



**ORDER NUMBER  
P-7-20**

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. Brewer, Commissioner

on December 2, 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 (Application), effective January 1, 2019;
- B. By Order P-1-18 dated December 14, 2018, the BCUC established a public written submission process and a regulatory timetable to explore stakeholders' submissions or other potential issues and 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 Fuel Corporation (Parkland) registered as interveners in the proceeding;
- D. On September 10, 2019, VAFFC filed a request seeking further and better information request (IR) responses from KMJF;
- E. 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 IRs and amended the regulatory timetable for review of the Application;
- F. 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;

- G. On January 6, 2020, Pembina Pipeline Corporation informed the BCUC that it had acquired KMJF, including the Jet Fuel Line, and changed the name to PKM Canada (Jet Fuel) Inc. (PKMJF);
- H. On March 12, 2020, pursuant to Order P-1-20, which adjourned the proceeding for 60 days, PKMJF filed a letter submitting no amendments to the Application were necessary because of the acquisition and requesting resumption of the proceeding;
- I. On April 9, 2020, the BCUC issued Order P-2-20 with accompanying Reasons for Decision, which directed PKMJF to file further and better answers to specific IRs and amended the regulatory timetable for review of the Application;
- J. On June 16 to June 18, 2020, PKMJF filed responses to BCUC IR No. 3 and VAFFC and Parkland IRs No. 2, respectively;
- K. By letters dated June 18 and June 19, 2020, VAFFC and Parkland, respectively, submitted requests for further and better IR responses from PKMJF. VAFFC also requested that the regulatory timetable be adjourned until the BCUC made a determination on VAFFC's request;
- L. On August 10, 2020, the BCUC issued Order P-4-20 with accompanying Reasons for Decision, which directed PKMJF to file further and better answers to specific IRs and amended the regulatory timetable for review of the Application;
- M. By letters dated August 14, August 19, and August 20, 2020, VAFFC, Parkland, and PKMJF, respectively, requested, in part, amendments to the regulatory timetable for review of the Application, which the BCUC granted by Order P-5-20, dated September 2, 2020;
- N. By letter dated September 14, 2020, PKMJF requested a further extension to the deadline to file supplementary responses to VAFFC and Parkland IRs No. 2 to September 21, 2020, which the BCUC granted by Order P-6-20, dated September 17, 2020;
- O. On September 21, 2020, PKMJF filed supplementary responses to VAFFC and Parkland IRs No. 2 (Supplementary Response). PKMJF included in its filing a request to the BCUC that the Supplementary Response be granted confidential treatment, pursuant to section 18 of the BCUC's Rules of Practice and Procedure;
- P. By letter dated October 6, 2020, VAFFC submitted a request for, among other things, limited access to unredacted copies of a subset of PKMJF's Supplementary Responses (Requested Documents);
- Q. By letter dated October 22, 2020, the BCUC required PKMJF to file unredacted copies of the Requested Documents with the BCUC for its review; and adjourned the regulatory timetable for the proceeding, pending BCUC review of, and any decision with respect to, the Requested Documents;
- R. On October 27, 2020, PKMJF filed unredacted copies of the Requested Documents with the BCUC;
- S. By letter dated November 12, 2020, the BCUC required PKMJF to submit an omitted page from the Requested Documents and to revise redactions PKMJF had made to responsive material on slides 34 and 19 of Documents 2 and 57, respectively, of the Requested Documents;

- T. On November 19, 2020, PKMJF filed the omitted page of the Requested Documents and proposed revised redactions as directed; and
- U. The BCUC has reviewed the Requested Documents and is satisfied that the redacted content: (i) is not responsive to the Supplemental IRs and the BCUC Supplemental Response Issues, as outlined in Order P-4-20; (ii) is irrelevant to the Jet Fuel Line Acquisition; (iii) does not provide any meaningful information pertaining to the Jet Fuel Line responsive to the Supplemental IRs and the BCUC Supplemental Response Issues.

**NOW THEREFORE** the BCUC orders as follows:

1. The regulatory timetable established by Order P-6-20 is further amended, as set out in Appendix A to this order.
2. The BCUC will hold confidential PKMJF's Supplemental Response.
3. PKMJF will provide access to VAFFC and Parkland, subject to signed confidentiality undertakings, to the revised redactions to slides 34 and 19 of Documents 2 and 57, respectively, of the Requested Documents as proposed in PKMJF's November 19, 2020 submission.
4. The BCUC will hold confidential the unredacted copies of the Requested Documents in their entirety, with access limited to the BCUC only.

**DATED** at the City of Vancouver, in the Province of British Columbia, this                      2<sup>nd</sup>                      day of December 2020.

BY ORDER

*Original signed by:*

B. A. Magnan  
Commissioner

Attachments

Kinder Morgan Canada (Jet Fuel) Inc.  
2019 Tariff Filing Application

**REGULATORY TIMETABLE**

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Action	Date (2020/2021)
Intervener Evidence	Wednesday, December 16
IRs on Intervener Evidence	Monday, January 25
Intervener Response to IRs on Intervener Evidence	Monday, February 8
PKMJF Rebuttal Evidence	Tuesday, February 23
IRs on Rebuttal Evidence	Tuesday, March 16
PKMJF Response to IRs on Rebuttal Evidence	Tuesday, March 30
PKMJF Final Submissions	Thursday, April 15
Intervener Final Submissions	Thursday, April 29
PKMJF Reply Submissions	Thursday, May 6