as follows:³

1. The BCUC's intention to amend CGE's exemption, which is currently set out by Order G-373-21, to rescind CGE's exemption from sections 59-61 of the UCA with respect to its service to SUCCESS. It is the BCUC's intention to leave in effect CGE's exemption from sections 44.1 and 45 of the UCA and CGE's exemption from sections 59-61 of the UCA with respect to its service to its strata and commercial customers, who already have long-term service agreements in place.
2. CGE's proposed service agreement, including whether CGE has reasonably incorporated the BCUC's recommendations as set out by Order G-249-24. Submissions on CGE's proposed service agreement should address whether the BCUC's recommendations have been reasonably implemented and any new facts or changes in circumstances that have occurred since issuance of Order G-249-24. Parties should not revisit issues that were raised in the complaint proceeding.

¹ G-249-24, Directive 1 and 2.

² G-147-25 and accompanying decision.

³ Ibid.

2.0 The Residential Strata's Letter of Comment

On August 24, 2025, counsel for the Owners of Cambie Gardens, Strata Plan EPS 8413 (the Residential Strata) submitted a letter to the BCUC, which, among other things, stated that it had not received a copy of Order G-147-25 or its accompanying decision from CGE. The Residential Strata stated that it had only recently become aware of the proceeding initiated by Order G-147-25 and wishes to submit its letter of comment for consideration of the Panel. The Residential Strata also requests that it becomes a party to the current proceeding, or in the alternative, be granted to commence a separate regulatory proceeding to set aside the Stream A TES exemption entirely, or with respect to the service provided to the Residential Strata.⁴

On August 27, 2025, the BCUC requested confirmation from CGE that it provided Order G-147-25 and the accompanying decision to all customers of the CGE TES, including the Residential Strata.⁵ On August 27, 2025, CGE filed its response, in which CGE states that it provided Order G-147-25 and its accompanying Decision via email on June 19, 2025, to CGE's commercial customer as well as an agent at Rancho Management Services. CGE states that Rancho Management Services is the designated representative for the Residential Strata.⁶

On September 8, 2025, the BCUC requested that CGE file, among other things, additional documentation confirming the current designated contact representative for the Residential Strata.⁷ On September 18, 2025, CGE filed additional information, in which CGE states that the agent identified at Rancho Management Services has been CGE's primary representative for the Residential Strata since inception and that CGE had not received any correspondence indicating that this email address or that the agent identified would no longer be a valid point of contact. CGE also included copies of correspondence with the identified agent dated most recently January 2025.⁸

On October 9, 2025, the BCUC requested that the Residential Strata provide a response to CGE's submissions that Rancho Management Services is a designated representative of the Residential Strata.⁹

On October 15, 2025, the Residential Strata filed its response, stating, among other things, that Rancho Management Services was never the designated representative for the Residential Strata in relation to the subject regulatory proceeding. The Residential Strata also notes that the Rancho Management Services agent identified by CGE has been on leave since March 2025.¹⁰

On October 20, 2025, CGE filed its reply to the Residential Strata's submission, in which it states that consistent with past practice, CGE delivered notice to the identified agent at Rancho Management Services. CGE states that no automatic reply or bounce-back indicated that identified agent was unavailable or on leave; therefore, CGE reasonably believed notice had been properly delivered.¹¹

Panel Determination

The Panel accepts the Residential Strata's letter dated August 24, 2025 as a letter of comment into the evidentiary record of the proceeding, on matters that are within the scope of this proceeding.

⁴ Exhibit D-1-1.

⁵ Exhibit A-5.

⁶ Exhibit B-4.

⁷ Exhibit A-6.

⁸ Ibid.

⁹ Exhibit A-8.

¹⁰ Exhibit D-1.

¹¹ Exhibit B-7.

Order G-147-25 directed CGE to provide a copy of Order G-147-25 and accompanying Decision by June 19, 2025 to the customers of the CGE TES (other than SUCCESS), namely CGE's commercial customer and residential strata customer. Order G-147-25 also provided a letter of comment period with a deadline of July 10, 2025. The Panel acknowledges that CGE sent an email on June 19, 2025 with an attached copy of Order G-147-25 and accompanying decision to an agent at Rancho Management Services that it had previously corresponded with on matters pertaining to the Residential Strata. However, the Panel accepts the Residential Strata's submissions that the identified Rancho Management Services agent is on leave and that the Residential Strata did not receive notice of this proceeding.

The Panel observes that the Residential Strata's August 24, 2025 letter addresses several topics in addition to notice of the proceeding, including submissions regarding CGE's Stream A TES exemption and submissions pertaining to the terms and conditions of the long-term agreement between CGE and the Residential Strata and the plain language explanation of the agreement. The scope of this proceeding, as set out by Order G-147-25, is limited to consideration of the need to amend CGE's exemption to facilitate the setting of CGE's rates and terms of service for its service to SUCCESS and to review CGE's proposed service agreement with SUCCESS. As such, while the Residential Strata's August 24, 2025 letter is accepted into the proceeding as a Letter of Comment, the Panel considers that only matters pertaining to CGE's exemption as it relates to SUCCESS are in scope in this proceeding. The Panel has, therefore, removed the copy of the service agreement between the Residential Strata and CGE, which was attached as Exhibit A to the August 24, 2025 letter of comment. The Panel recommends that the BCUC review the remaining matters relating to the Residential Strata outside of this proceeding.

As set out by the regulatory timetable provided in Appendix A, CGE and SUCCESS and the City have the opportunity to provide a response to the Residential Strata's August 24, 2025 letter on matters within the scope of this proceeding by Wednesday, November 5, 2025.

DATED at the City of Vancouver, in the Province of British Columbia, this 29th day of October 2025.

Electronically signed by Mark Jaccard

M. Jaccard
Panel Chair/Commissioner

Electronically signed by Lisa Brown

E. A. Brown
Commissioner