



**ORDER NUMBER
G-313-23**

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

and

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

BEFORE:

B. A. Magnan, Panel Chair
W. E. Royle, Commissioner

on November 16, 2023

ORDER

WHEREAS:

- A. On October 12, 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, on a permanent basis, established in two separate fuelling service agreements, one with Halton Recycling Ltd. D.B.A. Emterra Environmental (Emterra) (Emterra-Burnaby Operations Agreement) and the other with GFL Environmental Inc. (GFL) (GFL-Burnaby Operations Agreement) (Application). Appendix B of the Application includes the Emterra-Burnaby Operations Agreement and GFL-Burnaby Operations Agreement in tariff supplement form;
- 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 service 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 23, 2023, FEI applied to the BCUC for approval of the rates established in a fuelling service agreement between FEI and Canadian Linen 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 service 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. On September 19, 2023, FEI applied to the BCUC for approval, on an interim basis, of the rates established in a fuelling service agreement between FEI and GFL dated September 18, 2023, (GFL-Burnaby Operations Agreement), which establishes the terms, conditions and rates for GFL to continue to receive CNG fuelling service from the Burnaby Operations Fuelling Station, effective October 1, 2023. By Order G-257-23 dated September 28, 2023, the BCUC approved the rates established in the GFL-Burnaby Operations Agreement on an interim and refundable/recoverable basis, effective October 1, 2023, pending the BCUC's decision on permanent rates for the Canadian Linen-Burnaby Operations Agreement;
- E. 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;
- F. By Order G-299-23 dated November 2, 2023, the BCUC approved the rates established in the Emterra-Burnaby Operations Agreement on a permanent basis, effective August 31, 2023 and 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 to the Emterra-Burnaby Operations Agreement;
- G. The GFL-Burnaby Operations Agreement also includes the same clause 4(c)(iv) of Part II as the Canadian Linen-Burnaby Operations Agreement. The rates established in the GFL-Burnaby Operations Agreement are consistent with the rates approved for all customers at the Burnaby Operations Fuelling Station; and
- H. The BCUC has reviewed the Application and determines that approval of the proposed rates of the GFL-Burnaby Operations Agreement on a permanent basis is warranted.

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

1. The rates established for GFL in the GFL-Burnaby Operations Agreement are approved on a permanent basis, effective October 1, 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 GFL-Burnaby Operations Agreement.
3. The tariff pages for the GFL-Burnaby Operations Agreement as filed in Appendix B of the Application are accepted for filing.

DATED at the City of Vancouver, in the Province of British Columbia, this 16th day of November 2023.

BY ORDER

Original signed by :

B. A. Magnan
Commissioner