



ORDER NUMBER
G-253-23

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

and

FortisBC Energy Inc.
Section 71 Filing of an Amending Agreement No. 1 to the Biomethane Purchase Agreement
between FEI and Archaea Energy Marketing

BEFORE:

D. A. Cote, Commissioner

on September 21, 2023

ORDER

WHEREAS:

- A. On August 24, 2023, FortisBC Energy Inc. (FEI) filed with the British Columbia Utilities Commission (BCUC) an application for acceptance of an amending agreement dated August 18, 2023 (Amending Agreement No. 1) to the original Biomethane Purchase Agreement (BPA) between FEI and Archaea Energy Marketing (AEM) pursuant to section 71 of the *Utilities Commission Act* (UCA) and the BCUC Rules for Natural Gas Energy Supply Contracts (Application);
- B. On March 15, 2022, by Order E-4-22, the BCUC accepted the BPA between FEI and AEM, wherein AEM supplies biomethane, a type of renewable natural gas (RNG), which is acquired by FEI (Original BPA);
- C. Amending Agreement No. 1 provides FEI with the ability to have AEM redirect a portion of the RNG that FEI would otherwise have purchased under the Original BPA to markets outside of BC during the term of the amending agreement;
- D. FEI requests that the redacted portions of the Application including appendices be kept confidential due to their commercially sensitive nature; and
- E. The BCUC has reviewed the Application and considers the following determinations are warranted.

NOW THEREFORE pursuant to section 71 of the UCA, the BCUC orders as follows:

- 1. The BCUC accepts for filing Amending Agreement No. 1 to the BPA between FEI and AEM.
- 2. The BCUC will hold the confidential portion of the Application, including Appendices, confidential as requested by FEI until otherwise determined by the BCUC.

DATED at the City of Vancouver, in the Province of British Columbia, this 21st day of September 2023.

BY ORDER

Original signed by:

D. A. Cote
Commissioner