



**ORDER NUMBER**  
**F-5-26**

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

and

FortisBC Energy Inc.  
2025 and 2026 Annual Review of Delivery Rates  
Participant Cost Award Application

**BEFORE:**

M. Jaccard, Panel Chair  
T. A. Loski, Commissioner

on February 19, 2026

**ORDER**

**WHEREAS:**

- A. On March 18, 2025, the British Columbia Utilities Commission (BCUC) issued Order G-69-25 for FortisBC Energy Inc. (FEI) and Order G-70-25 for FortisBC Inc. approving a Rate Setting Framework for 2025 through 2027 (Rate Framework Decision). In accordance with the Rate Framework Decision, FEI is to conduct an annual review process to set delivery rates for each year (Annual Review);
- B. By Order G-313-24 dated November 27, 2024, the BCUC approved, among other things, FEI to increase delivery rates by 7.75 percent effective January 1, 2025, on an interim and refundable/recoverable basis;
- C. By Order G-179-25 dated July 22, 2025, the BCUC established the regulatory timetable for the FEI 2025 and 2026 Annual Review of delivery rates, which included FEI filing its application, intervener registration, one round of information requests, and final and reply arguments;
- D. On July 24, 2025, FEI submitted its application for the 2025 and 2026 Annual Review of Delivery Rates (Application) requesting, among other things, approval to make the existing 2025 interim delivery rates increase permanent, effective January 1, 2025, and permanent approval of a 10.07 percent delivery rates increase, effective January 1, 2026;
- E. By letter dated August 11, 2025, the BCUC accepted intervener requests from the following parties:
  - British Columbia Sustainable Energy Association (BCSEA);
  - The Commercial Energy Consumers Association of British Columbia (the CEC);
  - Movement of United Professionals (MoveUP);

- British Columbia Old Age Pensioners' Organization, Active Support Against Poverty, Disability Alliance BC, Council of Senior Citizens' Organizations of BC, Tenants Resource and Advisory Centre, and Together Against Poverty Society (BCOAPO); and
- Residential Consumer Intervener Association (RCIA).

In the same letter, the BCUC required BCOAPO and RCIA to participate as one intervener group and to file all submissions jointly;

- F. On December 5, 2025, by Order G-287-25 with decision, the BCUC issued its final decision on the Application;
- G. The following participants filed Participant Cost Award (PCA) applications with the BCUC with respect to their participation in the proceeding:

Date	Participant	Application
November 6, 2025	MoveUP	\$5,331.20
December 4, 2025, and amended on December 10, 2025	The CEC	\$24,965.96
December 10, 2025	BCSEA	\$13,399.75
December 20, 2025, and amended on December 22, 2025	BCOAPO	\$21,436.39
December 23, 2025	RCIA	\$10,012.28

- H. By letter dated January 16, 2026, FEI provided its comments on the PCA applications, stating that, if the BCUC is satisfied with the PCA applications, then it has no further comments and takes no position on the PCA applications; and
- I. The BCUC has reviewed the PCA applications in accordance with the criteria and rates set out in the BCUC Rules of Practice and Procedure and considers the following determinations are warranted.

**NOW THEREFORE** pursuant to section 118 of the *Utilities Commission Act*, and for the reasons outlined in the decision accompanying this order, the BCUC orders as follows:

1. Costs are awarded to the following participants in the listed amounts, inclusive of applicable taxes, for their participation in the FEI 2025 and 2026 Annual Review of Delivery Rates proceeding:

Participant	Award
MoveUP	\$5,331.20
The CEC	\$17,476.17
BCSEA	\$13,399.75
BCOAPO	\$19,292.75
RCIA	\$10,012.28

2. FEI is directed to reimburse the above-noted participants for the awarded amounts in a timely manner.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 19<sup>th</sup> day of February 2026.

BY ORDER

*Electronically signed by Mark Jaccard*

M. Jaccard  
Commissioner

FortisBC Energy Inc.  
2025 and 2026 Annual Review of Delivery Rates  
Participant Cost Award Application

**DECISION**

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## **1.0 Introduction**

On March 18, 2025, the British Columbia Utilities Commission (BCUC) approved a Rate Setting Framework (Rate Framework) for FortisBC Energy Inc. (FEI) and FortisBC Inc. covering a three-year period from January 1, 2025 to December 31, 2027 (Rate Framework Decision).<sup>1</sup> As per the Rate Framework Decision, an annual review process is required to set delivery rates for each year of the framework (Annual Review).

Prior to the issuance of the Rate Framework Decision, the BCUC had approved, among other things, FEI's application for a 7.75 percent delivery rates increase on an interim and refundable/recoverable basis, effective January 1, 2025.<sup>2</sup>

On July 22, 2025, the BCUC established the regulatory timetable for the FEI 2025 and 2026 Annual Review of delivery rates, which included FEI filing its application, intervener registration, one round of information requests (IRs), and final and reply arguments.<sup>3</sup>

On July 24, 2025, FEI submitted its application for the 2025 and 2026 Annual Review of Delivery Rates (Application) requesting, among other things, approval to set the existing 2025 interim delivery rates increase as permanent, effective January 1, 2025, and permanent approval of a 10.07 percent delivery rates increase effective January 1, 2026.

The following parties registered as interveners in the proceeding:

- BC Sustainable Energy Association (BCSEA);
- British Columbia Old Age Pensioners' Organization, Active Support Against Poverty, Disability Alliance BC, Council of Senior Citizens' Organizations of BC, Tenants Resource and Advisory Centre, and Together Against Poverty Society (BCOAPO) and Residential Consumer Intervener Association (RCIA) (collectively, BCOAPO-RCIA);<sup>4</sup>
- The Commercial Energy Consumers Association of BC (the CEC); and
- Movement of United Professionals (MoveUP).

By letter dated August 11, 2025, the BCUC reminded interveners that items approved in the Rate Framework Decision were not to be re-visited as part of the proceeding, either in IRs or arguments, and that the scope of the proceeding is the Application and its contents. To promote regulatory efficiency and to reflect the focused

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<sup>1</sup> FortisBC Energy Inc. and FortisBC Inc. 2025 to 2027 Rate Setting Framework, Decision and Orders G-69-25 and G-70-25 dated March 18, 2025.

<sup>2</sup> Order G-313-24 dated November 27, 2024.

<sup>3</sup> Order G-179-25 dated July 22, 2025.

<sup>4</sup> On August 11, 2025, the BCUC issued a letter (Exhibit A-3) requiring BCOAPO and RCIA to participate as one intervener group and to file all submissions jointly, including IRs and arguments.

scope of the proceeding, interveners were directed to limit their IRs to a maximum of 20 questions, including sub-questions.<sup>5</sup>

On December 5, 2025, the BCUC issued its final decision on the Application.<sup>6</sup>

This decision addresses the participant cost award (PCA) applications received by the BCUC from participants with respect to their participation in the proceeding.

## 2.0 Legislative Framework and BCUC Rules of Practice and Procedure

Section 118(1) of the *Utilities Commission Act* provides that the BCUC may order a participant in a proceeding before the BCUC to pay all or part of the costs of another participant in the proceeding.<sup>7</sup>

Part VI of the BCUC Rules of Practice and Procedure (Rules) stipulates the eligibility requirements and criteria used in assessing cost awards, including the process for applying for a cost award, eligible costs, and rates in BCUC proceedings. The Rules were updated by Order G-192-25 dated August 7, 2025. For proceedings initiated prior to August 7, 2025, but after June 30, 2022, the applicable rates for professional services are set out in Attachment A to the Rules adopted by the BCUC in Order G-296-24.

Rule 41.01 sets out that the BCUC will determine the amount of a cost award, if any, and the criteria that it will consider, so far as is applicable.

## 3.0 PCA Applications

The following participants filed PCA applications with the BCUC regarding their participation in the proceeding, as summarized in the table below:

Date	Participant	Application
November 6, 2025	MoveUP	\$5,331.20
December 4, 2025, and amended on December 10, 2025	The CEC	\$24,965.96
December 10, 2025	BCSEA	\$13,399.75
December 20, 2025, and amended on December 22, 2025	BCOAPO	\$21,436.39
December 23, 2025	RCIA	\$10,012.28

The following table summarizes the funding hours sought by each participant, by activity, in their respective PCA application:

<sup>5</sup> Exhibit A-3.

<sup>6</sup> Order G-287-25 with decision dated December 5, 2025.

<sup>7</sup> *Utilities Commission Act*, RSBC 1996, c. 473, s.118.

Participant	Activity				Total Hours
	Review and Registration	IRs	Arguments and Reply	Other	
BCOAPO	9.70	17.60	36.20	2.30	<b>65.80</b>
BCSEA	3.00	16.50	19.50	-	<b>39.00</b>
The CEC	8.10	37.85	78.95	2.00	<b>126.90</b>
MoveUP	2.30	4.10	7.20	-	<b>13.60</b>
RCIA	2.50	14.50	23.20	-	<b>40.20</b>

On January 16, 2026, FEI provided its comments on the PCA applications, stating that FEI has no further comments and takes no position on the PCA applications if the BCUC is satisfied that the participants have met the eligibility requirements, the time and amounts claimed for participation are reasonable and appropriate in the circumstances of this proceeding, and the level of participation has met with the BCUC’s criteria and requirements in accordance with the PCA rules.<sup>8</sup>

### *Panel Determination*

The Panel has reviewed the PCA applications in accordance with the Rules. The Panel is satisfied that all participants are eligible for a cost award in accordance with Part VI of the Rules and have contributed to a better understanding of the issues in this proceeding. **The Panel awards PCA amounts to MoveUP, BCSEA and RCIA as applied for.** However, the Panel finds that adjustments are warranted to the PCA amounts awarded to the CEC and BCOAPO, as explained below.

#### The CEC

**The Panel reduces the PCA amount awarded to the CEC by 30 percent and awards \$17,476.17 to the CEC, inclusive of applicable taxes.** The Panel finds the CEC’s hours claimed for IRs and arguments and reply to be excessive in light of the focused scope of this proceeding. While there were some novel issues in this Annual Review, it was not an overly complex proceeding that would warrant the magnitude of costs being claimed by the CEC. Specifically, the Panel does not find the hours claimed by the CEC to be proportionate relative to its contribution to a better understanding of the issues in this proceeding.

Additionally, the Panel observes that the CEC’s final argument excessively restates portions of the evidentiary record and FEI’s arguments, and that a similar observation was made by the BCUC in its decision on the PCA applications for FEI’s 2024 Annual Review of Delivery Rates (2024 PCA Decision).<sup>9</sup> The Panel considers that such an approach does not facilitate a better understanding of the issues in the proceeding, particularly for topics where the participant submitting its final argument does not have any specific issues or concerns, or the topic was otherwise uncontroversial. Rather, we find such an approach is unnecessary and duplicative, resulting in avoidable participant costs. As in the 2024 PCA Decision, the Panel encourages the CEC to reconsider its approach to final arguments in future proceedings to reduce the funding hours and amounts incurred.

#### BCOAPO

**The Panel reduces the PCA amount awarded to BCOAPO by 10 percent and awards \$19,292.75 to BCOAPO, inclusive of applicable taxes.** The Panel required BCOAPO and RCIA to participate as one intervener group in this proceeding and to file all submissions jointly, including IRs and arguments, as there were commonalities in the issues that they intended to pursue and both organizations represent the interests of residential ratepayers. The

<sup>8</sup> FEI Comments on PCA Applications dated January 16, 2026, p. 2.

<sup>9</sup> Order F-4-24, Appendix A, p. 4.

Panel notes that BCOAPO's PCA request is \$21,436.39, which is more than double the amount RCIA requested. The Panel considers that the amount requested by BCOAPO is not warranted, as we find BCOAPO's request to be disproportionate relative to its contribution to a better understanding of the issues in this proceeding. Therefore, we are of the view that a 10-percent reduction to BCOAPO's cost award is warranted.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 19<sup>th</sup> day of February 2026.

*Electronically signed by Mark Jaccard*

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M. Jaccard  
Panel Chair

*Electronically signed by Tom Loski*

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T. A. Loski  
Commissioner