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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER** G-30-08

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**IN THE MATTER OF
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473**

and

An Application by Terasen Gas (Vancouver Island) Inc. ("TGVI")

and

A Request for Confidentiality for the Report on the Mt. Hayes Liquefied Natural Gas Storage Project

BEFORE: R.H. Hobbs, Chair
R.J. Milbourne, Commissioner
A.J. Pullman, Commissioner

March 6, 2008

O R D E R

WHEREAS:

- A. On June 5, 2007, TGVI filed with the Commission an Application for a CPCN to construct and operate a LNG Storage Facility at Mt. Hayes in the Cowichan Valley Regional District in the vicinity of Ladysmith (the "LNG Storage Facility"), and the facilities required for the connection of the LNG Storage Facility to TGVI's gas transmission system (collectively, the "Project"); and
- B. By Order No. G-78-07 the Commission established a Written Public Hearing process and Regulatory Timetable for the regulatory review of the Project; and
- C. By Order No. G-101-07, the Commission issued a Revised Regulatory Timetable in recognition of an Evidentiary Update filed by TGVI and Terasen Gas Inc., and by letter dated September 28, 2007 extended the dates for filing submissions in the proceeding; and
- D. The Vancouver Island Gas Joint Venture, British Columbia Hydro and Power Authority, WestPac LNG Corporation, the British Columbia Old Age Pensioners' Organization *et al.*, the Ministry of Energy, Mines and Petroleum Resources and Pacific Northern Gas Ltd./Pacific Northern Gas (N.E.) Ltd. intervened in the proceeding; and

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- E. By Order No. C-9-07 TGVI is required to file by March 31, 2008, a description of the contract with the Engineering, Procurement and Construction (“EPC”) contractor; identification of the components of the Project where cost risk is with the utility and its ratepayers; a description and analysis of risk allocation; updated and detailed P10, P50 and P90 cost estimates for the Project; an updated Project schedule; and TGVI’s intentions and recommendations with regard to the completion of the Project (collectively, the “Report”); and
- F. On February 18, 2008, TGVI filed a letter with the Commission providing information regarding TGVI’s intent to file the Report on or before Wednesday, March 19, 2008; and
- G. On February 27, 2007, TGVI filed a letter with the Commission that requested the Report be kept confidential and be provided only to the Commission and to authorized representatives of Intervenor that have executed the form of undertaking (Schedule A) to keep the information confidential in accordance with the Practice Directive of the British Columbia Utilities Commission related to Confidential Filings; and
- H. TGVI’s application for confidentiality is based on the EPC contractor, Horton CBI’s development of confidential information for the fixed turnkey price of this Project that is commercially sensitive to the competitive position that this contractor may have for other projects in the marketplace; and
- I. The Commission has reviewed the application for confidentiality and finds the approval of the submission to be in the public interest; and
- J. The Commission considers that it should establish a written proceeding for the review of the Report.

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NOW THEREFORE the Commission orders as follows:

1. Pursuant to Sections 45 and 46 of the Utilities Commission Act and Commission Order No. C-9-07, a written proceeding is established according to the following Regulatory Timetable:

Authorized representatives of Registered Intervenor who intend to review the Report, submit to the Commission and to TGVI an originally signed copy of a confidentiality undertaking in the form of Schedule A	March 12, 2008
TGVI files the Report and provides a copy of the Report to authorized representatives of Intervenor who have signed a confidentiality undertaking	March 19, 2008
Authorized representatives of Registered Intervenor who have signed a confidentiality undertaking submit comments on the Report to the Commission, with a copy to TGVI	March 26, 2008
TGVI replies to Intervenor comments on the Report and provides a copy of the TGVI Reply, together with Intervenor comments, to representatives who have signed a confidentiality undertaking	March 30, 2008

2. The Report, Intervenor comments, and the TGVI Reply will be kept confidential and will only be provided to authorized representatives of Registered Intervenor who have signed the confidentiality undertaking in the form of Schedule A, attached.

DATED at the City of Vancouver, in the Province of British Columbia, this 6th day of March 2008.

BY ORDER

Original signed by:

Robert H. Hobbs
Chair

Attachment

Terasen Gas (Vancouver Island) Inc. ("TGVI")
Mt. Hayes Storage Project (Project No. 3698465)
Project Report Confidential Filing

Undertaking

I, [FULL NAME], am a participant acting for [NAME OF ORGANIZATION] in the matter of the review of the Mt. Hayes Storage project report (the "Report") to be filed by TGVI in compliance with Commission Order No. C-09-07.

In this capacity, I request access to the confidential information in the Report. I understand that the execution of this undertaking is a condition of an Order of the Commission, and the Commission may enforce this Undertaking pursuant to the provisions of the ATA.

I hereby undertake

- a) to use the information disclosed under the conditions of the Undertaking exclusively for duties performed in respect of this proceeding;
- b) not to divulge information disclosed under the conditions of this Undertaking except to a person granted access to such information or to staff of the Commission;
- c) not to reproduce, in any manner, information disclosed under the conditions of this Undertaking except for purposes of the proceeding;
- d) to keep confidential and to protect the information disclosed under the conditions of this Undertaking
- e) to return to TGVI, under the direction of the Commission, all documents and materials containing information disclosed under the conditions of this Undertaking, including notes and memoranda based on such information, or to destroy such documents and materials and to file with the Commission a certification of destruction at the end of the proceeding or within a reasonable time after the end of my participation in the proceeding; and
- f) to report promptly to the Commission any violation of this Undertaking.

Dated at [CITY, PROVINCE] this [DAY OF MONTH] day of March, 2008.

Signature: _____

Name: _____
(please print)

Address: _____

Telephone: _____

Fax: _____

E-mail: _____