



**ORDER NUMBER
P-1-20**

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 January 13, 2020

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 (Jet Fuel Line), effective January 1, 2019 (Application);
- 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 April 24, 2019, the Vancouver Airport Fuel Facilities Corporation (VAFFC) and Parkland Refining (BC) Ltd. (Parkland) registered as interveners in the proceeding;
- D. On June 7, 2019, KMJF filed its Final Toll Application;
- E. On September 10, 2019, VAFFC filed an Application seeking further and better Information Request (IR) responses from KMJF (IR Application);
- F. On November 19, 2019, the BCUC issued Order P-10-19 with accompanying Reasons for Decision, which directed KMJF to file further and better answers to specific IR and amended the regulatory timetable for review of the Application;

- G. By Letter dated December 19, 2019, VAFFC filed a request with the BCUC that the regulatory timetable be adjourned and for the BCUC to direct KMJF to file outstanding documents the BCUC had directed KMJF file in Order P-10-19 (Adjournment Request);
- H. By Order P-13-19, dated December 20, 2019, the BCUC approved KMJF's request to set an interim toll effective January 1, 2020, but denied KMJF's request to calculate the interim toll based on the existing toll methodology. The interim toll would be set equal to the interim toll approved by Orders P-1-18 and P-6-19 and remain in effect until the earlier of (i) December 31, 2020; (ii) the date upon which parties reach a mutual agreement; or (iii) a further order of the BCUC;
- I. By Letter dated December 23, 2019, KMJF filed a response to the Adjournment Request, advising that KMJF had provided all information and documents in its possession regarding the information requested by VAFFC;
- J. By Letter dated December 24, 2019, the BCUC requested submissions from KMJF and Parkland on the Adjournment Request;
- K. By January 3, 2020, Parkland and KMJF submitted responses to the Adjournment Request;
- L. In their submission dated January 2, 2020, KMJF informed the BCUC that Pembina Pipeline Corporation (Pembina) acquired Kinder Morgan Canada Ltd, including KMJF;
- M. On January 6, 2020, Pembina filed a letter with the BCUC to (i) to provide notice of Pembina acquiring KMJF, including the Jet Fuel Line, and subsequently changing the name to PKM Canada (Jet Fuel) Inc. (PKMJF); (ii) request the BCUC deny VAFFC's request for further and better information request responses; and (iii) request the BCUC suspend the regulatory timetable for 60 days to provide PKMJF an opportunity to file additional materials or amend the Application;
- N. On January 8, 2020, VAFFC filed its reply to KMJF, PKMJF and Parkland's responses;
- O. The Panel makes no determination on the matters contained in VAFFC's Adjournment Request at this time and will make a decision on those matters at a later date; and
- P. The BCUC has reviewed the submissions filed by KMJF, PKMJF, VAFFC and Parkland and given the ongoing requests in this proceeding, makes the following determination.

NOW THEREFORE the BCUC adjourns this proceeding for 60 days from the date of this order to provide PKMJF an opportunity to file additional materials or amend the Application.

DATED at the City of Vancouver, in the Province of British Columbia, this 13th day of January 2020.

BY ORDER

Original Signed by:

B. A. Magnan
Commissioner