



**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER G-186-12**

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IN THE MATTER OF
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473

and

Application by FortisBC Energy Inc.
for Approval to Amend Rate Schedule 16 on a Permanent Basis

BEFORE: A.A. Rhodes, Panel Chair/Commissioner
B.A. Magnan, Commissioner December 7, 2012
D.M. Morton, Commissioner

O R D E R

WHEREAS:

- A. On May 14, 2012, the Lieutenant Governor In Council approved the *Greenhouse Gas Reduction (Clean Energy) Regulation, B.C. Reg. 102/2012* (the GGRR);
- B. The evidentiary record closed in the spring of 2012 in regard to the British Columbia Utilities Commission (Commission) Inquiry into FortisBC Energy Inc. (FEI)'s Offering of Products and Services in Alternative Energy Solutions and Other New Initiatives (AES Inquiry);
- C. On September 24, 2012, FEI applied to the Commission, pursuant to sections 59-61 of the *Utilities Commission Act*, for approval of a permanent amended Rate Schedule 16 to provide liquefied natural gas (LNG) sales and dispensing service on long-term and short-term firm basis, and on a spot load basis (the Application);
- D. On October 5, 2012, the Commission issued Order G-143-12 requesting parties that wish to participate in the regulatory review process for this Application as Interveners or Interested Parties, to register with the Commission in writing, by Wednesday, October 17, 2012, and to indicate the nature and extent of their anticipated involvement in the review process and the issues they wished to explore;
- E. On October 26, 2012, the Commission under Order G-158-12 established a written hearing process and a Preliminary Regulatory Timetable setting a first round of Information Requests (IRs) and a date of January 14, 2013 for a Procedural Conference in which the nature and extent of further regulatory process would be determined. The draft regulatory timetables for the period beyond the Procedural Conference each set out the timetable for a second round of IRs with and without the opportunity for filing Intervener Evidence;
- F. On October 31, 2012, FEI filed a Request for Variance of Order G-158-12, (Request for Variance). In the Request for Variance FEI expressed concern that the length of the regulatory process established in Order G-158-12 for review of the Application, will impede FEI's ability to implement prescribed undertakings under the GGRR;

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- G. On November 6, 2012, the Commission issued Order G-166-12 confirming the proceeding as a Written Hearing and setting out a Revised Preliminary Regulatory Timetable for the first round of IRs and a date of December 10, 2012 for a Procedural Conference to determine the nature and extent of further process;
- H. On November 28, 2012, Ferus Inc. LNG Division (Ferus LNG) submitted a request to the Commission to suspend the proceeding of the Application (Request for Suspension) until the Commission releases its Decision in the AES Inquiry on the basis that the AES Inquiry Decision will inform the parties with regard to the appropriate further process for the Application;
- I. On November 29, 2012, the Commission issued a letter inviting participants in the Application to make written submissions on the Ferus LNG Request for Suspension by December 4, 2012, and for Ferus LNG to provide a reply submission, if any, by December 6, 2012;
- J. Written submissions were received from FEI, British Columbia Pensioners' and Seniors' Organization *et al*, BC Sustainable Energy Association, Clean Energy Fuels Corp., and Leducor Resources and Transportation LP, and then Ferus LNG provided a reply submission;
- K. The Commission has reviewed the submissions and determined that in the interests of procedural efficiency, postponement of the Procedural Conference is warranted until such time as a Decision is rendered in the AES Inquiry. This postponement will provide all parties with the opportunity to re-assess the potential scope of this proceeding, in light of any recommendations made in the AES Inquiry, and the extent of any further regulatory process that may be required. All other aspects of the procedural Timetable will remain unchanged.

NOW THEREFORE the Commission orders as follows:

- 1. The Procedural Conference scheduled for Monday, December 10, 2012, is postponed pending the release of the AES Inquiry Decision.
- 2. FEI is directed to respond to the Commission Information Request No. 1 and Intervener Information Request No. 1 by the dates set out in Order G-166-12.
- 3. All registered parties will be notified of the rescheduled date of the Procedural Conference once the AES Inquiry Decision has been released.

DATED at the City of Vancouver, in the Province of British Columbia, this 7th day of December 2012.

BY ORDER

Original signed by:

A. A. Rhodes
Panel Chair