



**ORDER NUMBER  
G-295-24**

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

and

the *Fuel Price Transparency Act*, SBC 2019, Chapter 46

and

BCUC Review of Aggregate/Anonymized  
Wholesale Purchaser Fuel Data Proposed for Publication

**BEFORE:**

E. B. Lockhart, Panel Chair  
E. A. Brown, Commissioner

on November 14, 2024

**ORDER**

**WHEREAS:**

- A. On November 28, 2019, the Government of British Columbia enacted the *Fuel Price Transparency Act* (FPT Act);
- B. By Order in Council (OIC) No. 123/20 dated March 9, 2020, the Lieutenant Governor in Council (LGIC) designated the British Columbia Utilities Commission (BCUC) as the Administrator of the FPT Act;
- C. By OIC No. 474/20 dated August 13, 2020, the LGIC established the Fuel Price Transparency Regulation under the FPT Act, which requires fuel importers, wholesalers, terminal owners/operators, and those who supply fuel to retail dealers, to make periodic submissions to the BCUC effective November 1, 2020;
- D. Section 9 of the FPT Act provides that the BCUC may publish fuel data, or other information or records acquired under the FPT Act, if it is satisfied that protected information will not be disclosed, or that the public interest in the disclosure of the protected information outweighs any potential harm to responsible persons;
- E. Section 4.1 of the Framework for the Determination of Confidentiality and Treatment of Protected Information collected pursuant to the FPT Act, attached as Appendix A to Order G-164-24 (Confidentiality Framework), provides that the BCUC may publish aggregate confidential protected information, on an anonymized or non-anonymized basis, in instances where the BCUC has determined that such publication is not likely to reveal the confidential protected information of any responsible person;
- F. Section 4.1 of the Confidentiality Framework further provides that prior to publishing anonymized or non-anonymized aggregated confidential protected information, the BCUC will:
  - 1. Provide a description of the proposed aggregation methodology to all interested parties;

2. Provide a copy of any anonymized or non-anonymized aggregated confidential protected information proposed for publication (Proposal) to legal counsel of all responsible persons who have executed a Declaration and Undertaking form and any BCUC-approved Non-Disclosure Agreement ...; and
  3. Allow the responsible persons' legal counsel up to 60 days to review the Proposal and to provide written submissions and evidence to the BCUC regarding:
    - a. whether publication of any aggregate information included in the Proposal is likely to result in disclosure of the confidential protected information of any one responsible person, and if so why;
    - b. adjustments to any aggregate information included in the Proposal that would make direct or indirect disclosure of the confidential protected information of any one responsible person unlikely; and
    - c. any other submissions regarding the Proposal; and
- G. The BCUC proposes to publish certain anonymized aggregate fuel data using the methodologies described in Appendix B to this order (Proposal) and determines that the establishment of a hearing process is warranted.

**NOW THEREFORE** the BCUC orders the regulatory timetable, as set out in Appendix A to this order, is established.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 14<sup>th</sup> day of November 2024.

BY ORDER

*Electronically signed by Blair Lockhart*

E. B. Lockhart  
Commissioner

Attachment

BCUC Review of Aggregate/Anonymized  
Wholesale Purchaser Fuel Data Proposed for Publication

**REGULATORY TIMETABLE**

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Action	Date (2024)
Responsible persons to file written submissions and evidence, if required	Monday, December 16
Further process	To be determined

## PROPOSAL METHODOLOGY

The British Columbia Utilities Commission (BCUC) issued its revised Framework for Determination of Confidentiality and Treatment of Protected Information (Confidentiality Framework) by Order [G-164-24](#) on June 18, 2024, for Fuel Data that Responsible Persons submit to the BCUC pursuant to the [Fuel Price Transparency \(FPT\) Act](#).<sup>1</sup>

[Section 4.0](#) of the Confidentiality Framework outlines the tools the BCUC may use to publish Fuel Data that would otherwise be held confidential. Section 4.1 provides that “[t]he BCUC may publish aggregate confidential Protected Information, on an anonymized or non-anonymized basis, in instances where the BCUC has determined that such publication is not likely to reveal the confidential Protected Information of any Responsible Person.”<sup>2</sup>

The BCUC proposes to publish Fuel Data reported under the [FPT Regulation – British Columbia Monthly Wholesale Purchaser Report](#) (Wholesale Purchaser Report) using the following methodologies, each of which will include data from no fewer than five responsible persons:

- 1. Number of Responsible Persons who filed a Wholesale Purchaser Report by calendar year on an aggregate and anonymized basis:**<sup>3</sup>
  - Total number (count) of Responsible Persons who filed a Wholesale Purchaser Report for all fuel types/grades and for each of the fuel types/grades listed in Schedule 1.
- 2. Volume of wholesale purchases of reportable fuel in British Columbia (BC) by fuel type/grade and for each of the fuel types/grades listed in Schedule 1 by calendar year on an aggregate and anonymized basis:**<sup>4</sup>
  - Volume of wholesale purchases by fuel type/grade listed in Schedule 1.
  - Total volume of fuel reported as wholesale purchases in BC for combined grades of gasoline and diesel.
- 3. Annual market share percentage of top five firms that sell reportable fuel on the BC wholesale fuel market, for all fuels combined by calendar year.**
- 4. Volume of wholesale purchases of reportable fuel in BC for all fuels combined by calendar year on an aggregate and anonymized basis:**
  - Total volume of fuel reported as wholesale purchases in BC for integrated-refiner marketers and non-refiner marketers by calendar year.
  - Average volume per wholesale fuel purchase transaction for integrated-refiner marketers and non-refiner marketers by calendar year.
- 5. Average purchase price per litre for third-party transactions for combined fuel grades of gasoline by calendar year and by month on an aggregate and anonymized basis:**
  - Volume-weighted average fuel price of wholesale gasoline purchases in BC reported as third-party transactions for integrated refiner marketers and non-integrated refiner marketers by calendar year.

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<sup>1</sup> Capitalized terms not otherwise defined have the same meaning as in the FPT Act.

<sup>2</sup> Order G-164-24, Appendix A, pp. 4–6.

<sup>3</sup> Excluding data related to CBOB and RBOB.

<sup>4</sup> Excluding data related to CBOB and RBOB.

- Volume-weighted average fuel price of wholesale regular gasoline purchases in BC reported as third-party transactions for integrated refiner marketers compared to Kalibrate wholesale regular gasoline price by month.
  - Difference between volume-weighted wholesale regular gasoline price for integrated refiner marketers and Kalibrate wholesale regular gasoline price by month.
  - Volume-weighted average fuel price of wholesale regular gasoline purchases in BC reported as third-party transactions for non-integrated refiner marketers compared to Kalibrate wholesale regular gasoline price by month.
  - Difference between volume-weighted wholesale regular gasoline price for non-integrated refiner marketers and Kalibrate wholesale regular gasoline price by month.
- 6. Difference between average price of premium and regular gasoline in BC reported as third-party transactions by month on an aggregate and anonymized basis.**

**SCHEDULE 1**

The Wholesale Purchaser Report lists several Fuel Types and Fuel Grades that Responsible Persons are required to select from. The BCUC proposes to combine the various fuel grades from the Wholesale Purchaser Report for the purposes of publishing aggregate/anonymized data by fuel type and grade. Specifically, the BCUC proposes to publish aggregate/anonymized wholesale purchase data for (i) gasoline; (ii) diesel; and (iii) the six combined fuel grade categories presented below.

**Table 1: Wholesale Purchaser-Related Fuel Data – Fuel Types & Fuel Grades**

<b>Wholesale Purchaser Report</b>		
<b>Fuel Type</b>	<b>Fuel Grade</b>	<b>Combined Fuel Grade Categories</b>
Gasoline	CBOB	CBOB/RBOB
	CBOB 87	
	RBOB 87	
	CBOB 89	
	RBOB 89	
	CBOB 91	
	RBOB 91	
	CBOB 93/94	
	RBOB 93/94	
	RUL 87	Regular Gasoline
	RUL 87-E10	
	RUL E15	
	RUL E85	
	MUL 89	Midgrade Gasoline
	MUL 89-E5	
	MUL 89-E10	
	PUL 91	Premium Gasoline
	PUL 91-E5	
	PUL 91-E10	
	SPUL 93/94	
	SPUL 93/94-E5	
	SPUL 93/94-E10	
Diesel	ULSD	Regular Diesel
	ULS Diesel Bio	Other Diesel
	HDRD	