

**ORDER NUMBER**  
**G-299-23**

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

and

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

**BEFORE:**  
B. A. Magnan, Commissioner

on November 2, 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 services 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 23, 2023, FEI applied to the BCUC for approval of the rates established in a fuelling services agreement dated June 1, 2023, 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 services from the Burnaby Operations Fuelling Station, effective July 1, 2023 (Canadian Linen-Burnaby Operations Application). 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. The Emterra-Burnaby Operations Agreement establishes the terms, conditions, and rates for Emterra to continue receiving CNG fuelling services 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-264-23. The Emterra-Burnaby Operations Agreement also includes the same clause 4(c)(iv) of Part II as the Canadian Linen-Burnaby Operations Agreement;

- E. By Order G-227-23 dated August 25, 2023, the BCUC approved the rates established in the Emterra-Burnaby Operations Agreement on an interim and refundable basis, effective August 31, 2023 pending the outcome of the BCUC's review of the Canadian Linen-Burnaby Operations Application;
- F. By Order G-264-23, dated October 6, 2023, the BCUC approved the rate design and rates sought in the Canadian Linen-Burnaby Operations Application on a permanent basis, effective July 1, 2023. As part of the same order the BCUC directed FEI to apply to the BCUC for approval of any adjustments to the rates made pursuant to clause 4(c)(iv) of Part II of the Canadian Linen-Burnaby Operations Agreement. Clause 4(c)(iv) allows FEI, at its discretion, to temporarily reduce the dispensing rate from time to time under certain conditions;
- G. On October 12, 2023, FEI applied to the BCUC for approval on a permanent basis of rates established in the Emterra-Burnaby Operations Agreement and in a fuelling service agreement between FEI and GFL Environmental Inc. (Emterra-Burnaby Operations Agreement) (Emterra-GFL Application), which includes the Emterra-Burnaby Operations Agreement in tariff supplement form in Appendix B. The rates established in the GFL-Burnaby Operations Agreement will be reviewed by the BCUC in a separate proceeding; and
- H. The BCUC has reviewed the Application and the Emterra-GFL Application as it relates to the Emterra-Burnaby Operations Agreement and has determined that approval of the rates established for Emterra in the Emterra-Burnaby Operations Agreement is warranted on a permanent basis.

**NOW THEREFORE** pursuant to sections 59 to 61 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 a permanent basis, effective August 31, 2023.
2. FEI must apply to the BCUC for approval of any adjustments to the rates made pursuant to clause 4(c)(iv) of Part II of the Emterra-Burnaby Operations Agreement.
3. The tariff pages for the Emterra-Burnaby Operations Agreement as filed in Appendix B of the Emterra-GFL Application are accepted for filing.

**DATED** at the City of Vancouver, in the Province of British Columbia, this           2<sup>nd</sup>          day of November 2023.

BY ORDER

*Original signed by:*

B. A. Magnan  
Commissioner