



ORDER NUMBER
G-6-21

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

and

FortisBC Energy Inc.

Application for Approval of Revised/Renewal Rates for the Langford Compressed Natural Gas Fueling Station in
Langford, BC pursuant to the Province of British Columbia's Greenhouse Gas Reduction (Clean Energy)
Regulation

BEFORE:

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

on January 8, 2021

ORDER

WHEREAS:

- A. On December 23, 2020, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (BCUC), pursuant to sections 59 to 61 and section 89 of the *Utilities Commission Act* (UCA), for approval of rates established in separate Fueling Services Agreements between ColdStar Solutions Inc. (ColdStar) and FEI (Coldstar Agreement) and GFL Environmental Inc. (GFL) and FEI (GFL Agreement), on an interim and permanent basis, effective January 1, 2021 (Application);
- B. FEI requests that the live financial model filed as Appendix C to the Application be held confidential on the basis 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. On April 11, 2013, the BCUC issued Order G-56-13 accepting that the Greenhouse Gas Reduction (Clean Energy) Regulation (GGRR) established the need for Compressed Natural Gas (CNG) and Liquefied Natural Gas (LNG) fueling stations that are undertaken by FEI as prescribed undertakings as defined by the GGRR, and that these prescribed undertakings are exempt from the Certificate of Public Convenience and Necessity requirements for the term of the GGRR;
- D. By Order G-187-13, the BCUC found that FEI's CNG fueling station located at its Victoria Regional Office Facility in Langford, BC (Langford Fueling Station) met the requirements for a prescribed undertaking as defined by the GGRR;
- E. On December 17, 2020, FEI separately entered into the Coldstar Agreement and the GFL Agreement each of which established the terms, conditions and rates for ColdStar and GFL, respectively, to receive fueling service from the FEI Langford Fueling Station;

- F. FEI also applies for approval to terminate the existing Fueling Services Agreement between FEI and Evergreen Industries Ltd. (Evergreen) approved by Order G-13-15 (Evergreen Agreement), effective December 31, 2020. GLF acquired the solid waste business of Evergreen and is assuming the volume commitment from the Evergreen Agreement under the GFL Agreement; and
- G. The BCUC has commenced its review of the Application and determines that approval of rates on an interim basis and the establishment of a regulatory timetable are warranted.

NOW THEREFORE pursuant to sections 59 to 61 and 89 of the UCA, the BCUC orders as follows:

- 1. A regulatory timetable is established, as set out in Appendix A to this order.
- 2. Approval of rates established in the ColdStar Agreement and the GFL Agreement on an interim basis, effective January 1, 2021.
- 3. FEI is directed to refund to/recover from ColdStar and GFL the variance between the interim rates and the permanent rates, as determined by the BCUC following the final determination of the Application, with interest calculated at the average prime rate of FEI's principal bank for its most recent year.
- 4. FEI is to file the ColdStar Agreement and the GFL Agreement in tariff supplement form for endorsement by the BCUC within 30 days of the date of this order.
- 5. The live financial model filed as Appendix C to the Application to be kept confidential due to its commercially sensitive nature.

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

BY ORDER

Original signed by:

W. M. Everett, QC
Commissioner

Attachment

FortisBC Energy Inc.
Application for Approval of Revised/Renewal Rates for the Langford Compressed Natural Gas Fueling Station
under the Province's Greenhouse Gas Reduction (Clean Energy) Regulation in Langford, BC

REGULATORY TIMETABLE

Action	Date (2021)
BCUC Information Request (IR) No. 1	Friday, February 5
FEI responses to BCUC IR No. 1	Thursday, February 25
Further process	To be determined