



ORDER NUMBER
G-5-21

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

FortisBC Energy Inc.
Application for Approval of an Operating Agreement
between the Corporation of the City of Nelson and FortisBC Energy Inc.

BEFORE:

R. I. Mason, Panel Chair
W. M. Everett, QC, Commissioner
B. A. Magnan, Commissioner

on January 8, 2021

ORDER

WHEREAS:

- A. On December 9, 2020, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (BCUC) pursuant to section 23(1)(g) of the *Utilities Commission Act* for approval of an operating agreement entered into between the Corporation of the City of Nelson (City of Nelson) and FEI, effective March 1, 2021 (FEI-Nelson Operating Agreement or Application);
- B. FEI, through its predecessor companies Inland Natural Gas Co. Ltd. and Terasen Gas Inc., and the City of Nelson entered into a franchise agreement approved by BCUC Order C-16-80, dated June 12, 1980, and later a Franchise Amendment Agreement approved by BCUC Order C-3-04, dated May 13, 2004. The Franchise Amendment Agreement expires on February 28, 2021;
- C. FEI requests interim approval of the FEI-Nelson Operating Agreement effective March 1, 2021 if a final determination by the BCUC is not made prior the expiry of the Franchise Amendment Agreement; and
- D. The BCUC has reviewed the Application and considers that establishment of a public hearing is warranted.

NOW THEREFORE the BCUC orders as follows:

- 1. A public hearing is established for the review of the Application in accordance with the regulatory timetable, attached as Appendix A to this order.
- 2. FEI must publish, no later than January 28, 2021, on its website and in display-ad format, the Public Notice attached as Appendix B to this order. Publication should be in such appropriate news publications as may properly provide adequate notice to FEI customers in the City of Nelson.

3. FEI must publish notice of the Application on its social media platforms on or before January 28, 2021 and must publish weekly reminder notices on each of these platforms until the conclusion of the intervener registration period on February 11, 2021.
4. Parties who wish to participate in the regulatory proceeding are to register with the BCUC by completing a [Request to Intervene Form](#) by the date established in the regulatory timetable attached as Appendix A to this order and in accordance with the BCUC's Rules of Practice and Procedure attached to Order G-15-19. Alternatively, parties may register as an interested party or submit a letter of comment through the letter of comment form available on the BCUC website.

DATED at the City of Vancouver, in the Province of British Columbia, this 8th day of January 2021.

BY ORDER

Original signed by:

R. I. Mason
Commissioner

Attachment

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REGULATORY TIMETABLE

Action	Date (2021)
FEI to publish public notice	Thursday, January 28
Intervener registration and letters of comment deadline	Thursday, February 11
Further process	To be determined



Public Notice

OPERATING AGREEMENT BETWEEN THE CITY OF NELSON AND FORTISBC ENERGY INC.

On December 9, 2020, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (BCUC) for approval of an operating agreement with the City of Nelson. The operating agreement between both parties outlines the terms of administering and operating gas distribution facilities within the City of Nelson.

More information on the application can be found at bcuc.com on our “Current Proceedings” page.

HOW TO PARTICIPATE

- Submit a letter of comment
- Register as an interested party
- Request intervenor status

IMPORTANT DATES

1. **Thursday, February 11, 2021** – Deadline to register as an intervenor or file a letter of comment with the BCUC.

For more information on getting involved, please visit our website (www.bcuc.com/get-involved) or contact us at the information below.

GET MORE INFORMATION

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