



**ORDER NUMBER
G-274-22**

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

and

FortisBC Energy Inc.

Application for Approval of Rates and Agreement for Compressed Natural Gas (CNG) Fueling Service for Encorp Pacific (Canada) from the CNG Fueling Station located in Abbotsford, BC

BEFORE:

W. M. Everett, KC, Panel Chair
B. A. Magnan, Commissioner
R. I. Mason, Commissioner

on October 3, 2022

ORDER

WHEREAS:

- A. On September 27, 2022, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (BCUC), pursuant to sections 59 to 61 and 89 of the *Utilities Commission Act* (UCA) for approval of the rates established in the fuelling services agreement between FEI and Encorp Pacific (Canada) (Encorp Pacific-GFL Agreement), on an interim basis effective September 30, 2022, for fuelling service at the compressed natural gas (CNG) fuelling station located in Abbotsford, BC (GFL Abbotsford Fuelling Station) (Application);
- B. By Orders G-320-21 and G-116-22, the BCUC approved the rates and rate design established in a fuelling services agreement between FEI and GFL Environmental Inc. (GFL) dated December 14, 2020, and as amended by an amending agreement dated September 22, 2021 and a letter agreement dated November 15, 2021, on an interim and refundable basis effective November 15, 2021, for CNG fuelling services at the GFL Abbotsford Fuelling Station. Order G-320-21 also directed FEI to file an application seeking permanent rates upon the determination of the actual capital expenditures for the GFL Abbotsford Fuelling Station;
- C. By Order G-116-22, the BCUC determined that the GFL Abbotsford Fuelling Station met the requirements for a prescribed undertaking as defined by the Greenhouse Gas Reduction (Clean Energy) Regulation;
- D. On September 22, 2022, FEI and Encorp Pacific (Canada) entered into the Encorp Pacific-GFL Agreement which establishes the terms, conditions and rates for Encorp Pacific (Canada) to receive CNG fuelling service from the GFL Abbotsford Fuelling Station, effective September 30, 2022. The rates established in the Encorp Pacific-GFL Agreement are consistent with the rates and rate design approved by Orders G-320-21 and G-116-22; and
- E. The BCUC has reviewed the Application and determines that approval of the proposed rates on an interim basis is warranted.

NOW THEREFORE pursuant to sections 59 to 61 and 89 of the UCA, the BCUC orders as follows:

1. FEI is approved to use the rates established for Encorp Pacific (Canada) in the Encorp Pacific-GFL Agreement at the GFL Abbotsford Fuelling Station on an interim and refundable/recoverable basis, effective September 30, 2022, pending the finalization of the actual capital expenditures and permanent rates for the GFL Abbotsford Fuelling Station.
2. FEI is directed to file an application with the BCUC seeking permanent rates for Encorp Pacific (Canada) to receive CNG fuelling service from the GFL Abbotsford Fuelling Station once the BCUC issues a decision on permanent rates for the GFL Abbotsford Fuelling Station.
3. FEI is directed to refund to or recover from Encorp Pacific (Canada) any variance between the interim rates and the permanent rates, as determined by the BCUC following the final determination of the application seeking permanent rates for Encorp Pacific (Canada) to receive CNG fuelling service from the GFL Abbotsford Fuelling Station, with interest calculated at the average prime rate of FEI's principal bank for its most recent year.
4. FEI is to file the Encorp Pacific-GFL Agreement in tariff supplement form for endorsement by the BCUC within 15 days of the date of this order.

DATED at the City of Vancouver, in the Province of British Columbia, this 3rd day of October 2022.

BY ORDER

Original signed by:

W. M. Everett, KC
Commissioner