



**ORDER NUMBER**  
**G-323-23**

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 District of Summerland and FortisBC Energy Inc.

**BEFORE:**

B. A. Magnan, Commissioner

on November 27, 2023

**ORDER**

**WHEREAS:**

- A. On November 16, 2023, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (BCUC) for approval of an operating agreement dated November 7, 2023, between the Corporation of the District of Summerland (District of Summerland) and FEI effective January 1, 2024 (FEI-Summerland Operating Agreement or Application), pursuant to section 23(1)(g) of the *Utilities Commission Act* (UCA);
- B. By Order C-14-03, dated November 27, 2003, the BCUC approved the current Operating Agreement between FEI (through its predecessor companies Terasen Gas Inc.) and the District of Summerland. The term of the current Operating Agreement expires on December 31, 2023;
- C. FEI requests interim approval of the FEI-Summerland 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 UCA, the BCUC orders as follows:

- 1. Interim approval of the FEI-Summerland 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 Friday, December 8, 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 Friday, December 8, 2023. It must also publish weekly reminder notices on each of these platforms until the conclusion of the intervener registration period on Friday, December 22, 2023.
5. FEI must provide confirmation to the BCUC by Tuesday, December 12, 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 27<sup>th</sup> day of November 2023.

BY ORDER

*Original signed by:*

B. A. Magnan  
Commissioner

Attachment

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**REGULATORY TIMETABLE**

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Action	Date (2023)
FEI to publish public notice	Friday, December 8
FEI to provide confirmation of public notice to the BCUC	Tuesday, December 12
Intervener registration and letters of comment deadline	Friday, December 22
Further process	To be determined