



bcuc
British Columbia
Utilities Commission

Patrick Wruck
Commission Secretary

Commission.Secretary@bcuc.com
bcuc.com

Suite 410, 900 Howe Street
Vancouver, BC Canada V6Z 2N3
P: 604.660.4700
TF: 1.800.663.1385
F: 604.660.1102

October 24, 2019

Sent via email/eFile

Mr. Doug Slater
Director, Regulatory Affairs
FortisBC Energy Inc.
16705 Fraser Highway
Surrey, BC V4N 0E8
gas.regulatory.affairs@fortisbc.com

Re: FortisBC Energy Inc. Application for Approval of an Operating Agreement between the Corporation of the City of Castlegar and FEI – Project No. 1599026 – Final Order G-255-19

Dear Mr. Slater,

Further to your July 11, 2019 filing of the above-noted application, enclosed please find British Columbia Utilities Commission final order G-255-19.

Sincerely,

Original signed by Ian Jarvis for:

Patrick Wruck
Commission Secretary

/jo
Enclosure



ORDER NUMBER
G-255-19

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

and

FortisBC Energy Inc.
Application for Approval of an Operating Agreement
Between the Corporation of the City of Castlegar and FEI

BEFORE:

R. I. Mason, Panel Chair
W. M. Everett, QC, Commissioner
B. A. Magnan, Commissioner

on October 24, 2019

ORDER

WHEREAS:

- A. On July 11, 2019, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (BCUC) for approval of an operating agreement dated July 5, 2019, entered into between the Corporation of the City of Castlegar (Castlegar) and FEI (the FEI-Castlegar Operating Agreement or Application);
- B. FEI (through predecessor companies Inland Natural Gas Co. Ltd. and BC Gas Utility Ltd.) and the City of Castlegar entered into a franchise agreement, which expired on August 30, 1998;
- C. FEI and Castlegar entered into another franchise agreement dated October 13, 1998, approved by BCUC Order C-17-98, which expired on August 29, 2019;
- D. In the Application, FEI submits that the FEI-Castlegar Operating Agreement is based on the same terms as the FEI-Kamloops Operating Agreement, which was approved on a permanent basis by Order G-207-19, dated August 29, 2010;
- E. On June 3, 2019, FEI sought BCUC approval to use the FEI-Kamloops Operating Agreement as the basis for comparison in subsequent operating agreement applications with Interior municipalities and, by Order G-176-19 dated July 31, 2019, the Panel established a public hearing process to address FEI's request;
- F. The BCUC issued interim approval of the FEI-Castlegar Operating Agreement in Order G-170-19, dated July 29, 2019;
- G. On August 6, 2019, FEI filed a letter requesting withdrawal of its application to use the FEI-Kamloops Operating Agreement as a basis for comparison in subsequent operating agreements with Interior municipalities;

- H. By Order G-207-19, dated August 29, 2019, the BCUC dismissed FEI's application to use the FEI-Kamloops Operating Agreement as a basis for comparison, and rescinded the associated regulatory timetable;
- I. By Order G-212-19 dated September 5, 2019, the BCUC established a public hearing process for the review of the Application, which included public notice, intervener registration and a deadline for letters of comment. No requests to intervene or letters of comment were received by the BCUC; and
- J. The Panel has reviewed the Application and considers the following determination is warranted.

NOW THEREFORE pursuant to section 23(1)(g) and section 89 of the UCA, the BCUC orders that the FEI-Castlegar Operating Agreement, dated July 5, 2019 between FEI and Castlegar, be approved on a permanent basis.

DATED at the City of Vancouver, in the Province of British Columbia, this 24th day of October 2019.

BY ORDER

Original signed by:

R. I. Mason
Commissioner