



**ORDER NUMBER**  
**G-274-23**

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

and

Enbridge ACGS Acquisition Inc.  
Application to Acquire Control of the Shares of Aitken Creek Gas Storage ULC

**BEFORE:**

B. A. Magnan, Panel Chair

on October 16, 2023

**ORDER**

**WHEREAS:**

- A. On April 28, 2023, Enbridge GTM Canada Inc. (Enbridge GTM) and FortisBC Holdings Inc. (FHI) entered into a purchase agreement (Purchase Agreement) regarding the sale and purchase of the shares of FortisBC Midstream Inc. (FMI), which holds all issued and outstanding shares of Aitken Creek Gas Storage ULC (ACGS), a public utility;
- B. Further to the Purchase Agreement, on May 12, 2023, Enbridge ACGS Acquisition Inc. (Enbridge ACGS) applied to the British Columbia Utilities Commission (BCUC) pursuant to section 54 of the *Utilities Commission Act* for approval to acquire control of all the issued and outstanding shares of ACGS (by virtue of purchasing the shares of FMI) causing Enbridge ACGS to have a reviewable interest in ACGS (Application);
- C. Enbridge ACGS requests that the Purchase Agreement be held confidential indefinitely by the BCUC, on the basis that it contains commercially sensitive information;
- D. By Orders G-139-23 and G-223-23, the BCUC established a regulatory timetable for review of the Application, which included one round of information requests and final arguments; and
- E. The BCUC has reviewed the Application, information request responses and final arguments and determines the Application should be approved.

**NOW THEREFORE** pursuant to section 54 of the *Utilities Commission Act* the BCUC orders as follows:

- 1. The acquisition by Enbridge ACGS Acquisition Inc. of all of the issued and outstanding shares of FortisBC Midstream Inc. is approved.

2. Enbridge ACGS Acquisition Inc.'s request to keep the details of the Purchase Agreement confidential due to their commercially sensitive nature is accepted.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 16<sup>th</sup> day of October 2023.

BY ORDER

*Original signed by:*

B. A. Magnan  
Commissioner