



LETTER L-2-13

SIXTH FLOOR, 900 HOWE STREET, BOX 250
VANCOUVER, BC CANADA V6Z 2N3
TELEPHONE: (604) 660-4700
BC TOLL FREE: 1-800-663-1385
FACSIMILE: (604) 660-1102

Log No. 42229

ERICA HAMILTON
COMMISSION SECRETARY
Commission.Secretary@bcuc.com
web site: <http://www.bcuc.com>

VIA EMAIL

gas.regulatory.affairs@fortisbc.com
diane.roy@fortisbc.com

February 13, 2013

**FORTISBC ENERGY BIOMETHANE POST IMPLEMENTATION
& PROGRAM MODIFICATION EXHIBIT A-6**

Ms. Diane Roy
Director, Regulatory Affairs
FortisBC Energy Inc.
16705 Fraser Highway
Surrey, BC V4N 0E8

Dear Ms. Roy:

Re: FortisBC Energy Inc.
Post Implementation Report and Application
for Approval of the Continuation and Modification of
the Biomethane Program on a Permanent Basis
(2012 Biomethane Application)

Commission Order G-18-13 established a written public hearing process and Regulatory Timetable for the FortisBC Energy Inc. (FEI) 2012 Biomethane Application. The Commission requested input from the parties on a number of issues as noted on pages 6 and 7 of Appendix A to Order G-18-13. Intervener and other stakeholders Submissions regarding the biomethane suppliers regulatory process were due February 12, 2013, followed by an FEI Submission regarding the biomethane suppliers regulatory process due February 15, 2013.

On February 13, 2013, the Commission received a submission from Greater Vancouver Sewerage and Drainage District (GVS&DD, also known as Metro Vancouver) requesting: 1) an extension to file its comments with the Commission by Monday, February 18, 2013, and then for FEI to file its Submission on February 19, 2013, and 2) changing its status to a Registered Intervener from an interested party. GVS&DD notes FEI does not oppose the requested changes to the Regulatory Timetable.

The Commission Panel has considered GVS&DD's request for Intervener status and grants Intervener status to GVS&DD. The Commission Panel has also considered the GVS&DD request to amend the regulatory timetable for the comment period on the Submissions regarding the biomethane suppliers regulatory process. After considering this request, **the Commission Panel amends the Regulatory Timetable for submissions regarding the biomethane suppliers regulatory process as follows:**

Intervener and other stakeholders Submissions regarding biomethane suppliers regulatory process	Monday, February 18, 2013
FEI Submission regarding biomethane suppliers regulatory process	Tuesday, February 19, 2013

All other dates in the Regulatory Timetable shown in Appendix B to Order G-18-13 remain the same. Interveners and other stakeholders who have already filed their Submissions may file an amended Submission by the deadline above, if they choose to do so.

Yours truly,

Erica Hamilton

/sk

Enclosure

cc: FEI-Biomethane-RI/IP

Mr. Ethan Werner
Operations and Business Development
CH Four Biogas
on behalf of - Dicklands Farm and Seabreeze Farm
ewerner@chfour.ca

Mr. Steve Harpur
President
EarthRenu Energy
steve@earthrenu.com

Mr. Jeff Carmichael
Manager, Utility Research and Innovation Division
Greater Vancouver Sewerage and Drainage District
jeff.carmichael@metrovancover.org

February 13, 2013

EMAIL: Commission.Secretary@bcuc.com

Ian Webb
T: 604.631.9117
F: 604.694.2932
iwebb@lawsonlundell.com

B.C. Utilities Commission
Box 250, 900 Howe Street
Sixth Floor
Vancouver, B.C.
V6Z 2N3

Attention: Erica Hamilton

Dear Ms. Hamilton

**British Columbia Utilities Commission ("BCUC")
FortisBC Energy Inc. Biomethane Service Offering –
Post Implementation & Program Modification Application
Project No. 3698699**

1600 Cathedral Place
925 West Georgia Street
Vancouver, British Columbia
Canada V6C 3L2
Telephone: 604 685 3456
Fax: 604 669 1620
www.lawsonlundell.com
Vancouver
Calgary
Yellowknife

We have been retained by the Greater Vancouver Sewerage and Drainage District ("GVS&DD") in connection with the FortisBC Energy Inc. ("FEI") Biomethane Service Offering – Post Implementation & Program Modification ("2012 Biomethane") Application.

The GVS&DD wishes to provide comments on the issues raised by the BCUC in its Order No. G-18-13 dated February 5, 2013, however, for the reasons discussed below the GVS&DD needs more time to understand the issues and prepare its comments. Accordingly, the GVS&DD requests an extension to the date for submitting comments as established by Order No. G-18-13.

The GVS&DD forms part of what is known as 'Metro Vancouver'. The GVS&DD was created and exists pursuant to the *Greater Vancouver Sewerage and Drainage District Act* (British Columbia). Metro Vancouver also includes the Greater Vancouver Regional District and other entities (refer to Exhibit D-8 for further information). Metro Vancouver the GVS&DD have registered as an interested party in this proceeding (refer to Exhibit D-2).

The GVS&DD has a conditional agreement with FEI dated October 16, 2012 regarding the sale to FEI of biomethane that would be produced by a proposed project at GVS&DD's Lulu Island wastewater treatment plant. FEI has submitted the agreement to the BCUC under section 71 of the *Utilities Commission Act* as part of the BCUC proceeding to review the 2012 Biomethane Application.

The GVS&DD did not anticipate its proposed project to install biogas upgrading facilities at the Lulu Island wastewater treatment plant and the supply of upgraded biomethane to FEI might result in the GVS&DD falling within the *Utilities Commission Act* definition of "public utility", and it did not expect to actively participate in this BCUC proceeding.

The GVS&DD received BCUC Order No. G-18-13 and is beginning to understand the import of the BCUC's determinations in that Order. The GVS&DD now intends to become more involved in this proceeding and wishes to provide comments on the issues raised in BCUC Order No. G-18-13 as set out on pages 6 and 7 of Appendix A to the Order. Due to the time needed to understand the import of the BCUC's determinations in that Order, the GVS&DD requests an extension to file its comments with the BCUC by Monday, February 18, 2013.

If the BCUC approves the requested extension, it might also be appropriate to delay the date for FEI to make its submission regarding biomethane suppliers regulatory process to Tuesday, February 19, 2013. We have discussed this request with FEI's counsel and understand FEI does not oppose the BCUC granting the requested extension and changing the date for FEI's submission to February 19th. The GVS&DD further submits that these changes to the regulatory timetable should not require any further changes to subsequent steps in the regulatory timetable. In particular, there would not appear to be any need to delay BCUC Information Request #1, scheduled for March 4th.

Finally, the GVS&DD also requests that its status as an interested party for this proceeding be changed to that of an intervener.

All of the above is respectfully submitted.

Yours truly,

LAWSON LUNDELL LLP



Ian Webb

cc. 2012 Biomethane Application distribution list