



**ORDER NUMBER  
G-311-21**

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

and

FortisBC Energy Inc.

Application for Approval of Revised/Renewal Rates for the Langford Compressed Natural Gas Fueling Station in  
Langford, BC pursuant to the Province of British Columbia's Greenhouse Gas Reduction (Clean Energy)  
Regulation

**BEFORE:**

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

on October 29, 2021

**ORDER**

**WHEREAS:**

- A. On December 23, 2020, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (BCUC), pursuant to sections 59 to 61 and section 89 of the *Utilities Commission Act* (UCA), for approval of rates established in separate Fueling Services Agreements between ColdStar Solutions Inc. (ColdStar) and FEI (Coldstar Agreement) and GFL Environmental Inc. (GFL) and FEI (GFL Agreement), on an interim and permanent basis, effective January 1, 2021 (Application);
- B. By Order G-56-13 dated April 11, 2013, the BCUC accepted that the Greenhouse Gas Reduction (Clean Energy) Regulation (GGRR) established the need for Compressed Natural Gas (CNG) and Liquefied Natural Gas (LNG) fueling stations that are undertaken by FEI as prescribed undertakings as defined by the GGRR, and that these prescribed undertakings are exempt from the Certificate of Public Convenience and Necessity requirements for the term of the GGRR;
- C. By Order G-187-13 dated November 19, 2013, the BCUC found that FEI's CNG fueling station located at its Victoria Regional Office Facility in Langford, BC (Langford Fueling Station) met the requirements for a prescribed undertaking as defined by the GGRR;
- D. On December 17, 2020, FEI separately entered into the Coldstar Agreement and the GFL Agreement each of which established the terms, conditions and rates for ColdStar and GFL, respectively, to receive fueling service from the Langford Fueling Station;
- E. FEI also applies for approval to terminate the existing Fueling Services Agreement between FEI and Evergreen Industries Ltd. (Evergreen) approved by Order G-13-15 (Evergreen Agreement) (Tariff Supplement

No. J-13), effective December 31, 2020. GFL acquired the solid waste business of Evergreen and is assuming the volume commitment from the Evergreen Agreement under the GFL Agreement;

- F. By Order G-6-21 dated January 8, 2021, the BCUC approved the rates established in the ColdStar Agreement and the GFL Agreement on an interim and refundable/recoverable basis, effective January 1, 2021, and granted the live financial model filed as Appendix C to the Application be kept confidential due to its commercially sensitive nature. The order also established a preliminary regulatory timetable for the review of the Application;
- G. By Orders G-111-21 and G-192-21 the BCUC established the remainder of the regulatory process, including written final and reply arguments;
- H. ColdStar and Clean Energy Fuels participated as interveners in the proceeding; and
- I. The BCUC has completed its review of the Application and evidence filed in the proceeding, and finds that approval is warranted.

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

1. The rate design and rates established in the ColdStar Agreement and the GFL Agreement, previously approved on an interim basis under Order G-6-21, are approved to be permanent, effective January 1, 2021.
2. The BCUC consents to the rescindment of Tariff Supplement No. J-13, effective December 31, 2020.
3. FEI is to file the ColdStar Agreement and GFL Agreement in tariff supplement form for endorsement by the BCUC within 30 days of the date of this order.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 29<sup>th</sup> day of October 2021.

BY ORDER

*Original signed by:*

W. M. Everett, QC  
Commissioner