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June 27, 2022

British Columbia Utilities Commission  
Suite 410, 900 Howe Street  
Vancouver, BC  
V6Z 2N3

Attention: Mr. Patrick Wruck, Commission Secretary

Dear Mr. Wruck:

**Re: FortisBC Energy Inc. (FEI)**

**Application for a Certificate of Public Convenience and Necessity for the  
Tilbury Liquefied Natural Gas Storage Expansion Project ~ Project No. 1599170  
FEI Submission on Further Process**

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FEI writes to provide its submissions on further regulatory process, pursuant to the regulatory timetable established by the British Columbia Utilities Commission (BCUC) in Order G-132-22.

FEI believes that the evidentiary record in this proceeding is very robust, including two rounds of information requests (IRs) plus a round of Panel IRs with responses to over 1,415 IRs as well as intervener evidence from two parties, oral evidence from TWN, a round of IRs on intervener evidence, rebuttal evidence and FEI is currently responding to over 125 IRs on that rebuttal evidence. FEI believes the evidentiary record is sufficient, and the issues crystallized, to warrant moving to final written arguments.

At the procedural conference in January, FEI had suggested that if the BCUC still had questions after two rounds of IRs, then the Panel could ask a round of information requests in lieu of an oral hearing. The BCUC stated in Order G-9-22 (January 13, 2022):

The Panel notes that some interveners favour an oral hearing in this proceeding, but aside from TWN, they have not identified specific topics or a clear scope for such a hearing. In establishing a further regulatory timetable for this proceeding, the Panel notes that there is the potential for a substantial addition to the evidentiary record, namely from FEI's responses to Panel IRs, evidence from three interveners, and the potential for rebuttal evidence and IRs upon rebuttal evidence. Therefore, we consider it premature at this time to conclude whether an oral hearing is warranted or the scope for such a hearing. Accordingly, we have determined that following the filing of the additional evidence noted above, an additional procedural conference would be beneficial to assess the need and scope for an oral hearing at that time. Dates for an additional procedural conference and a placeholder for an oral hearing will be issued in due course.

FEI submits that the Panel’s expectation as to the “potential for a substantial addition to the evidentiary record” has been borne out. FEI responded to the Panel’s IRs in a fulsome manner. The issues raised in intervener evidence are now well-canvassed. However, it remains important to FEI that the Panel has the information it needs regarding this important project. If the Panel believes that an oral hearing is still necessary, FEI is not opposed to a carefully scoped hearing where the Panel provides an issues list now. Providing an issues list in advance will ensure that the hearing time is used efficiently and effectively, and interveners advocating for an oral hearing are in a position to identify potential issues with precision to justify that additional step.<sup>1</sup>

The BCUC’s hearing calendar in the Fall is busy, and FEI and several interveners are involved in multiple proceedings. FEI respectfully requests that the timetable, regardless of the nature of the process adopted, give the parties adequate time in light of the other processes. FEI proposes the following timetable alternatives for the remainder of the regulatory process with or without an oral hearing.

<b>ACTION</b>	<b>Without Oral Hearing DATE (2022)</b>	<b>With Oral Hearing DATE (2022/2023)</b>
Oral Hearing		Week of October 17
Responses to Undertakings		Wednesday, November 9
FEI Written Final Submission	Thursday, August 25	Thursday, December 15
Intervener Written Final Submissions	Thursday, September 22	Thursday, February 2
FEI Written Reply Submission	Thursday, October 27	Thursday, March 9

If further information is required, please contact the undersigned.

Sincerely,

**FORTISBC ENERGY INC.**

***Original signed:***

Diane Roy

cc (email only): Registered Intervenors

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<sup>1</sup> Order G-126-22 in the BC Hydro F2023-F2025 RRA: “The Panel agrees with BC Hydro that an oral hearing should not be the default regulatory process and acknowledges the volume of evidence contained on the current evidentiary record. Further, the Panel is cognizant of the time and resources required for parties and witnesses to prepare for and participate in an oral hearing. However, in the Panel’s view an oral hearing can be an efficient and effective regulatory process to address outstanding issues in areas where further evidence is required or in new areas.” And: “RCIA and NTC advocate for an oral hearing with a broad or unlimited scope. The Panel notes that the regulatory process for the current proceeding included two rounds of IRs, and the remaining regulatory process includes intervener evidence, IRs on intervener evidence and BC Hydro rebuttal evidence. In the Panel’s view, the parties have not demonstrated that further evidence or an oral hearing is required on all topics contained in the Application. Accordingly, the Panel considers that an oral hearing with a limited scope would be more efficient and effective.”