



**ORDER NUMBER
G-236-20**

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

and

FortisBC Energy Inc.
Application for Approval of Amendments to Rate Schedule 6P – Public Service – Natural Gas Refueling Service
Tariff and Rates Effective July 31, 2020

BEFORE:

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

on September 16, 2020

ORDER

WHEREAS:

- A. On July 9, 2020, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (BCUC), pursuant to sections 59 to 61 and 89 of the *Utilities Commission Act* (UCA), for approval of amendments to Rate Schedule 6P – Public Service – Natural Gas Refueling Service (RS 6P), on an interim and permanent basis, effective July 31, 2020 (Application). Due to the nature of the service, FEI submits that it will not have the ability to refund or recover any differences between interim and permanent rates for public users;
- B. On March 1, 2019, FEI and Environmental 360 Solutions Ltd. (E360S) entered into a Fueling Equipment Licence and Use Agreement (E360S Agreement) which established the terms, conditions and rates for E360S to receive Compressed Natural Gas (CNG) fueling service from the CNG station located on E360S's property in Kelowna, BC (E360S Fueling Station). On May 21, 2019, FEI and E360S entered into the Amending Agreement to the E360S Agreement that revised the rates based on the addition of a capital contribution from E360S and a third-party capital contribution from Natural Resources Canada (NRCan) (Amending Agreement No. 1);
- C. By Order G-237-19 dated September 30, 2019, the BCUC determined that the E360S Fueling Station met the requirements for a prescribed undertaking as defined by the Greenhouse Gas Reduction (Clean Energy) Regulation (GGRR), and approved on an interim and refundable basis the rate design and rates established in the E360S Agreement and as amended by Amending Agreement No. 1, effective October 1, 2019. The Order also directed FEI to file an application seeking permanent rates, upon the determination of the actual capital expenditures for the E360S Fueling Station;
- D. The requirements of the funding contribution agreement between NRCan and FEI for the E360S Fueling Station include that the fueling station accommodates public fueling service, effective July 31, 2020. In the Application, FEI proposes amendments to RS 6P to address this requirement, which include amendments to the table of charges to reflect the following:

- i. Delivery margin and commodity-related charges for the E360S Fueling Station based on FEI's approved RS 5 charges consistent with the rate schedule the E360S Fueling Station is currently served under; and
 - ii. Station service-related charges based on the charges for the E360S Fueling Station currently approved by the BCUC on an interim basis by Order G-237-19. The station service-related charges will be updated from time to time to ensure that the current E360S Fueling Station rates, as approved by the BCUC, are reflected in the RS 6P public fueling rates for that station;
- E. By Order G-195-20 dated July 21, 2020, the BCUC established a regulatory timetable for the review of the Application, which included one round of BCUC information requests (IR) and further process to be determined;
- F. By Order G-199-20 dated July 23, 2020, the BCUC approved further amendments to the E360S Agreement (Amending Agreement No. 2) to enable public fueling service at the E360S Fueling Station pursuant to sections 59 to 61 and 89 of the UCA on an interim basis, effective July 31, 2020;
- G. By letter dated July 24, 2020, FEI requested an extension to August 14, 2020 to file responses to the IRs. In that letter, FEI responded to the BCUC's IRs related to safety and interim rates;
- H. By Order G-200-20 dated July 27, 2020, the BCUC approved the proposed amendments and rates to RS 6P as set out in the Application on an interim and non-refundable basis, effective July 31, 2020. The order also amended the regulatory timetable to extend the filing date of the IR responses to August 14, 2020; and
- I. The BCUC has reviewed the IR responses provided by FEI on August 14, 2020, which included proposed amendments to RS 6P to make the liability terms consistent with those applicable to third parties under fueling services agreements, and considers that a further regulatory timetable is warranted.

NOW THEREFORE pursuant to sections 59 to 61 and 89 of the UCA, the BCUC orders as follows:

1. A further regulatory timetable is established for the review of the Application, as set out in Appendix A to this order.
2. The proposed amendments to RS 6P as set out in attachment 2.10 of the IR responses provided by FEI on August 14, 2020 are approved as filed on an interim basis, effective July 31, 2020.

DATED at the City of Vancouver, in the Province of British Columbia, this 16th day of September 2020.

BY ORDER

Original signed by:

W. M. Everett, QC
Commissioner

Attachment

FortisBC Energy Inc.
Application for Approval of Amendments to Rate Schedule 6P – Public Service – Natural Gas Refueling Service
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REGULATORY TIMETABLE

Action	Date (2020)
BCUC Information Request (IR) No. 2 to FEI	Wednesday, September 16
FEI responses to BCUC IR No. 2	Wednesday, September 30
Further process	To be determined