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July 14, 2022

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

Attention: Ms. Sara Hardgrave, Acting Commission Secretary

Dear Ms. Hardgrave:

Re: FortisBC Energy Inc. (FEI)

**Application for a Certificate of Public Convenience and Necessity (CPCN) for the
Tilbury Liquefied Natural Gas (LNG) Storage Expansion (TLSE) Project
(Application)**

FEI Reply Submission on Further Process

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

Oral Hearing

The submissions of interveners, including those of BCOAPO, BCSEA, CEC, RCIA and TWN,¹ agree with FEI that an oral hearing is unnecessary in this proceeding. However, as FEI noted in its earlier procedural submission, it is not opposed to a carefully scoped hearing where the Panel provides an issues list now.

Final Argument

TWN seeks to bifurcate its final arguments into: (1) a final oral submission on the potential impacts of the TLSE Project to TWN, occurring towards the end of September 2022; and (2) a final written legal submission to be submitted in October 2022. Although FEI believes that a written final argument process for all parties would be fair and reasonable, FEI is not opposed in the specific context of this proceeding to TWN delivering a portion of its final submissions orally with the following two safeguards in place.

First, with respect to TWN's proposed oral final submission, the BCUC should reiterate its expectation and direct that submissions, whether oral or written, must be confined to evidence already introduced into the record. This approach is consistent with the submissions of TWN's legal counsel at the procedural conference held on November 24, 2021.²

¹ Exhibits C1-19, C2-13, C4-12, C5-22, C7-22.

² Transcript Volume 3, p. 272, l. 20 to p. 273, l. 2.

...we are looking to provide written evidence on the adequacy of consultation, and then we are looking to provide oral arguments, oral final arguments regarding the adequacy of consultation. So not looking to present new oral evidence regarding consultation. So, looking to provide oral final arguments in addition potentially to the written final arguments regarding consultation and engagement. [emphasis added]

Further, as acknowledged by TWN, the evidentiary record in this proceeding is already “robust”, and therefore, there should be no need to introduce new evidence at this stage.

Second, the BCUC should direct that TWN’s oral and written submissions must be truly distinct, avoiding a scenario where TWN repeats its oral submissions in a subsequent written argument. That direction promotes fairness to FEI, and equitable treatment for all interveners.

FEI takes no issue with the timing of TWN’s oral submissions during the week of September 26, 2022, with TWN’s written submissions to follow in late-October, but submits that all interveners submissions should also be filed at the same time in late-October. Aligning all intervener submissions ensures that all interveners are given the same amount of time to prepare their written submissions. FEI would then file a single written reply submission on all issues, in response to all interveners. It is important from the perspective of efficiency and fairness that FEI not be required to bifurcate its own reply submissions as a result of TWN’s proposal.

FEI proposes the following timetable, reflecting TWN’s proposed dates and the scheduling considerations set out in FEI’s earlier procedural submission.

Action	Date (2022)
FEI Written Final Submission	Thursday, August 25
TWN Oral Final Submissions	During week of September 26
Intervener Written Final Submissions	Wednesday, October 26
FEI Written Reply Submission	Thursday, December 15

If further information is required, please contact the undersigned.

Sincerely,

FORTISBC ENERGY INC.

Original signed:

Diane Roy

cc (email only): Registered Intervenors