



ORDER NUMBER
G-110-20

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

and

FortisBC Energy Inc.

Application for Approval of Rates and Amending Agreement for the Expansion of the Compressed Natural Gas Fueling Station for Waste Connections of Canada Inc.

BEFORE:

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

on May 7, 2020

ORDER

WHEREAS:

- A. On March 30, 2020, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (BCUC), pursuant to sections 44.2, 59 to 61 and 89 of the *Utilities Commission Act* (UCA), for approval of expenditures estimated at \$182,549 for the expansion of the Compressed Natural Gas (CNG) fueling station located on Waste Connections of Canada Inc.'s (formerly BFI Canada Inc.) (WC) premises (2020 Expansion) and for the approval of the rates established in the amending agreement, dated March 27, 2020, to the Fueling Station Licence and Use Agreement between FEI and WC (Amending Agreement No. 4), effective April 1, 2020 (Application). FEI also requests the BCUC keep the live financial model provided in Appendix B of the Application confidential due to its commercially sensitive nature;
- B. FEI and WC entered into a Fueling Station Licence and Use Agreement, dated January 31, 2012, which established the terms, conditions and rates for FEI to construct and operate a CNG refueling station located on the premises of WC in Coquitlam, British Columbia (WC Station) to provide CNG fueling service to WC;
- C. By Order G-78-13, dated May 14, 2013, the BCUC approved the rates for WC to receive CNG fueling service at the WC Station. Pursuant to Order G-78-13, FEI and WC entered into an amending agreement, dated December 31, 2013, to revise the rates established in the Fueling Station Licence and Use Agreement (Amending Agreement No. 1), which had an expiry date of September 30, 2019 (collectively, FEI-WC Agreement);

- D. By Orders G-242-19 and G-6-20, the BCUC approved further amending agreements to the FEI-WC Agreement, dated September 13, 2019 (Amending Agreement No. 2) and dated December 26, 2019 (Amending Agreement No. 3), respectively, to allow FEI and WC to continue negotiations for a potential renewal of the FEI-WC Agreement. Amending Agreements No. 2 and No. 3 retained all the terms, conditions and rates in the FEI-WC Agreement and extended the expiry date of the FEI-WC Agreement to December 31, 2019 and March 31, 2020, respectively;
- E. Amending Agreement No. 4 accommodates an expansion of the WC Station, and among other things, renews the FEI-WC Agreement to December 31, 2024, revises the rates for the renewal period that takes into account the capital expenditures, excess capital collected and operating costs during the renewal term, and revises the Rate Change Date from September 30 to January 1 of each year;
- F. On April 9, 2020, by Order G-85-20, the BCUC approved the rate design and rates established in the FEI-WC Agreement as amended by Amending Agreement No. 4 on an interim and refundable or recoverable basis, effective April 1, 2020. The BCUC also approved FEI's request to keep the live financial model provided in Appendix B of the Application confidential due to its commercially sensitive nature;
- G. On April 22, 2020, BCUC staff issued questions to FEI and on April 29, 2020, FEI responded; and
- H. The BCUC has completed its review of the Application and FEI's response to BCUC staff questions and finds acceptance of the capital expenditures is warranted.

NOW THEREFORE pursuant to section 44.2 of the UCA, the BCUC accepts the expenditures in the amount of \$182,549 required for FEI to complete the 2020 Expansion to the Waste Connections Fueling Station under Amending Agreement No. 4.

DATED at the City of Vancouver, in the Province of British Columbia, this 7th day of May 2020.

BY ORDER

Original Signed By:

B. A. Magnan
Commissioner