



**ORDER NUMBER
G-213-19**

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

and

FortisBC Energy Inc.
Application for Acceptance of the Biomethane Purchase Agreements
between FortisBC Energy Inc and Tidal Energy Marketing Inc.

BEFORE:

R. I. Mason, Commissioner

on September 6, 2019

ORDER

WHEREAS:

- A. On June 3, 2019, FortisBC Energy Inc. (FEI) filed with the British Columbia Utilities Commission (BCUC), on a confidential basis, an application for acceptance of two Biomethane Purchase Agreements (BPAs) between FEI and Tidal Energy Marketing Inc. (Tidal Energy) pursuant to section 71 of the *Utilities Commission Act* (UCA) (Application);
- B. On March 21, 2017, by Order in Council 161/2017, the Lieutenant Governor in Council approved an amendment to the Greenhouse Gas Reduction Regulation, which among other things, indicated that the acquisition of renewable natural gas (RNG) is a prescribed undertaking subject to:
 - 1. The public utility paying no more than \$30/GJ; and
 - 2. the total volume of RNG purchased in a calendar year not exceeding 5% of the total volume of natural gas provided by a public utility to its non-bypass customers in 2015.
- C. On July 18, 2019, the BCUC issued a letter requesting FEI to file a non-confidential redacted version of the Application and the BPAs, pursuant to section 18.01(b) of the BCUC's Rules of Practice and Procedure to allow for a public hearing process;
- D. On August 8, 2019, FEI filed a non-confidential redacted version of the Application and the BPA, requesting that commercial information regarding the upstream parties not directly contracting with FEI, the exact address, acquisition price, termination payments, volumes and carbon intensity be held confidential due to their commercially sensitive nature;
- E. Under the BPAs, FEI intends to purchase RNG from a landfill project located in Niagara Falls, Ontario, and an organic waste digestion project located in London, Ontario, for a term of twenty years; and
- F. The BCUC has determined that a public hearing to review the Application is warranted.

NOW THEREFORE the BCUC orders as follows:

1. A public written hearing process is established in accordance with the regulatory timetable as set out in Appendix A to this order.
2. FEI is directed to publish on its website the Application, this order and the regulatory timetable, and to provide a copy of the same to registered parties of the FortisBC Multi-Year Rate Plan Application for 2010–2024 proceeding, no later than Friday, September 20, 2019.
3. Members of the public are invited to make submissions on the Application by the date established in the regulatory timetable, attached as Appendix A to this order. Submissions must be filed in the [Letter of Comment Form](#) available on the BCUC website. Other parties who wish to actively participate in the proceeding are to register with the BCUC by completing a [Request to Intervene Form](#) by the date established in the regulatory timetable and in accordance with the BCUC’s Rules of Practice and Procedure attached to Order G-15-19.
4. Redacted portions of the Application will be held confidential, as requested by FEI, due to their commercially sensitive nature.

DATED at the City of Vancouver, in the Province of British Columbia, this 6th day of September 2019.

BY ORDER

Original signed by:

R. I. Mason
Commissioner

Attachment

FortisBC Energy Inc.
Application for Acceptance of the Biomethane Purchase Agreements between FortisBC Energy Inc
and Tidal Energy Marketing Inc

REGULATORY TIMETABLE

Action	Date (2019)
Deadline to Notify All Registered Parties	Friday, September 20
Intervener Registration	Friday, October 4
BCUC Information Request (IR) No.1	Friday, October 11
Intervener IR No. 1	Friday, October 18
FEI's Responses to BCUC and Intervener IR No.1	Friday, November 1
Submissions on Further Process	Friday, November 8