



**ORDER NUMBER**

**G-67-25**

**IN THE MATTER OF**

the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

Plateau Pipe Line Ltd.

Abandonment of Service as a Common Carrier  
on the Northern Segment of the Western Pipeline System

**BEFORE:**

T. A. Loski, Panel Chair

E. A. Brown, Commissioner

B. A. Magnan, Commissioner

on March 14, 2025

**ORDER**

**WHEREAS:**

- A. On October 7, 2024, Plateau Pipe Line Ltd. (Plateau), a wholly-owned subsidiary of Pembina Pipeline Corporation and general partner of Pembina West Limited Partnership, filed an application (Application) with the British Columbia Utilities Commission (BCUC) for approval to abandon common carrier service on the northern segment (Northern Segment) of the western pipeline system (Western System) pursuant to sections 65 and 72(2) of the *Utilities Commission Act*;
- B. By Order G-262-24 dated October 18, 2024, the BCUC established a public hearing process and regulatory timetable to review the Application. Subsequently, by Orders G-301-24, G-332-24, G-350-24, and G-57-25 dated November 19, 2024, December 12, 2024, December 20, 2024, and March 4, 2025, respectively, the BCUC established further regulatory timetables;
- C. By letter dated March 11, 2025, Plateau requested that Tidewater Midstream and Infrastructure Ltd. (Tidewater) be compelled to file full and adequate responses to certain Plateau Information Requests and that the deadline for Plateau to file final argument be extended to March 28, 2025 (Request);
- D. By letter dated March 13, 2025, Tidewater responded to the Request; and
- E. The BCUC considers the following determinations to be warranted.

**NOW THEREFORE** for the reasons outlined in the decision accompanying this order, the BCUC orders as follows:

1. Tidewater is directed to provide a further response to Plateau Information Requests 5.3 and 5.4, as set out in the decision accompanying this order, by Wednesday, March 19, 2025.
2. The regulatory timetable established by Order G-57-25 is amended as set out in Appendix A to this order.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 14<sup>th</sup> day of March 2025.

BY ORDER

*Electronically signed by Tom Loski*

T. A. Loski  
Commissioner

Attachment

Plateau Pipe Line Ltd.  
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**REGULATORY TIMETABLE**

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Action	Date (2025)
Tidewater further response to Plateau Information Requests 5.3 and 5.4	Wednesday, March 19
Plateau final argument	Monday, March 24
Tidewater final argument	Monday, April 7
Plateau reply argument	Monday, April 14

Plateau Pipe Line Ltd.  
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**DECISION**

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**1.0 Plateau Request**

On March 11, 2025, Plateau Pipe Line Ltd.<sup>1</sup> (Plateau), filed a letter with the British Columbia Utilities Commission (BCUC) requesting that Tidewater Midstream and Infrastructure Ltd. (Tidewater) be compelled to file full and adequate responses to certain information requests (IRs) filed by Plateau in the above-noted matter. Specifically, Plateau requests that Tidewater be required to provide further responses to Plateau IRs 4.1, 4.2, 5.1, 5.3, 5.4, 7.1, and 7.2. Plateau submits that these IRs are relevant to the issues before the BCUC in this proceeding, are significant to the BCUC's consideration of these issues, and are reasonable requests.<sup>2</sup>

Plateau considers Tidewater's failure to respond to each of the above IRs to prejudice its ability to respond to Tidewater's evidence in this proceeding and to prepare its final argument. As such, Plateau requests that Tidewater be required to file further responses by no later than March 14, 2025, and that the regulatory timetable for the proceeding be amended such that the deadline for Plateau to file its final argument is extended to March 28, 2025.<sup>3</sup>

In reply, Tidewater states that it has provided full and adequate responses to Plateau's IRs. Notwithstanding this, concurrent with its reply Tidewater provided additional information in response to Plateau IRs 4.1, 5.1 and 5.3.<sup>4</sup>

With respect to Plateau IR 4.2, Tidewater states that it strongly objects to providing the requested information as the sustainable aviation fuel (SAF) project to which the IR relates is in the pre-FID stage and highly confidential. Tidewater states that given the lack of certainty as to whether this project will proceed the information sought by Plateau is not helpful or relevant to the BCUC's determination of rail alternatives at Tidewater's refinery.<sup>5</sup>

With respect to Plateau IR 5.4, Tidewater submits that its submission was complete and that it has no additional information to provide.<sup>6</sup>

Lastly, Tidewater states that the information sought by Plateau in IRs 7.1 and 7.2 is highly confidential, as Plateau and Tidewater are competitors in relation to the acquisition of crude oil. Tidewater submits that this is similar to a situation faced by Plateau's affiliate, Pouce Coupé, in respect of its proposed Taylor to Gordondale pipeline where information was sought from Pouce Coupé by its competitor, NorthRiver Midstream. In that case, information that Tidewater considers to be far less sensitive than that which is sought by Plateau was produced only to external counsel for Pouce Coupé and any external experts it could show required the information. Tidewater states that it offered responses to Plateau's external counsel based on a solicitors' undertaking that this sensitive competitive information would be kept strictly confidential and not disclosed to anyone at Plateau/Pembina, including its internal counsel.<sup>7</sup>

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<sup>1</sup> A wholly-owned subsidiary of Pembina Pipeline Corporation and general partner of Pembina West Limited Partnership.

<sup>2</sup> Exhibit B-16, pp. 1–3.

<sup>3</sup> Exhibit B-16, pp. 3–4. The BCUC notes that Plateau's submission reads "March 28, 2024". The BCUC considers this to be a clerical error.

<sup>4</sup> Exhibit C1-13, PDF p. 1; Exhibit C1-13-1.

<sup>5</sup> Exhibit C1-13, PDF p. 1.

<sup>6</sup> Exhibit C1-13, PDF p. 1.

<sup>7</sup> Exhibit C1-13, PDF pp. 1–2.

### *Panel Determination*

The Panel appreciates Tidewater's submission of additional data in response to Plateau IRs 4.1, 5.1, and 5.3 and, with consideration of the additional information provided, finds that the responses provided to IRs 4.1 and 5.1 are sufficient for the purposes of this proceeding such that an order to compel further responses is not necessary.

However, with respect to IRs 5.3 and 5.4, the Panel is not persuaded that there is no further responsive information that can be provided. Tidewater's original responses to these IRs, as well as the supplemental information provided on March 13, 2025 in relation to IR 5.3, identify the product sales arrangements Tidewater has entered into in replacement of the Cenovus Offtake Agreement and provide examples of certain selected terms of these offtake agreements. However, Plateau has requested details on "any limitations, exclusions or termination rights that could result in each counter-party receiving less product from the Refinery than the full volume under their agreement", and the Panel is not persuaded that a complete response to this request has been provided. Tidewater is directed to provide a summary of all terms of the offtake agreements listed in response to BCUC IR 1.2 that are responsive to Plateau's request, or a copy of each listed offtake agreement, by no later than March 19, 2025.

With respect to Plateau IR 4.2 given the uncertainty regarding the SAF project, and the confidential nature of the requested information, the Panel is not persuaded that any further disclosure is appropriate.

With respect to Plateau IRs 7.1, and 7.2, the Panel considers the information sought by Plateau to be commercially sensitive, and that the provision of this information to Plateau is likely to harm Tidewater's competitive position in the fuels market. As such, an order to compel further responses to these IRs is also not warranted.

To allow Plateau adequate time to incorporate the limited additional information Tidewater has been directed to provide, the Panel considers a modest extension to the deadline for Plateau to file its final argument to March 24, 2025 to be warranted.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 14<sup>th</sup> day of March 2025.

*Electronically signed by Tom Loski*

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T. A. Loski  
Panel Chair/Commissioner

*Electronically signed by Elizabeth A. (Lisa) Brown*

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E. A. Brown  
Commissioner

*Electronically signed by Bernard Magnan*

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B. A. Magnan  
Commissioner