



**ORDER NUMBER**  
**G-150-21**

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

and

FortisBC Energy Inc.

Filing of a Biomethane Purchase Agreement between FEI and Shell North America (Canada) Inc. pursuant to  
Section 71 of the *Utilities Commission Act* and BCUC Rules for Natural Gas Energy Supply Contracts

**BEFORE:**

R. I. Mason, Panel Chair  
M. Kresivo, QC, Commissioner  
D. M. Morton, Commissioner

on May 17, 2021

**ORDER**

**WHEREAS:**

- A. On April 29, 2021, FortisBC Energy Inc. (FEI) filed with the British Columbia Utilities Commission (BCUC) an application for acceptance of a Biomethane Purchase Agreement (BPA) between FEI and Shell North America (Canada) Inc. (SHELL) pursuant to section 71 of the *Utilities Commission Act* (UCA) and BCUC Rules for Natural Gas Energy Supply Contracts (Application);
- B. On April 18, 2010, the Province of British Columbia enacted the *Clean Energy Act* (CEA), which among other things, 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. On March 21, 2017, by Order in Council 161/2017, the Lieutenant Governor in Council approved an amendment to the *Greenhouse Gas Reduction Regulation* (GGRR), which among other things, stated that the acquisition of renewable natural gas (RNG) is a prescribed undertaking under section 2(3.8) of the GGRR subject to:
  - 1. The public utility paying no more than \$30/GJ; and
  - 2. the total volume of RNG purchased in a calendar year not exceeding 5% of the total volume of natural gas provided by a public utility to its non-bypass customers in 2015;
- D. Under the BPA, FEI intends to purchase RNG produced in a facility located in the United States of America;
- E. FEI requests that the unredacted version of the Application and the unredacted version of the SHELL BPA be kept confidential by the BCUC as it contains market sensitive information; and

F. The BCUC has determined that a public hearing to review the Application is warranted.

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

1. The establishment of a public hearing process in accordance with the regulatory timetable, as set out in Appendix A to this order.
2. FEI is directed to publish on its website the Application, this Order and the regulatory timetable, and to provide a copy of the same to registered interveners in the FortisBC Multi-Year Rate Plan for 2020-2024 proceeding and to registered interveners in the FEI Tidal BPA proceeding.
3. Any party wishing to make submissions on the Application is invited to submit a letter of comment, by the date established in the Regulatory Timetable, attached as Appendix A to this order. Submissions must be filed in the [Letter of Comment Form](#) available on the BCUC website. Other parties who wish to actively participate in the proceeding are to register with the BCUC by completing a [Request to Intervene Form](#) by the date established in the regulatory timetable and in accordance with the BCUC's Rules of Practice and Procedure attached to Order G-15-19.
4. The BCUC will hold the redacted portions of the Application and the SHELL BPA confidential, as requested by FEI, due to their commercially sensitive nature, pending any further determinations.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 17<sup>th</sup> day of May 2021.

BY ORDER

*Original signed by:*

R. I. Mason  
Commissioner

Attachment

FortisBC Energy Inc.

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**REGULATORY TIMETABLE**

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| Action   | Date (2021)       |
|--|-------------------|
| FEI to Publish Application and Order and Notify Registered Interveners | Wednesday, May 26 |
| Intervener Registration  | Wednesday, June 9 |
| BCUC Information Request (IR) No. 1                                    | Thursday, June 17 |
| Intervener IR No. 1  | Thursday, June 24 |
| FEI's Responses to BCUC and Intervener IR No. 1                        | Tuesday, July 6   |
| Deadline to submit Letters of Comment                                  | Tuesday, July 13  |
| Submissions on Further Process   | Tuesday, July 13  |