



September 26, 2022

Letter L-38-22

Sent via email/eFile

BCUC REVIEW OF AGGREGATE-ANONYMIZED FUEL DATA	EXHIBIT A-7
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To: Responsible Persons and Other Interested Persons

**Re: BCUC Review of Aggregate/Anonymized Fuel Data Proposed for Publication
Revised Import-Related Fuel Data**

The British Columbia Utilities Commission (BCUC) issued its Framework for Determination of Confidentiality and Treatment of Protected Information (Confidentiality Framework) by Order [G-14-22](#) on January 20, 2022, for Fuel Data that Responsible Persons submit to the BCUC pursuant to the [Fuel Price Transparency \(FPT\) Act](#).

[Section 5.0](#) of the Confidentiality Framework outlines the tools the BCUC may use to publish Fuel Data that would otherwise be held confidential. Section 5 provides that “[t]he BCUC may publish aggregate confidential Protected Information, on an anonymized or non-anonymized basis, in instances where the BCUC has determined that such publication is not likely to reveal the confidential Protected Information of any Responsible Person.”¹

On May 24, 2022, the BCUC established a hearing process regarding a proposal to publish certain import-related fuel data on an aggregate and anonymized basis. This proceeding was adjourned on July 21, 2022, pursuant to Order G-204-22, in order to allow Responsible Persons to resubmit certain historical fuel data and to provide the BCUC with an opportunity to evaluate whether any modifications to the proposed aggregation methodologies would be appropriate.

Pursuant to Order G-268-22, a deadline of September 26, 2022 was established for the issuance of a revised proposal.

The BCUC proposes to publish Fuel Data reported under the [FPT Regulation – British Columbia Monthly Importer Report](#) (Importer Report) using the following methodologies (Revised Proposal):

- 1. Number of Responsible Persons who filed an Importer Report in the previous full calendar year (i.e., 2021) on an aggregate and anonymized basis:**
 - Total number (count) of Responsible Persons who filed an Importer Report for all fuel types/grades and for each of the fuel types/grades listed in Appendix A.
- 2. Origin of Imports into British Columbia (BC) for the previous full calendar year (i.e., 2021) by each of the fuel types/grades listed in Appendix A on an aggregate and anonymized basis.**

¹ Order G-14-22, Appendix A, p. 5-7

3. **Volume of imports into BC by origin for all fuel types/grades and for each of the fuel types/grades listed in Appendix A in the previous full calendar year (i.e., 2021) on an aggregate and anonymized basis:**
 - Total volume of fuel reported as imports into BC from all origins;
 - Total volume of fuel reported as imports into BC from Alberta;
 - Total volume of fuel reported as imports into BC from the rest of Canada and the United States with a list of applicable provinces and states;
 - Total volume of fuel reported as imports into BC from other countries with a list of applicable countries.
4. **Volume of imports into BC by origin and by transaction type for all fuel types/grades and for each of the fuel types/grades listed in Appendix A in the previous full calendar year (i.e., 2021) on an aggregate and anonymized basis:**
 - Total volume of fuel reported as (i) third-party transaction and (ii) intra-company transfer imports into BC from all origins;
 - Total volume of fuel reported as (i) third-party transaction and (ii) intra-company transfer imports into BC from Alberta;
 - Total volume of fuel reported as (i) third-party transaction and (ii) intra-company transfer imports into BC from the rest of Canada and the United States with a list of applicable provinces and states;
 - Total volume of fuel reported as (i) third-party transaction and (ii) intra-company transfer imports into BC from other countries with a list of applicable countries.
5. **Average purchase price per litre for third-party transactions for all fuel types/grades and for each of the fuel types/grades listed in Appendix A in the previous full calendar year (i.e., 2021) on an aggregate and anonymized basis:**
 - Volume-weighted average fuel price reported as third-party transaction imports into BC from all origins;
 - Volume-weighted average fuel price reported as third-party transaction imports into BC from Alberta;
 - Volume-weighted average fuel price reported as third-party transaction imports into BC from the rest of Canada and the United States with a list of applicable provinces and states;
 - Volume-weighted average fuel price reported as third-party transaction imports into BC from other countries with a list of applicable countries.

Section 5.1 of the Confidentiality Framework provides that prior to publishing anonymized or non-anonymized aggregated confidential Protected Information the BCUC will:

1. Provide a description of the proposed aggregation methodology to all interested parties;
2. Provide a copy of any anonymized or non-anonymized aggregated confidential Protected Information proposed for publication (Proposal) to legal counsel of all Responsible Persons who have executed a Declaration and Undertaking form and any BCUC-approved Non-Disclosure Agreement (NDA)...; and
3. Allow the Responsible Persons' legal counsel up to 60 days to review the Proposal and to provide written submissions and evidence to the BCUC regarding:

- a. whether publication of any aggregate information included in the Proposal is likely to result in the direct or indirect disclosure of the confidential Protected Information of any one Responsible Person, and if so why;
- b. adjustments to any aggregate information included in the Proposal that would make direct or indirect disclosure of the confidential Protected Information of any one Responsible Person unlikely; and
- c. any other submissions regarding the Proposal.

In accordance with Order G-268-22, Responsible Persons wishing to file written submissions and evidence regarding the BCUC's Revised Proposal may do so by **October 26, 2022**.

Sincerely,

Original signed by:

Sara Hardgrave
Acting Commission Secretary

KC/jm
Attachment

The Importer Report lists several Fuel Types and Fuel Grades that Responsible Persons were required to select from. The BCUC proposes to combine the various fuel grades from the Importer Report for the purposes of publishing aggregate/anonymized import data by fuel type and grade. Specifically, the BCUC proposes to publish aggregate/anonymized import data for (i) gasoline; (ii) diesel; and (iii) the three combined fuel grade categories presented below.

Importer Report		Combined Fuel Grade Categories
Fuel Type	Fuel Grade	
Gasoline	CBOB 87	Regular Gasoline
	RBOB 87	
	RUL 87	
	RUL 87-E10	
	RUL E15	
	RUL E85	
	CBOB 89	
	RBOB 89	
	MUL 89	
	MUL 89-E5	
	CBOB 91	Premium Gasoline
	RBOB 91	
	PUL 91	
	CBOB 94	
	RBOB 94	
	SPUL 94	
Diesel	ULSD	Diesel
	ULS Diesel Bio	