



**ORDER NUMBER  
P-8-20**

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 10, 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. The interim toll was based on the existing toll methodology established by Order P-5-09;
- C. By April 24, 2019, the Vancouver Airport Fuel Facilities Corporation (VAFFC) and Parkland Fuel Corporation (Parkland) registered as interveners in the proceeding;
- D. By letter dated May 16, 2019, VAFFC submitted a request to the BCUC to reverse the KMJF interim toll established in Order P-1-18 and return to the existing toll in place at the time of the Application;
- E. On June 28, 2019, the BCUC issued Order P-6-19 with reasons for decision, denying VAFFC's request that the BCUC reverse its approval of KMJF's interim toll approved by Order P-1-18;
- F. On December 2, 2019, KMJF filed an application for the interim toll approved by Orders P-1-18 and P-6-19, to remain in effect until the earlier of December 31, 2020, the parties reaching a mutual agreement, or by further order from the BCUC.

- G. On December 20, 2019, the BCUC issued Order P-13-19 with reasons for decision, approving KMJF's request to set an interim toll effective January 1, 2020 and denying KMJF's request to calculate the interim toll based on the existing toll methodology. The BCUC ordered that the interim toll be set at an amount equal to that approved by Orders P-1-18 and P-6-19 and provided that the interim toll would remain in effect until the earlier of (i) December 31, 2020; (ii) the parties reaching a mutual agreement; or (iii) a further order of the BCUC. The Gathering Line Fee (\$/m<sup>3</sup>) was set at \$1.318;
- H. Also by Order P-13-19, the BCUC directed that any variance between the interim toll and a permanent toll as determined by the BCUC following its final decision on the Application may be subject to refund/recovery, with interest at the average prime rate of KMJF's principal bank for its most recent year, in the manner as set out by a BCUC order that establishes a permanent toll;
- I. 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);
- J. On December 7, 2020, PKMJF filed an application seeking an extension of the interim toll approved by Order P-13-19 until the earlier of December 31, 2021, the parties reaching a mutual agreement, or by further order from the BCUC; and
- K. By letters dated December 9, 2020, VAFFC and Parkland state that they do not oppose PKMJF's request for an extension of the interim toll established in Order P-13-19.

**NOW THEREFORE** pursuant to section 90 of the *Utilities Commission Act* the BCUC orders as follows:

- 1. PKMJF's request for extension of the interim toll in Order P-13-19 is approved.
- 2. The interim toll in Order P-13-19 shall remain in effect until the earlier of (i) December 31, 2021; (ii) the parties reaching a mutual agreement; or (iii) a further order of the BCUC.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 10<sup>th</sup> day of December 2020.

BY ORDER

*Original signed by:*

B. A. Magnan  
Commissioner