



**ORDER NUMBER**  
**G-245-22**

IN THE MATTER OF  
the *Utilities Commission Act*, RSBC 1996, Chapter 473  
  
and  
  
the *Fuel Price Transparency Act*, SBC 2019, Chapter 46

British Columbia Utilities Commission  
Review of Requests for Confidentiality  
for *Fuel Price Transparency Act* Fuel Data Submissions

**BEFORE:**

E. B. Lockhart, Panel Chair  
B. A. Magnan, Commissioner  
A. Pape-Salmon, Commissioner

on August 29, 2022

**ORDER**

**WHEREAS:**

- A. On March 11, 2022, the British Columbia Utilities Commission (BCUC) issued requests for fuel data and information to 1) wholesale marketers who supply British Columbia's retail fuel market and 2) select retail stations located in each of Powell River, Revelstoke, Squamish, Metro Vancouver, and nearby cities. On March 25, 2022, the BCUC issued an additional fuel data request to a sample of retail stations from all regions across the province for their fuel sales and margins for February and March 2021 and February and March 2022 (altogether, the Fuel Data Requests);
- B. Section 6 of the *Fuel Price Transparency Act* (FPT Act), provides, in part, that Responsible Persons must provide fuel data or any records referred to in section 8 (1) of the FPT Act, if requested by the BCUC as administrator of the FPT Act;
- C. By Decision and Order G-14-22 dated January 20, 2022, the BCUC found that the public interest in the publication of raw (i.e., unaggregated and non-anonymized) sales and operational volumes, price-related, low carbon fuel standard, invoice-related, importer identifier, comment, and retail data does not, at this time, outweigh any potential harm to Responsible Persons, and established the Framework for the Determination of Confidentiality and Treatment of Protected Information collected pursuant to the FPT Act (Confidentiality Framework);

- D. Section 4 of the Confidentiality Framework establishes that for any fuel data or other information or records submitted for the FPT Act that are not already designated as “confidential Protected Information” for which a Responsible Person is requesting confidential treatment, the process set out in Part IV of the BCUC’s Rules of Practice and Procedure (Rules) shall apply;
- E. By June 29, 2022, twenty Responsible Persons had filed requests for confidential Protected Information status to be granted to the fuel data and information submitted pursuant to the Fuel Data Requests (Confidentiality Requests);
- F. On July 5, 2022, the BCUC issued Order G-183-22 establishing a hearing for review of the Confidentiality Requests;
- G. On August 26, 2022, 7-Eleven Canada Inc. submitted a request to extend the deadline for written submissions on the BCUC’s proposed categorization of fuel data to be deemed confidential Protected Information from Friday, August 26, 2022 to “early next week”; and
- H. The BCUC has reviewed the extension request and considers an amendment to the regulatory timetable is warranted.

**NOW THEREFORE** pursuant to section 89 of the *Utilities Commission Act*, the BCUC orders that the regulatory timetable is amended as set out in Appendix A to this order.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 29<sup>th</sup> day of August 2022.

BY ORDER

*Original signed by:*

B. A. Magnan  
Commissioner

British Columbia Utilities Commission  
Review of Requests for Confidentiality  
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**REGULATORY TIMETABLE**

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Action	Date (2022)
Written Submissions	Tuesday, August 30
Reply Submissions from Responsible Persons and Members of the Public	Tuesday, September 13
Further Process	To be determined