



**ORDER NUMBER
E-27-24**

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

and

FortisBC Energy Inc.
Section 71 Filing of a Biomethane Purchase Agreement
between FEI and Fraser Valley Biogas Ltd.

BEFORE:

E. A. Brown, Commissioner
E. B. Lockhart, Commissioner
B. A. Magnan, Commissioner
W. E. Royle, Commissioner

on December 12, 2024

ORDER

WHEREAS:

- A. On October 22, 2024, FortisBC Energy Inc. (FEI) filed with the British Columbia Utilities Commission (BCUC) an application for acceptance of a Biomethane Purchase Agreement (BPA) dated May 1, 2024 between Fraser Valley Biogas LTD. (FVB) and FEI (New FVB BPA), pursuant to section 71 of the *Utilities Commission Act* (UCA) and the BCUC Rules for Natural Gas Energy Supply Contracts (Application);
- B. Section 18(1) of the *Clean Energy Act* (CEA) defines a prescribed undertaking as "...a project, program, contract or expenditure that is in a class of projects, programs, contracts or expenditures prescribed for the purpose of reducing greenhouse gas emissions in British Columbia";
- C. Section 18(3) of the CEA states that "the commission must not exercise a power under the UCA in a way that would directly or indirectly prevent a public utility...from carrying out a prescribed undertaking";
- D. On June 10, 2024, the Lieutenant Governor in Council (LGIC), by B.C. Reg 302/2024, approved an amendment to the Greenhouse Gas Reduction (Clean Energy) Regulation (GGRR), which includes changes related to prescribed undertakings for the acquisition of RNG;
- E. By Order E-7-12 dated March 22, 2012, the BCUC accepted a BPA between FEI and FVB dated January 18, 2012, and by Orders E-19-22, E-12-23, and E-9-24, the BCUC accepted amending agreements to the original FVB BPA (collectively the Original FVB BPA). The Original FVB BPA expired May 1, 2024;
- F. Under the New FVB BPA, FVB will supply biomethane, which is a type of renewable natural gas (RNG), processed from a site located in Abbotsford, British Columbia, which will be purchased by FEI for injection into FEI's existing natural gas system;

- G. The BCUC has not reviewed the Application from a public interest perspective as the New FVB BPA is a prescribed undertaking under section 18(1) of the CEA; and
- H. The BCUC has reviewed the Application and makes the following determinations.

NOW THEREFORE pursuant to section 71 of the UCA, section 18 of the CEA and the GGRR:

1. The BCUC accepts for filing the New FVB BPA.
2. The BCUC will hold the redacted portions of the Application, including appendices, confidential unless otherwise determined by the BCUC, as they contain commercially sensitive information.

DATED at the City of Vancouver, in the Province of British Columbia, this 12th day of December 2024.

BY ORDER

Electronically signed by Bernard Magnan

B. A. Magnan
Commissioner