



**ORDER NUMBER
G-156-23**

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

and

FortisBC Energy Inc.
Interim Rates and Agreement for Mullen Trucking Corp. for Fuelling Service
from the Annacis Island CNG Station located in Delta

BEFORE:

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

on June 20, 2023

ORDER

WHEREAS:

- A. On June 12, 2023, 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*, for approval of the rates established in the fuelling services agreement between FEI and Mullen Trucking Corp. (Mullen) (Mullen-Annacis Island Agreement), on an interim basis, effective June 25, 2023, for fuelling service at the compressed natural gas (CNG) fuelling station located at Annacis Island in Delta, BC (Annacis Island Fuelling Station) (Application);
- B. By Order G-45-22, the BCUC determined that the Annacis Island Fuelling Station met the requirements for a prescribed undertaking as defined by the Greenhouse Gas Reduction (Clean Energy) Regulation. Order G-45-22 also approved the rates and rate design established in six separate fuelling services agreements as amended by amending agreements dated November 26, 2021 (Agreements), on an interim and refundable basis, effective January 18, 2022, for CNG fuelling services at the Annacis Island Fuelling Station, and directed FEI to file an application seeking permanent rates upon the determination of the actual capital expenditures for the Annacis Island Fuelling Station;
- C. On March 31, 2023, FEI filed with the BCUC an application seeking approval of the permanent rates established in the Agreements for CNG fuelling service at the Annacis Island Fuelling Station, which is subject to a separate review process;
- D. On May 30, 2023, FEI and Mullen entered into the Mullen-Annacis Island Agreement, which establishes the terms, conditions and rates for Mullen to receive CNG fuelling service from the Annacis Island Fuelling Station, effective June 25, 2023. The rates established in the Mullen-Annacis Island Agreement are consistent with the rates and rate design approved by Order G-45-22; 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 *Utilities Commission Act*, the BCUC orders as follows:

1. FEI is approved to use the rates established for Mullen in the Mullen-Annacis Island Agreement at the Annacis Island Fuelling Station on an interim and refundable/recoverable basis, effective June 25, 2023, pending BCUC approval of permanent rates for the Annacis Island Fuelling Station.
2. FEI is directed to file an application with the BCUC seeking permanent rates for Mullen to receive CNG fuelling service from the Annacis Island Fuelling Station once the BCUC issues a decision on permanent rates for the Annacis Island Fuelling Station.
3. FEI is directed to refund to/recover from Mullen 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 Mullen to receive CNG fuelling service from the Annacis Island 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 Mullen-Annacis Island 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 20th day of June 2023.

BY ORDER

Original signed by:

W. M. Everett, KC
Commissioner