



ORDER NUMBER
G-307-23

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

and

FortisBC Energy Inc.
Application for Approval of an Operating Agreement between
the Corporation of the City of Penticton (City of Penticton) and FortisBC Energy Inc.

BEFORE:

B. A. Magnan, Commissioner

on November 10, 2023

ORDER

WHEREAS:

- A. On October 31, 2023, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (BCUC) for approval of an operating agreement dated October 17, 2023, between the Corporation of the City of Penticton (City of Penticton) and FEI effective January 1, 2024 (FEI-Penticton Operating Agreement or Application), pursuant to section 23(1)(g) of the *Utilities Commission Act* (UCA);
- B. By Order C-8-03, dated September 2, 2003, the BCUC approved the current Operating Agreement and Addendum between FEI (through its predecessor companies Terasen Gas Inc. and BC Gas Utility Ltd.) and the City of Penticton. The term of the current Operating Agreement expires on December 31, 2023;
- C. FEI requests interim approval of the FEI-Penticton Operating Agreement if a final determination by the BCUC is not made prior to a requested January 1, 2024, effective date, pursuant to section 89 of the UCA; and
- D. The BCUC has reviewed the Application and considers the following determinations are warranted.

NOW THEREFORE pursuant to sections 23(1)(g) and 89 of the *Utilities Commission Act*, the BCUC orders as follows:

- 1. Interim approval of the FEI-Penticton Operating Agreement and the collection of operating fees, effective January 1, 2024, is granted until the Panel reaches a final determination on the Application.
- 2. A public hearing process and a regulatory timetable is established, as set out in Appendix A to this order.
- 3. As soon as is practicable, but no later than Wednesday, November 22, 2023, FEI must publish notice of this Application on its website.

4. FEI must publish notice of the Application on its social media platforms on or before Wednesday, November 22, 2023. It must also publish weekly reminder notices on each of these platforms until the conclusion of the intervener registration period on Wednesday, December 6, 2023.
5. FEI must provide confirmation to the BCUC by Friday, November 24, 2023, when the public notice was posted to its website and its social media platforms. FEI must also include a list of the social media platforms by which the public notice has been shared.
6. Parties who wish to participate in the proceeding are to register with the BCUC by completing a [Request to Intervene Form](#) by the date established in the regulatory timetable attached as Appendix A to this order and in accordance with the BCUC's Rules of Practice and Procedure attached to Order G-72-23. Alternatively, parties may submit a letter of comment through the [Submit a Letter of Comment Form](#) available on the BCUC website.

DATED at the City of Vancouver, in the Province of British Columbia, this 10th day of November 2023.

BY ORDER

Original signed by:

B. A. Magnan
Commissioner

Attachment

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REGULATORY TIMETABLE

Action	Date (2023)
FEI to publish public notice	Wednesday, November 22
FEI to provide confirmation of public notice to the BCUC	Friday, November 24
Intervener registration and letters of comment deadline	Wednesday, December 6
Further process	To be determined