



ORDER NUMBER
E-24-20

IN THE MATTER OF
the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

FortisBC Energy Inc.
Biomethane Purchase Agreement between FortisBC Energy Inc. and EPCOR
RNG Limited Partnership

BEFORE:

E. B. Lockhart, Panel Chair
R. I. Mason, Commissioner

on October 16, 2020

ORDER

WHEREAS:

- A. On September 18, 2020, pursuant to section 71 of the *Utilities Commission Act* (UCA) and the British Columbia Utilities Commission's (BCUC) Rules for Natural Gas Energy Supply Contracts (Rules), FortisBC Energy Inc. (FEI) filed an application with the BCUC seeking acceptance of a Biomethane Purchase Agreement (BPA) between FEI and EPCOR RNG Limited Partnership (EPCOR) (Filing);
- B. Section 18(1) of the *Clean Energy Act* (CEA) defines a prescribed undertaking as "...a project, program, contract or expenditure that is in a class of projects, programs, contracts or expenditures prescribed for the purpose of reducing greenhouse gas emissions in British Columbia";
- C. Section 18(3) of the CEA states, "The commission must not exercise a power under the UCA in a way that would directly or indirectly prevent a public utility...from carrying out a prescribed undertaking";
- D. Section 2(3.8) of the *Greenhouse Gas Reduction Regulation* (GGRR) states that the acquisition of renewable natural gas (RNG) is a prescribed undertaking subject to:
 1. The public utility paying no more than \$30/GJ; and
 2. The total volume of RNG purchased in a calendar year does not exceed 5 percent of the total volume of natural gas provided by public utility to its non-bypass customers in 2015;
- E. Under the BPA, EPCOR will supply biomethane, which is a type of RNG, processed at its wastewater treatment facility located in Edmonton, Alberta. The biomethane will be delivered to FEI at AECO/NIT for injection into FEI's existing natural gas system;
- F. The BCUC has not reviewed the Filing from a public interest perspective as the BPA is a prescribed undertaking under section 18(1) of the CEA;

- G. FEI requests that the redacted portions of the Filing and certain appendices be kept confidential due to their commercially sensitive nature; and
- H. The BCUC has reviewed the Filing and considers the following determinations are warranted.

NOW THEREFORE pursuant to section 71 of the UCA, the Rules, section 18 of the CEA, and the GGRR, the BCUC orders as follows:

1. The BCUC accepts for filing the BPA between FEI and EPCOR.
2. The BCUC will keep the redacted portions of the Filing and certain appendices confidential as requested by FEI as they contain commercially sensitive information.

DATED at the City of Vancouver, in the Province of British Columbia, this 16th day of October 2020.

BY ORDER

Original signed by:

E. B. Lockhart
Commissioner