



May 21, 2021

Sent via eFile

**FEI SEC 71 BPA BETWEEN FEI AND SHELL
EXHIBIT A-3**

To: FortisBC Energy Inc.
Registered Interveners

Re: FortisBC Energy Inc. (FEI) – Filing of a Biomethane Purchase Agreement (BPA) between FEI and Shell North America (Canada) Inc. (Shell) pursuant to Section 71 of the *Utilities Commission Act (UCA)* and British Columbia Utilities Commission Rules for Natural Gas Energy Supply Contracts – Project No. 1599209 – Streamlined Review Process

By Order G-157-21 dated May 21, 2021, the British Columbia Utilities Commission (BCUC) established a further regulatory process with respect to the above-noted application. This letter provides additional information regarding the upcoming Streamlined Review Process (SRP).

General Information

Due to the Provincial Health Officer Order related to COVID-19, the SRP will be held virtually with FEI and registered interveners via Microsoft Teams. The general public may stream the web broadcast at <https://www.allwestbc.com/webcast.html>. The SRP will also be transcribed for the proceeding record. Transcripts are considered evidence and placed on the public record of the proceeding and the BCUC's website.

Interveners are required to confirm their online attendance by emailing the Commission Secretary at Commission.Secretary@bcuc.com **by 4:00 p.m., Thursday, May 27, 2021**. A link to the workshop will be provided upon registration. Any party who is unable to attend virtually may file submissions in writing by **4:00 p.m., Thursday, May 27, 2021**.

Any part of the process outlined below may be modified by the Panel to suit the participants, or to allow for a better understanding of the issues.

Streamlined Review Process

The SRP will commence at **1:00 p.m. (Pacific Time) on Friday, May 28, 2021**, via Microsoft Teams. Participants will be able to join the meeting from 12:45 p.m. onwards to test their audio and video connections. As set out in the [SRP Policy, Guidelines and Procedures](#), participation in the SRP includes the applicant, registered interveners, the Panel and BCUC staff.

The topics in scope for the SRP will be as follows:

- How FEI's proposed acquisition of RNG from Shell satisfies the requirements of a prescribed undertaking as set out in section 18(1) of the *Greenhouse Gas Reduction Regulation (GGRR)*;
- How FEI is acquiring renewable natural gas, pursuant to section 2(3.8) of the GGRR;

- How the BPA between FEI and Shell satisfies the volume limit pursuant to section 2(3.8)(b) of the GRR; and
- The regulatory and reporting framework in place for greenhouse gas emission accounting for acquisitions of RNG that originate outside of Canadian jurisdiction(s).

The SRP will proceed as follows:

1. The Panel Chair will make an opening statement and comment on procedural matters for the day.
2. After introductions of the participants, FEI is invited to provide opening remarks on in-scope topics of the SRP. FEI is requested to limit its opening remarks to no longer than 30 minutes. Questions of clarification may be asked, as necessary. Before asking any questions, participants should first identify themselves for the transcription record.
3. FEI will respond to additional questions from Registered Interveners, BCUC staff and the Panel during a question and answer period.
4. If required in order to respond to any confidential questions posed, there will be arrangements made for an in-camera session.
5. A recess of 15 minutes will follow.
6. If the Panel is satisfied that the evidentiary record is complete, the Panel Chair may ask FEI to provide a final submission verbally. Registered Interveners will be then asked to provide verbal final submissions. FEI will then have the opportunity for a verbal reply submission.

The BCUC will provide FEI with questions in advance of the SRP by **Tuesday, May 25, 2021**. FEI is requested to file a written response by **4:00 p.m., Wednesday, May 26, 2021**.

The BCUC strongly encourages FEI to pursue any required contractual extensions with Shell and the upstream supplier regarding the May 31, 2021 date, should BCUC approval not be obtained by this date.

If you have any questions or concerns about the process, please contact Commission Secretary at Commission.Secretary@bcuc.com, 604-660-4700 or BC Toll Free: 1-800-663-1385.

Sincerely,

Original signed by Jessica O'Brien on behalf of:

Patrick Wruck
Commission Secretary

AK/ae
Enclosure



**ORDER NUMBER
G-157-21**

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

and

FortisBC Energy Inc. (FEI)

Filing of a Biomethane Purchase Agreement between FEI and Shell North America (Canada) Inc. pursuant to Section 71 of the *Utilities Commission Act* and BCUC Rules for Natural Gas Energy Supply Contracts

BEFORE:

R. I. Mason, Panel Chair
M. Kresivo, QC, Commissioner
D. M. Morton, Commissioner

on May 21, 2021

ORDER

WHEREAS:

- A. On April 29, 2021, FortisBC Energy Inc. (FEI) filed with the British Columbia Utilities Commission (BCUC) an application for acceptance of a Biomethane Purchase Agreement (BPA) between FEI and Shell North America (Canada) Inc. pursuant to section 71 of the *Utilities Commission Act* (UCA) and BCUC Rules for Natural Gas Energy Supply Contracts (Application);
- B. By Order G-150-21 dated May 17, 2021, the BCUC established a regulatory timetable outlining the public hearing process to review the Application, which included, among other things, intervener registration, one round of BCUC and Intervener information requests (IR) and submissions on further process;
- C. On May 20, 2021, FEI filed a letter requesting the BCUC amend the regulatory timetable and establish an expedited review process by an oral hearing or Streamlined Review Process in order to accommodate a condition in the BPA that FEI receive BCUC approval to purchase the biomethane on or before May 31, 2021; and
- D. The BCUC considers that an amendment to the regulatory timetable is warranted.

NOW THEREFORE the BCUC orders as follows:

1. The regulatory timetable as established by Order G-150-21 is amended and attached as Appendix A to this order.
2. FEI is directed to publish on its website the Application, this order and the regulatory timetable and to provide a copy of the same to registered interveners in the FortisBC Multi-Year Rate Plan for 2020-2024 proceeding and to registered interveners in the FEI Tidal BPA proceeding by no later than Tuesday, May 25, 2021.
3. FEI is directed to provide additional evidence, by 4:00 p.m., Wednesday, May 26, 2021, on the following:
 - a. The definition of Renewable Natural Gas (RNG);
 - b. The contractual arrangements in place to ensure FEI is acquiring RNG, including how RNG is delivered from the facility to the Huntingdon hub;
 - c. The regulatory and reporting regime(s) in the United States and Canada that guarantee all environmental attributes associated with the purchase of RNG contractually pass from the facility to FEI, including but not limited to the generation, transfer, and redemption of renewable attributes to offset greenhouse gas emissions;
 - d. The regulatory and reporting regime(s) in place that eliminates any risk that environmental attributes are counted in both jurisdictions;
 - e. The contract maximums and other details of all existing approved BPAs, BPAs pending BCUC approval and this BPA to demonstrate that the volume limit as established by section 2(3.8)(b) of the Greenhouse Gas Reduction Regulations is not exceeded; and
 - f. Any other contractual documents associated with the BPA.
4. A Streamlined Review Process will be held on Friday, May 28, 2021, commencing virtually at 1:00 p.m. Pacific Standard Time. Details regarding the [BCUC's SRP Policy, Guidelines and Procedures](#) can be found on the BCUC website.

DATED at the City of Vancouver, in the Province of British Columbia, this 21st day of May 2021.

BY ORDER

Original signed by:

R. I. Mason
Commissioner

Attachment

FortisBC Energy Inc. (FEI)

Filing of a Biomethane Purchase Agreement between FEI and Shell North America (Canada) Inc. pursuant to Section 71 of the Utilities Commission Act and BCUC Rules for Natural Gas Energy Supply Contracts

REGULATORY TIMETABLE

Action	Date (2021)
FEI to publish Application and order, and Notify Registered Interveners	Tuesday, May 25
BCUC IR No. 1 to FEI	Tuesday, May 25
FEI to provide BCUC IR No. 1 Responses and Additional Evidence	Wednesday, May 26
Intervener Registration and Confirmation of Streamlined Review Process Attendance	Thursday, May 27
Web-based Streamlined Review Process	Friday, May 28