



ORDER NUMBER
G-22-19

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

and

NorthRiver Midstream Operations LP and NorthRiver Midstream Operations GP Inc.
Application for an exemption pursuant to section 88(3) of the *Utilities Commission Act*

BEFORE:

B. A. Magnan, Panel Chair/Commissioner
T. Loski, Commissioner

on January 30, 2019

ORDER

WHEREAS:

- A. On January 7, 2019, NorthRiver Midstream Operations LP (NRLP) and NorthRiver Midstream Operations GP Inc. (NRGP) filed an application with the British Columbia Utilities Commission (BCUC) for an exemption from all of Part 3 of *Utilities Commission Act* (UCA), pursuant to section 88(3) of the UCA, with respect to natural gas processing plants and associated raw gas pipelines (Application);
- B. Pursuant to Order in Council (OIC) No. 0831, by Order G-89-97 dated August 6, 1997 and Order G-77-98, dated September 16, 1998, pursuant to Section 88(3) of the UCA, the BCUC approved an exemption from Part 3 of the UCA for Novagas Clearinghouse Ltd. (NCL) for the facilities in British Columbia which NCL used to transport or process natural gas for others;
- C. Pursuant to OIC No. 0832 and No. 0830, by Order G-90-97 and Order G-91-97, dated August 6, 1997, the BCUC approved an exemption from Part 3 of the UCA for Westcoast Gas Services Inc.'s (WGS) Jedney I, Buckinghorse and Boundary Lake gathering and processing facilities;
- D. By Order G-76-98, dated September 10, 1998, the BCUC approved an exemption for WGS from Part 3 of the UCA for WGS's Jedney II and Highway gathering and processing facilities and revised Appendix I to Order No. G-90-97 to include the Jedney II and Highway facilities;
- E. Pursuant to OIC No. 1302, by Order G-96-00 dated October 12, 2000, the BCUC approved an exemption from Part 3 of the UCA for Canadian Midstream Services Ltd.(CMSL) for the natural gas gathering and processing facilities in the Peggo, Midwinter and Tooga areas of British Columbia which it purchased from TransCanada Midstream, the successor in interest to NCL, and which CMSL used to transport and process natural gas for others;
- F. On August 25, 2005, Duke Energy Gas Transmission (now Spectra Energy Transmission) informed the BCUC that in 2001 CMSL amalgamated with Duke Energy Field Services Canada Ltd. (DEFSC) and subsequently,

Duke Energy Midstream Services Canada Ltd. amalgamated with DEFSCCL to continue as one company under the name Duke Energy Midstream Services Canada Corporation (DEMSSCC);

- G. By Order No. G-101-05, dated October 12, 2005, the BCUC continued and reissued the exemption approvals given under Order No. G-96-00 in the name of DEMSSCC, and revised Appendix I to Order No. G-96-00 to include facilities in the Sunrise area;
- H. On January 16, 2007, Spectra Energy Midstream Corporation informed the BCUC that DEMSSCC had changed its name to Spectra Energy Midstream Corporation (SEMC);
- I. On January 26, 2007, Spectra Energy Transmission informed the BCUC that DEMSSCC and WGSII had amalgamated and continued as one company under the name DEMSSCC;
- J. By Order G-107-07, dated November 27, 2007, the BCUC continued and reissued the exemption approvals given under Orders G-101-05, G-76-98, G-91-97 and G-90-97 in the name of SEMC;
- K. By Order G-26-08, dated February 26, 2008, the BCUC continued and reissued the exemption approvals given under Order G-107-07 in the name of SEMC, and revised Appendix I to Order G-107-07 to include natural gas processing and pipeline facilities in the West Doe area of northeast British Columbia;
- L. On November 19, 2018, NorthRiver Midstream Inc. (NRMI) informed the BCUC that SEMC had changed its name to NRMI;
- M. By Order G-12-19, dated January 21, 2019, the BCUC continued and reissued the exemption approvals given under Order G-26-08 in the name of NRMI, and revised Appendix I to Order G-26-08 to exclude exemptions for the Peggo, Midwinter and Tooga area and Sunrise area;
- N. On July 4, 2018, Grizzly Acquisitions Inc., now NRMI, entered into two separate purchase agreements to directly and indirectly acquire 100 percent of Enbridge Inc.'s (Enbridge) Western Canadian natural gas gathering and processing business (G&P Business);
- O. Six natural gas processing plants that form part of the G&P Business, with a total operating capacity of 1.6 bcf/d, together with their associated raw gas gathering systems (Field Services Assets), are currently owned and operated by Westcoast Energy Inc. doing business as Spectra Energy Transmission (Westcoast), a wholly owned subsidiary of Enbridge;
- P. Under the Field Services Assets purchase and sale agreement, NRMI has designated NRLP to acquire and NRGPI to manage the Field Services Assets on behalf of NRLP;
- Q. The Field Services Assets comprise facilities that are currently subject to federal regulation by the National Energy Board, pursuant to the *National Energy Board Act*; and
- R. The BCUC considers that establishing a regulatory timetable for the review of the Application is warranted.

NOW THEREFORE the BCUC orders as follows:

1. The establishment of a public hearing process in accordance with the regulatory timetable, as set out in Appendix A to this order.
2. Within 5 business days of this order, NRMI and Westcoast are directed to publish the Application, this order and the regulatory timetable on their websites (<https://www.northrivermidstream.com/> and <https://noms.wei-pipeline.com/>). Westcoast is further directed to provide a copy of the Application, this order and the regulatory timetable to all affected customers and parties.

DATED at the City of Vancouver, in the Province of British Columbia, this 30th day of January 2019.

BY ORDER

Original signed by:

B. A. Magnan
Commissioner

Attachment

NorthRiver Midstream Operations LP and NorthRiver Midstream Operations GP Inc.
Application for an exemption pursuant to section 88(3) of the *Utilities Commission Act*

REGULATORY TIMETABLE

Action	Date (2019)
BCUC Information Request (IR) No. 1	Thursday, February 14
NRLP & NRGp response to IR No.1	Thursday, February 21
Submissions from Stakeholders	Thursday, February 28
NRLP & NRGp response to Stakeholder Submissions	Thursday, March 14
Further Process	To be determined