



**ORDER NUMBER  
G-212-19**

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

and

FortisBC Energy Inc.  
Application for Approval of an Operating Agreement  
Between the Corporation of the City of Castlegar and FEI

**BEFORE:**

R. I. Mason, Panel Chair  
W. M. Everett, QC, Commissioner  
B. A. Magnan, Commissioner

on September 5, 2019

**ORDER**

**WHEREAS:**

- A. On July 11, 2019, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (BCUC) for approval of an operating agreement dated July 5, 2019, entered into between the Corporation of the City of Castlegar (Castlegar) and FEI (the FEI-Castlegar Operating Agreement or Application);
- B. FEI (through predecessor companies Inland Natural Gas Co. Ltd. and BC Gas Utility Ltd.) and the City of Castlegar entered into a franchise agreement, which expired on August 30, 1998;
- C. FEI and Castlegar entered into a franchise agreement dated October 13, 1998, approved by BCUC Order C-17-98, which expired on August 29, 2019;
- D. FEI submits that the FEI-Castlegar Operating Agreement is based on the same terms as the FEI-Kamloops Operating Agreement;
- E. On June 3, 2019, FEI applied to the BCUC for approval to use the FEI-Kamloops Operating Agreement as the basis for comparison in subsequent operating agreement applications with Interior municipalities, and by Order G-176-19, dated July 31, 2019, the Panel established a public hearing process to address FEI's request;
- F. The BCUC issued interim approval of the FEI-Castlegar Operating Agreement in Order G-170-19, dated July 29, 2019;
- G. By Order G-183-19 dated August 2, 2019, the BCUC deferred making a final determination on the approval of the FEI-Castlegar Operating Agreement until the conclusion of the public hearing process on the use of the FEI-Kamloops Operating Agreement as the basis for comparison in subsequent operating agreements with Interior municipalities;

- H. On August 6, 2019, FEI filed a letter withdrawing the request for approval to use the FEI-Kamloops Operating Agreement as a basis for comparison for operating agreements with Interior municipalities;
- I. By Order G-207-19, dated August 29, 2019, the BCUC dismissed FEI's application to use the FEI-Kamloops Operating Agreement as a basis for comparison in subsequent operating agreements with Interior municipalities, and rescinded the associated regulatory timetable; and
- J. The Panel has reviewed the Application and considers that a public hearing process is warranted.

**NOW THEREFORE** under section 23(1)(g) of the *Utilities Commission Act*, the BCUC orders as follows:

1. A public hearing process and a regulatory timetable is established, as set out in Appendix A to this order.
2. FEI must publish, no later than Thursday, September 26, 2019, on its website and in display-ad format, the Public Notice attached as Appendix B to this order. Publication should be in such appropriate news publications as may properly provide adequate notice to FEI customers in the City of Castlegar.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 5<sup>th</sup> day of September 2019.

BY ORDER

*Original signed by:*

R. I. Mason  
Commissioner

Attachment

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**REGULATORY TIMETABLE**

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Action	Date (2019)
FEI notice to the City of Castlegar customers	Thursday, September 26
Intervener registration and letters of comment deadline	Thursday, October 10
Further process	To be determined



**bcuc**  
British Columbia  
Utilities Commission

# PUBLIC NOTICE

## OPERATING AGREEMENT BETWEEN THE CITY OF CASTLEGAR AND FEI

On July 11, 2019, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (BCUC) for approval of a revised operating agreement with the City of Castlegar. The operating agreement between both parties outlines the terms of administering and operating gas distribution facilities within the City of Castlegar.

More information on the application can be found at [bcuc.com](http://bcuc.com) on our “Current Proceedings” page, a hard copy of the application is also available for review at the BCUC’s office and FEI’s head office

### HOW TO PARTICIPATE

- **Submit a letter of comment**
- **Request intervener status**

### IMPORTANT DATES

- **Thursday, October 10, 2019** – Deadline to register as an intervener or file a letter of comment with the BCUC.

For more information on getting involved, please visit our website ([www.bcuc.com/get-involved](http://www.bcuc.com/get-involved)) or contact us at the information below.

## GET MORE INFORMATION

### FortisBC Energy Inc. Regulatory Affairs



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### British Columbia Utilities Commission



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