



**ORDER NUMBER
G-328-19**

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

and

FortisBC Energy Inc.
Application for Approval of Amending Agreements with Teck Coal Limited for Rate Schedule 22B Tariff
Supplements No. G-13, G-14, G-15, and G-19

BEFORE:

B. A. Magnan, Commissioner

on December 12, 2019

ORDER

WHEREAS:

- A. On November 8, 2019, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (BCUC), pursuant to sections 59 to 61 of the *Utilities Commission Act* (UCA), for approval of Amending Agreements with Teck Coal Limited for Rate Schedule 22B Tariff Supplements No. G-13 (Elkview Operations), G-14 (Fording River Operations), G-15 (Greenhills Operations), and G-19 (Line Creek Operations) on a permanent basis effective upon the date of this Order (Application);
- B. On March 14, 2007, by Order G-26-07, the BCUC approved for Terasan Gas Inc. Rate Schedule 22B Tariff Supplement No. G-19 with Elk Valley Coal Corporation for interruptible service at its Line Creek Operations effective January 1, 2007.
- C. On April 10, 2008, by Order G-68-08, the BCUC approved for Terasan Gas Inc. Rate Schedule 22B Tariff Supplement No. G-13, G-14 and G-15 with Elk Valley Coal Corporation for interruptible service at its Elkview Operations, Fording River Operations, and Greenhills Operations respectively, effective April 1, 2008.
- D. Tariff Supplements No. G-13, G-14, G-15, and G-19 provide a reduced interruptible rate for the summer period from April 1 through October 31 and during the winter period of November 1 through March 31 for interruptible volumes delivered in excess of 10 percent of the contracted Firm Daily Transportation Quantity (DTQ) times the number of days in the month. Each Tariff Supplement stipulates that the Firm DTQ at the mine site during the term of the Tariff Supplement will not decrease. The interruptible rate adjusts annually based on Rate Schedule 22B rates, and the Tariff Supplements continue in effect from year to year unless terminated by notice from either party.
- E. The Amending Agreements replace all references to “Terasan Gas Inc.” with “FortisBC Energy Inc.” and replace all references to “Elk Valley Coal Corporation” with “Teck Coal Limited.” The Amending Agreements also replace Section 4.1 entirely to update references to correct Rate Schedule 22 sections 19 (Default and

Bankruptcy) and 22 (Force Majeure); increase Firm DTQ for Elkview Operations, Fording River Operations and Greenhills Operations; and decrease Firm DTQ for Line Creek Operations.

F. The BCUC has reviewed the Application and finds that the approval is warranted.

NOW THEREFORE pursuant to sections 59 to 61 of the *Utilities Commission Act*, the BCUC approves the Amending Agreements between FortisBC Energy Inc. and Teck Coal Limited to Rate Schedule 22B Tariff Supplements No. G-13, G-14, G-15, and G-19 on a permanent basis, effective the date of this order.

DATED at the City of Vancouver, in the Province of British Columbia, this 12th day of December 2019.

BY ORDER

Original Signed By:

B. A. Magnan
Commissioner