



ORDER NUMBER

P-5-19

IN THE MATTER OF

the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

Kinder Morgan Canada (Jet Fuel) Inc.
2019 Tariff Filing Application

BEFORE:

B. A. Magnan, Panel Chair
T. A. Loski, Commissioner
C. M. Brewer, Commissioner

on May 7, 2019

ORDER

WHEREAS:

- A. On November 29, 2018, Kinder Morgan Canada (Jet Fuel) Inc. (KMJF) filed with the British Columbia Utilities Commission (BCUC) an application for approval of Tariff No. 40, which extends the existing terms of service and tolls payable for the transportation of turbine fuel to Vancouver International Airport and the Burnaby Terminal (Application), effective January 1, 2019;
- B. By Order P-1-18 dated December 14, 2018, the BCUC approved, on an interim and refundable basis, KMJF's Application effective January 1, 2019 to the earlier of December 31, 2019, or the parties reaching a mutual agreement;
- C. By Order P-1-18, the BCUC also established a public written submission process and a regulatory timetable to explore stakeholders' submissions or other potential issues;
- D. By letter dated December 27, 2018, KMJF requested a three-day extension to file its responses to BCUC Information Request No. 1, citing absence of personnel best able to provide the required information;
- E. By Order P-2-18, the BCUC approved an amended regulatory timetable further to KMJF's extension request;
- F. By letter dated January 10, 2019, Parkland Fuel Corporation (Parkland) noted that stakeholders may not be in a position to adequately comment on KMJF's submission due to the shippers' meeting being scheduled after the stakeholder submission deadline set in the previously amended regulatory timetable;
- G. By Order P-1-19, the BCUC approved an amended regulatory timetable further to Parkland's extension request;

- H. On January 29, 2019, Vancouver Airport Fuel Facilities Corporation (VAFFC) submitted a letter dated January 31, 2019, confirming that KMJF had met with affected stakeholders and all parties, including KMJF, and had agreed to explore a potential negotiated settlement to resolve the Application over the next six weeks;
- I. By Order P-2-19, the BCUC approved an amended regulatory timetable further to VAFFC's extension request;
- J. By letter dated March 7, 2019, a collective request was filed by KMJF, Parkland, Shell Canada Products and the VAFFC to extend the current regulatory timetable for the purpose of exploring further negotiations amongst KMJF and its shippers;
- K. By Order P-3-19A, the BCUC approved an amended regulatory timetable to accommodate further negotiations between KMJF and its shippers;
- L. By letters dated April 5, 2019, VAFFC and Parkland informed the BCUC that the discussions between KMJF and its shippers did not produce a negotiated settlement. Further, VAFFC and Parkland submitted to the BCUC a request to change the interim tolls approved by Order P-1-18 and establish a regulatory proceeding regarding the Application;
- M. By Order P-4-19, the BCUC approved an amended timetable regarding VAFFC and Parkland's request for further regulatory process;
- N. By April 24, 2019, VAFFC and Parkland had registered as interveners in the Application;
- O. By letter dated April 29, 2019, KMJF responded to intervener comments and proposed an amended regulatory timetable to accommodate KMJF's submission on its detailed application for final tolls. Further, KMJF responded to intervener submissions to change the interim tolls established in Order P-1-18 and requested that the interim tolls remain pending the outcome of the Application;
- P. On May 2, 2019, the BCUC appointed additional commissioners to the existing panel to review the Application; and
- Q. The Panel considers that further amendment of the regulatory timetable established by Order P-4-19 is warranted.

NOW THEREFORE the BCUC orders that the regulatory timetable established by Order P-4-19 is amended, as set out in Appendix A to this order.

DATED at the City of Vancouver, in the Province of British Columbia, this 7th day of April 2019.

BY ORDER

Original signed by:

B. A. Magnan
Commissioner

Attachment

Kinder Morgan Canada (Jet Fuel) Inc.
2019 Tariff Filing Application

REGULATORY TIMETABLE

Action	Date (2019)
Intervener submissions on proposed changes to interim rate	Thursday, May 16
Kinder Morgan Canada (Jet Fuel) Inc. (KMJF) response to intervener submissions on proposed changes to interim rate	Thursday, May 30
KMJF filing of final toll application	Friday, June 7
BCUC Information Request (IR) No. 2 to KMJF	Monday, July 8
Intervener IR No. 1 to KMJF	Thursday, July 11
KMJF response to BCUC IR No. 2 and Intervener IR No. 1	Thursday, August 8
Further Process	To be determined