



ORDER NUMBER
G-44-26

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

and

FortisBC Energy Inc.
Permanent Rates and Agreements for the Expansion of the Annacis Island CNG Fuelling Station in Delta

BEFORE:

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

on March 11, 2026

ORDER

WHEREAS:

- A. On January 13, 2026, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (BCUC), pursuant to sections 59 to 61 of the *Utilities Commission Act*, for approval of the rate design and rates established in the following amending agreements to the Fuelling Service Agreements (FSA) between FEI and seven anchor customers (Anchor Customers) on a permanent basis, effective July 1, 2025, for fuelling services from the Compressed Natural Gas (CNG) fuelling station located at Annacis Island in Delta, BC (Annacis Island Fuelling Station) (Application):
- (i) Amending Agreement No. 4 dated December 8, 2025, to the FSA between FEI and Ancor Transport Ltd. (Ancor);
 - (ii) Amending Agreement No. 4 dated December 8, 2025, to the FSA between FEI and ColdStar Solutions Inc. (ColdStar);
 - (iii) Amending Agreement No. 4 dated December 8, 2025, to the FSA between FEI and Encorp Pacific (Canada) (Encorp);
 - (iv) Amending Agreement No. 5 dated December 8, 2025, to the FSA between FEI and Martin-Brower of Canada Co. (Martin-Brower);
 - (v) Amending Agreement No. 4 dated December 8, 2025, to the FSA between FEI and United Parcel Services Canada Ltd. (UPS);
 - (vi) Amending Agreement No. 4 dated December 8, 2025, to the FSA between FEI and Western Pacific Transport Ltd. (Western Pacific); and
 - (vii) Amending Agreement No. 5 dated December 8, 2025, to the FSA between FEI and McRae's Environmental Services Ltd. (McRae's);

- B. FEI requests that the live financial model filed as Appendix C to the Application be held confidential, in perpetuity, on the basis that it is the result of significant development effort by FEI on behalf of its customers and therefore the formulas and configuration of the model are commercially sensitive;
- C. By Order G-45-22 dated February 22, 2022, the BCUC determined, among other things, that the Annacis Island Fuelling Station met the requirements of a prescribed undertaking under the Greenhouse Gas Reduction (Clean Energy) Regulation (GGRR) and approved the use of the rate design and rates established in the FSAs as amended by Amending Agreement No. 1 on an interim and refundable/recoverable basis for Ancor, ColdStar, Encorp, Martin-Brower, UPS, and Western Pacific, effective January 18, 2022;
- D. By order G-198-23 dated July 25, 2023, the BCUC approved, among other things, the use of the rate design and rates established in the FSAs as further amended by Amending Agreement No. 2 for Ancor, ColdStar, Encorp, UPS, and Western Pacific, and as further amended by Amending Agreements No. 2 and 3 for Martin-Brower on a permanent basis, effective January 18, 2022;
- E. By Order G-344-23 dated December 13, 2023, the BCUC approved the rates established in the FSA as amended by Amending Agreements No. 1 and 2 between FEI and McRae's on a permanent basis, effective March 1, 2022. By Order G-261-24 dated October 17, 2024, the BCUC approved the rates established in the FSA as further amended by Amending Agreement No. 3 between FEI and McRae's on a permanent basis, effective October 1, 2024;
- F. By Order C-4-25 dated May 2, 2025, the BCUC:
- (i) Granted FEI a Certificate of Public Convenience and Necessity to expand the Annacis Island Fuelling Station with the installation of a second compressor and associated facilities (2025 Expansion Project).
 - (ii) Approved FEI to use the rate design and rates established for the Anchor Customers in the FSAs as further amended by Amending Agreements No. 3 for Ancor, ColdStar, Encorp, UPS, and Western Pacific, and Amending Agreements No. 4 for Martin-Brower and McRae's on an interim and refundable/recoverable basis, effective July 1, 2025, pending the final costs of the 2025 Expansion Project.
- G. The 2025 Expansion Project was undertaken following the expiration of the prescribed undertaking in section 2(2) of the GGRR, and is accordingly governed by Section 12B of FEI's General Terms & Conditions (GT&Cs), which requires that FSAs reflect the recovery of, among other things, the entire actual capital investment in the expansion. However, by the decision accompanying Order C-4-25, the BCUC found it reasonable that the FSAs between FEI and the Anchor Customers, as amended, do not include a termination payment for unrecovered capital costs as required by Section 12B of FEI's GT&Cs;
- H. FEI and the Anchor Customers entered into the amending agreements set out in Recital A of this order to amend the capital rate in the FSAs from \$4.703 per GJ to \$4.829 per GJ, effective July 1, 2025, to reflect higher final actual capital costs than forecast for the 2025 Expansion Project;
- I. By Order G-197-25 dated August 12, 2025, the BCUC approved rates in Rate Schedule 6P, for public fuelling service at the Annacis Island Fuelling Station, on an interim basis, effective July 1, 2025. The BCUC directed that any variance between the interim rates and permanent rates will not be refundable to or recoverable from customers under Rate Schedule 6P; and

J. The BCUC has reviewed the Application and considers the following determinations are warranted.

NOW THEREFORE pursuant to sections 59 to 61 of the *Utilities Commission Act*, the BCUC orders as follows:

1. FEI is approved to use the rate design and rates established for the Anchor Customers in the FSAs as amended by Amending Agreements No. 1 through 4 for Ancor, ColdStar, Encorp, UPS and Western Pacific, and Amending Agreements No. 1 through 5 for Martin-Brower and McRae's at the Annacis Island Fuelling Station on a permanent basis, effective July 1, 2025.
2. FEI is directed to recover from the Anchor Customers any variance between the interim and permanent rates with interest calculated at the average prime rate of FEI's principal bank for its most recent year.
3. FEI is to file the amending agreements set out in Recital A of this order in tariff supplement form for endorsement by the BCUC within 15 days from the date of this order.
4. FEI is directed to file an application with the BCUC seeking rates for public fuelling at the Annacis Island Fuelling Station under Rate Schedule 6P on a permanent basis within 90 days from the date of this order.
5. Appendix C of the Application will be held confidential unless the BCUC determines otherwise.

DATED at the City of Vancouver, in the Province of British Columbia, this 11th day of March 2026.

BY ORDER

Electronically signed by Wendy Royle

W. E. Royle
Commissioner