



ORDER NUMBER
G-277-20

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

and

City of Coquitlam

Application for Reconsideration and Variance of Order G-80-19 in the matter of the FortisBC Energy Inc.
Application for Use of Lands under Sections 32 and 33 of the Utilities Commission Act in the City of Coquitlam
for the Lower Mainland Intermediate Pressure System Upgrade

BEFORE:

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

on November 2, 2020

ORDER

WHEREAS:

- A. On May 16, 2019, pursuant to section 99 of the *Utilities Commission Act* (UCA), the City of Coquitlam (City) filed with the British Columbia Utilities Commission (BCUC) an application for Reconsideration and Variance of Order G-80-19 (Reconsideration Application);
- B. By Order G-202-20A dated July 30, 2020, the BCUC established a regulatory timetable that included the filing of evidence by the City and interveners, the filing of rebuttal evidence by the City, information requests on rebuttal evidence and further process to be determined;
- C. By letter dated October 28, 2020,¹ the City stated it will not be submitting rebuttal evidence in this proceeding. The City submitted it is content to move to final arguments at this time, and provided notice of the following information that the City expects to refer to in final arguments:
 - 1. The decision of Mr. Justice Abrioux in *Coquitlam (City) v. British Columbia Utilities Commission*, 2020 BCCA 289, granting leave to appeal from BCUC Order G-75-20 affirming Order G-80-19; and
 - 2. The *Canadian Energy Regulator Act*, S.C. 2019, c. 28 as amended, and in particular the provisions of Part 3 relating to pipeline abandonment and the provisions of Part 6 of the Act relating to a pipeline's use of lands and compensation payable by the pipeline company to persons impacted including landowners; and
- D. The BCUC considers that establishing an updated regulatory timetable is warranted.

¹ Exhibit B-17

NOW THEREFORE the BCUC orders as follows:

1. The regulatory timetable established by Order G-202-20A is amended, as set out in Appendix A to this order.
2. In accordance with the regulatory timetable attached as Appendix A to this order, parties are requested to make the following submissions:
 - a. The City is requested to clarify why the information filed in Exhibit B-17 with respect to *Coquitlam (City) v. British Columbia Utilities Commission* and the *Canadian Energy Regulator Act* is not being filed as rebuttal evidence, including an explanation of the context the City intends to refer to this information in its final argument; and
 - b. Interveners are requested to provide their submissions on the City's proposals in Exhibit B-17, including further process and the information filed by the City.

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

BY ORDER

Original signed by:

R. I. Mason
Commissioner

Attachment

City of Coquitlam

Application for Reconsideration and Variance of Order G-80-19 in the matter of the FortisBC Energy Inc. Application for Use of Lands under Sections 32 and 33 of the Utilities Commission Act in the City of Coquitlam for the Lower Mainland Intermediate Pressure System Upgrade

REGULATORY TIMETABLE

Action	Date (2020)
Further City submission	Tuesday, November 3
Intervener submissions	Thursday, November 5
City reply submission	Monday, November 9
Further process	To be determined