



ORDER NUMBER
G-245-21

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 August 17, 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 No. 1) and a letter of comment period;
- F. By Order G-61-21, dated March 2, 2021, the BCUC accepted an extension request by YVR to file responses to IR No. 1 and established a revised regulatory timetable;

- G. By letter dated March 12, 2021, YVR filed a further request to suspend the proceeding for three months to understand the implications of potentially providing low carbon fuels to its tenants (Suspension Request). In the Suspension Request, YVR proposed providing an update to the BCUC regarding any necessary amendments to the Application by June 11, 2021;
- H. By Order G-85-21 dated March 18, 2021, the BCUC granted the Suspension Request and directed YVR to file an application for interim rates for the resale of natural gas to its tenants. The BCUC adjourned the proceeding and directed YVR, by no later than June 11, 2021, to submit either any necessary amendments to the Application 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;
- I. By Order G-99-21 dated March 30, 2021, the BCUC approved the proposed rates set out in YVR's interim rates application, on an interim, collectable and refundable basis;
- J. On June 11, 2021, YVR submitted its amended exemption application (Amended Application);
- K. By Order G-190-21 dated June 21, 2021, the BCUC established a further regulatory timetable, which included, among other things, one round of BCUC information requests (IR No. 2) and a letter of comment period;
- L. On July 5, 2021, the BCUC issued IR No. 2 to YVR and on July 19, 2021, YVR filed its responses;
- M. On August 11, 2021, the BC Sustainable Energy Association filed a letter of comment; and
- N. The Panel has reviewed the responses to IR No. 2 and the letter of comment and finds that establishing a further regulatory timetable for review of the Amended Application is warranted.

NOW THEREFORE the BCUC orders that the regulatory timetable as established by Order G-190-21 is amended, as set out in Appendix A to this order.

DATED at the City of Vancouver, in the Province of British Columbia, this 17th day of August 2021.

BY ORDER

Original signed by:

R. I. Mason
Commissioner

Attachment

Vancouver Airport Authority
Application for an Exemption Pursuant to Section 88(3) of the
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REGULATORY TIMETABLE

Action	Date (2021)
YVR Final Written Submission including response to the Letter of Comment	Wednesday, September 8