



ORDER NUMBER
G-85-21

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

and

Vancouver Airport Authority
Application for an Exemption Pursuant to Section 88(3) of the
Utilities Commission Act for the Resale of Natural Gas

BEFORE:

R. I. Mason, Panel Chair
W. M. Everett, QC, Commissioner
T. A. Loski, Commissioner

on March 18, 2021

ORDER

WHEREAS:

- A. On December 11, 2020, pursuant to section 88(3) of the *Utilities Commission Act* (UCA), Vancouver Airport Authority (YVR) applied to the British Columbia Utilities Commission (BCUC) seeking approval for exemption from section 71 and Part 3 of the UCA except sections 25, 38, 41 and 42, in relation to YVR's resale of natural gas at the Vancouver International Airport (Airport) (Application);
- B. In the Application, YVR states that it currently purchases the natural gas it resells from the gas marketer, Direct Energy Marketing Limited (Direct Energy), which is transported to the Airport by FortisBC Energy Inc. (FEI) under Rate Schedules 25 and 23 and distributed to YVR tenants;
- C. YVR acknowledges in the Application that since YVR resells natural gas to tenants with lease terms of more than 5 years, it is captured by the definition of a public utility, as it is defined in the UCA;
- D. In the UCA, a public utility is defined in section 1, in part, as:

A person, or the person's lessee, trustee, receiver or liquidator, who owns or operates in British Columbia, equipment or facilities for the (a) production, generation, storage, transmission, sale, delivery or provision of electricity, natural gas, steam or any other agent for the production of light, heat, cold or power to or for the public or a corporation for compensation;
- E. By Order G-30-21 dated January 28, 2021, the BCUC established a regulatory timetable, which included, among other things, one round of BCUC information requests (IR) with responses due back from YVR on March 1, 2021;
- F. By letter dated March 1, 2021, YVR requested an extension to file its responses to BCUC IR No. 1 from March 1, 2021 to March 15, 2021 (Extension Request);

- G. By Order G-61-21 dated March 2, 2021, the BCUC granted the Extension Request and issued an amendment to the regulatory timetable;
- H. By letter dated March 12, 2021, YVR filed a request to suspend the proceeding for three months (Suspension Request). YVR states that it has accelerated its goal of achieving net zero carbon emissions to 2030 and is actively undertaking additional analysis to understand the implications of potentially providing low carbon fuels to its tenants. YVR states that such changes, if implemented, would likely require an amendment to the Application. In the Suspension Request, YVR proposes to provide an update to the BCUC regarding any necessary amendments to the Application by Friday, June 11, 2021; and
- I. The Panel has reviewed the Suspension Request and considers the following determinations are warranted.

NOW THEREFORE the BCUC orders as follows:

- 1. Pursuant to sections 59 to 61 of the UCA, YVR is directed to file an application for interim rates for the resale of natural gas to tenants for approval within seven days of this order.
- 2. The proceeding is adjourned until Friday, June 11, 2021, subject to YVR filing the information as set out in Directive 1 of this order.
- 3. YVR is directed, by no later than Friday, June 11, 2021, to submit to the BCUC either any necessary amendments to the Application for exemption or an application seeking the required regulatory approvals for a Certificate of Public Convenience and Necessity and its permanent rates, tariff and general terms and conditions.

DATED at the City of Vancouver, in the Province of British Columbia, this 18th day of March 2021.

BY ORDER

Original signed by:

R. I. Mason
Commissioner