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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER G-183-13**

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

and

An Application by FortisBC Energy Inc. for Approval of Rate Design and Rates for Constructing and Operating a Compressed Natural Gas Refueling Station under their General Terms and Conditions Section 12B for the Central Okanagan School District No. 23

BEFORE: L.A. O'Hara, Commissioner

November 7, 2013

ORDER

WHEREAS:

- A. On July 19, 2011, Order G-128-11 approved, among other items, an ongoing rate base deferral account to capture incremental Compressed Natural Gas (CNG) and Liquefied Natural Gas (LNG) recoveries received from actual volumes purchased in excess of minimum contract take or pay commitments to be refunded to all non-bypass customers by amortizing the balance through delivery rates over a one year period, commencing the following year, to be effective as of January 1, 2012;
- B. On February 7, 2012, by Order G-14-12, the British Columbia Utilities Commission (Commission) approved Revised General Terms and Conditions 12B as filed by FortisBC Energy Inc. (FEI);
- C. On April 30, 2012, Commission Order C-6-12 directed FEI to establish two new service classes, one for CNG Service and one for LNG Service;
- D. On October 17, 2012, Commission Order G-150-12, Directive 1(c), varied Order C-6-12, Directive 5(e) to state: "FEI is to include all other amounts paid by BFI for volumes in excess of the 'take or pay' commitment in a new rate base deferral account separate from the deferral account approved in the Waste Management Decision, to capture incremental CNG Service recoveries received from actual volumes purchased in excess of minimum take or pay commitments, for disposition to be determined at a future date.";
- E. On July 12, 2013, FEI applied to the Commission, pursuant to sections 59 to 61 of the *Utilities Commission Act*, for Approval of Rate Design and Rates for Constructing and Operating a CNG Refueling Station under Section 12B of FEI's General Terms and Conditions for the Central Okanagan School District No. 23 (Kelowna School District);

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- F. On September 6, 2013, FEI filed an evidentiary update to its Application for Approval of a Multi-Year Performance Based Ratemaking Plan for 2014 through 2018 which included a request to create a Non-Greenhouse Gas Reduction (Clean Energy) Regulation, B.C. Reg. 102/2012 Section 2(3) CNG Class of Service, effective January 1, 2014, which would include the Kelowna School District;
- G. On September 30, 2013, Commission Order G-158-13 approved the rate design and rates for the Kelowna School District for CNG Service, effective September 1, 2013;
- H. Commission Order G-158-13 also directed FEI to capture incremental CNG recoveries received from actual volumes in excess of the Kelowna School District Agreement minimum contract take or pay commitments to be refunded to all non-bypass customers as per Order G-128-11;
- I. On October 1, 2013, FEI requested that Order G-158-13 be varied to reflect Commission Order G-150-12 Directive 1(c).

NOW THEREFORE, the Commission varies Directive 2 of Order G-158-13 to state:

“FortisBC Energy Inc. must capture incremental CNG recoveries received from actual volumes in excess of the Kelowna School District Agreement minimum contract take or pay commitments for disposition to be determined in FEI’s 2014-2018 Application for Approval of a Multi-Year Performance Based Ratemaking Plan for 2014 to 2018 or in another future proceeding.”

DATED at the City of Vancouver, in the Province of British Columbia, this 8th day of November, 2013.

BY ORDER

Original Signed By:

L.A. O’Hara
Commissioner