



**ORDER NUMBER
E-16-20**

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

and

FortisBC Energy Inc.
Biomethane Purchase Agreements between FortisBC Energy Inc. and Bradam
Canada Inc.

BEFORE:

T. A. Loski, Panel Chair
E. B. Lockhart, Commissioner,
R. I Mason, Commissioner

on June 2, 2020

ORDER

WHEREAS:

- A. On May 8, 2020, pursuant to section 71 of the Utilities Commission Act (UCA) and the British Columbia Utilities Commission's (BCUC) Rules for Natural Gas Energy Supply Contracts, FortisBC Energy Inc. (FEI) filed an application with the BCUC seeking acceptance of two Biomethane Purchase Agreements (BPA) between FEI and Bradam Canada Inc. (Bradam) (Application);
- B. Section 18(1) of the *Clean Energy Act* (CEA) defines a prescribed undertaking as "...a project, program, contract or expenditure that is in a class of projects, programs, contracts or expenditures prescribed for the purpose of reducing greenhouse gas emissions in British Columbia";
- C. Section 18(3) of the CEA states, "The commission must not exercise a power under the UCA in a way that would directly or indirectly prevent a public utility...from carrying out a prescribed undertaking";
- D. Section 2(3.8) of the Greenhouse Gas Reduction Regulation (GGRR) states 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 does not exceed 5 percent of the total volume of natural gas provided by the public utility to its non-bypass customers in 2015;
- E. Under the BPAs, Bradam will supply biomethane at Huntingdon, Station 2 and AECO/NIT, processed at the Hamilton and Napanee Transfer Stations located in Hamilton and Roblin, Ontario, respectively. The

biomethane will be produced from feedstock made of commercial food waste and municipal organics and will be delivered to FEI for injection into FEI's existing natural gas system;

- F. FEI requests that the redacted portions of the filing and certain appendices be kept confidential due to their commercially sensitive nature pursuant to Section 18 of the BCUC's Rules of Practice and Procedure regarding confidential documents set out in Order G-15-19 and section 71(5) of the UCA; and
- G. The BCUC has not reviewed the Application from a public interest perspective as the BPA is a prescribed undertaking under section 18(1) of the CEA; and
- H. The BCUC has reviewed the Application and considers the following determination to be warranted.

NOW THEREFORE pursuant to section 71 of the UCA, section 18 of the CEA and the GGRR, the BCUC orders as follows:

1. The BCUC accepts for filing the two BPAs between FEI and Bradam.
2. The BCUC will keep the redacted portions of the Application and certain appendices confidential as requested by FEI as they contain commercially sensitive information.

DATED at the City of Vancouver, in the Province of British Columbia, this 2nd day of June, 2020.

BY ORDER

Original signed by:

T. A. Loski
Commissioner