

**ORDER NUMBER  
G-227-23**

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

and

FortisBC Energy Inc.  
Permanent Rates and Agreement for Emterra for  
Fuelling Service from the Burnaby Operations CNG Station

**BEFORE:**

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

on August 25, 2023

**ORDER**

**WHEREAS:**

- A. On August 14, 2023, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (BCUC), pursuant to sections 59 to 61 of the *Utilities Commission Act* for approval of the rates established in the fuelling services agreement between FEI and Halton Recycling Ltd. D.B.A. Emterra Environmental (Emterra) dated August 8, 2023 (Emterra-Burnaby Operations Agreement), on a permanent basis effective August 31, 2023 (Application);
- B. By Orders G-72-17 and G-73-17 dated May 17, 2017, the BCUC determined that the compressed natural gas (CNG) fuelling station located on FEI's property in Burnaby, British Columbia (Burnaby Operations Fuelling Station) met the requirements for a prescribed undertaking as defined by the Greenhouse Gas Reduction (Clean Energy) Regulation and approved the rate design and rates established in two separate fuelling services agreements with Canadian Linen & Uniform Service (Canadian Linen) and SF Disposal Queen Ltd., respectively, for CNG fuelling service from the Burnaby Operations Fuelling Station on a permanent basis effective July 1, 2016. The fuelling service agreement with Canadian Linen expired on June 30, 2023;
- C. On June 1, 2023, FEI and Canadian Linen entered into a fuelling services agreement, as amended by Amending Agreement No. 1 dated June 20, 2023, (collectively, Canadian Linen-Burnaby Operations Agreement) which established the terms, conditions and rates for Canadian Linen to continue receiving CNG fuelling service from the Burnaby Operations Fuelling Station, effective July 1, 2023. The rates established in the Canadian Linen-Burnaby Operations Agreement are consistent with the rates approved by Orders G-72-17 and G-73-17;
- D. On June 23, 2023, FEI applied to the BCUC for approval of the rates established in the Canadian Linen-Burnaby Operations Agreement (Canadian Linen-Burnaby Operations Application). By Orders G-167-23 and G-216-23 dated June 28, 2023 and August 15, 2023, respectively, the BCUC established and furthered the regulatory timetable for review of the Canadian Linen-Burnaby Operations Application. Order G-167-23 also

approved the rates established for Canadian Linen in the Canadian Linen-Burnaby Operations Agreement on an interim and refundable/recoverable basis, effective July 1, 2023;

- E. The Emterra-Burnaby Operations Agreement establishes the terms, conditions, and rates for Emterra to continue receiving CNG fuelling service from the Burnaby Operations Fuelling Station, effective August 31, 2023. The rates established in the Emterra-Burnaby Operations Agreement are consistent with the rates approved by Orders G-72-17, G-73-17 and G-167-23; and
- F. The BCUC has reviewed the Application and considers that it may be informed by information from the BCUC's review of the Canadian Linen-Burnaby Operations Application. In the interest of regulatory efficiency, the BCUC determines that the rates established for Emterra in the Emterra-Burnaby Operations Agreement be approved on an interim basis, pending the outcome of the BCUC's review of the Canadian Linen-Burnaby Operations Application.

**NOW THEREFORE** pursuant to sections 59 to 61 and 89 of the *Utilities Commission Act*, the BCUC orders as follows:

1. The rates established for Emterra in the Emterra-Burnaby Operations Agreement are approved on an interim basis, effective August 31, 2023.
2. FEI is directed to refund to or recover from Emterra any variance between the interim rates and the permanent rates as determined by the BCUC following the final determination of the Application, with interest calculated at the average prime rate of FEI's principal bank for its most recent year.
3. FEI is to file the Emterra-Burnaby Operations 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 25<sup>th</sup> day of August 2023.

BY ORDER

*Original signed by:*

W. M. Everett, KC  
Commissioner