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July 22, 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)
Revised Renewable Gas Program Application – Stage 2 (Application)
Round Two Information Requests (IRs) – Questions Out of Scope – FEI Reply
Comments**

FEI writes to provide reply comments to responses from interveners on a number of round two IRs that FEI submits are out of scope, pursuant to British Columbia Utilities Commission (BCUC) Exhibit A-22.

FEI provides its reply comments to intervener submissions from the BC Sustainable Energy Association (BCSEA),¹ Canadian Office and Professional Employees Union, Local 378 known as Movement of United Professionals (MoveUP),² and GNAR Inc – Sustainable Home Design (GNAR).³

BCSEA

BCSEA respectfully disagrees with FEI's contention that BCSEA IR2 19.1 and 22.1 are out of scope, but nonetheless submits that it will withdraw these IRs. BCSEA asks that FEI respond substantively to BCSEA IR1 16.2 and 16.3, which it restated as part of round two of its IRs as BCSEA IR2 20.1 and 20.2, respectively.⁴ As noted by BCSEA, the BCUC has found that the competitiveness of equipment is within the scope of this proceeding.⁵ BCSEA also confirms that FEI's responses to these IRs will not be used to address demand side management (DSM) in its proposed evidence. FEI finds the additional context provided by BCSEA in its submission helpful. On this basis and given these IRs relate to in-scope items, FEI intended

¹ Exhibit C1-9.

² Exhibit C2-7.

³ Exhibit C19-4.

⁴ Exhibit C1-9, p. 1.

⁵ Scope Item 4.

to and will provide substantive responses to BCSEA IR2 20.1 and 20.2 in accordance with the regulatory timetable.

MoveUP

MoveUP submits that MoveUP IR2 1.4 directly relates to issues within the scope of the proceeding (namely item 5 in the list provided in Appendix C to Order G-165-22A)⁶ and forms part of a logical sequence of questions.⁷ As FEI noted in its letter, this IR probes load scenarios from FEI's Long Term Gas Resource Plan (LTGRP) which could be properly dealt with in the ongoing 2022 LTGRP proceeding. However, upon review of MoveUP's explanation of how this IR properly falls within the scope of this proceeding, FEI withdraws its objection and based on the added context from MoveUP, FEI will provide a response to this IR in accordance with the regulatory timetable.

GNAR

GNAR submits that all of the IRs it submitted for IR No. 2 fall within the scope of this proceeding.⁸ As outlined in the comments below, FEI maintains its position that all of GNAR's IR No. 2 are out of scope.

GNAR argues that its questions primarily address "the manner and characteristics" of how renewable natural gas (RNG) is sold under FEI's services and offerings, as set out in item 5 in the list provided in Appendix C to Order G-165-22A. FEI disagrees. As noted by the Panel, this proceeding pertains to a rate design application, including evidence related to the design of the program, the rates for the program's services and offerings, and the allocation of costs to customers.⁹ Put another way, this proceeding is primarily concerned with the way RNG will be sold (i.e., rate design) rather than the characteristics of RNG itself. IRs with respect to the marketing of RNG and its associated characteristics clearly relate to the "specification of RNG" and, therefore, fall outside the scope of this proceeding.¹⁰

GNAR also objects to FEI's submission that "notional delivery is specifically scoped out of this proceeding" on the basis that notional delivery formed part of a preliminary list of scope items from 2020 which, it alleges, "FEI confirmed would be addressed in this Application" (Appendix C to Order G-292-20).

- First, on November 30, 2020, the BCUC suspended the operation of Order G-292-20 following FEI's request that it be rescinded for reasons of regulatory efficiency. Ultimately, the BCUC adopted a two-stage process involving a review of the BERC Rate Assessment Report followed by a comprehensive review of FEI's RNG Program (which is the subject of this proceeding).

⁶ Item 5 states: "The short term (5 years) forecast demand for RNG and the feasibility of FEI's plan meet this demand."

⁷ Exhibit C2-7, p. 1.

⁸ Exhibit C19-4, p.1.

⁹ Order G-165-22A, Appendix A, p. 5.

¹⁰ Order G-165-22A, Appendix A, p. 6.

- Second, the preliminary list of scope items was identified by the BCUC as a list of “potential scope items” to assist parties in the preparation of their submissions in advance of the BCUC making a determination on the final list of scope items. GNAR’s submission that FEI agreed to the inclusion of notional delivery within the scope of this proceeding is inaccurate.
- Third, even if notional delivery were in scope at an earlier stage of this proceeding, the Panel has expressly excluded it from the scope of this proceeding through its issuance of Order G-165-22A – which supersedes Order G-292-20. The Panel’s determination regarding the proper scope of this proceeding followed hearing submissions from FEI and 19 registered interveners.

If further information is required, please contact the undersigned.

Sincerely,

FORTISBC ENERGY INC.

Original signed:

Diane Roy

cc (email only): Registered Intervenors