



**bcuc**  
British Columbia  
Utilities Commission

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November 30, 2020

Sent via email/eFile

<b>FEI – BERC RATE ASSESSMENT REPORT</b> <b>EXHIBIT A-5</b>
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Ms. Diane Roy  
Vice President, Regulatory Affairs  
FortisBC Energy Inc.  
16705 Fraser Highway  
Surrey, BC V4N 0E8  
[gas.regulatory.affairs@fortisbc.com](mailto:gas.regulatory.affairs@fortisbc.com)

**Re: FortisBC Energy Inc. – Biomethane Energy Recovery Charge (BERC) Rate Methodology – British Columbia Utilities Commission Decision and Order G-133-16 Compliance Filing – BERC Rate Assessment Report – Regulatory Timetable**

Dear Ms. Roy:

Further to your August 12, 2020 filing of the above-noted matter, enclosed please find British Columbia Utilities Commission Order G-301-20 establishing an amended regulatory timetable.

Sincerely,

*Original signed by:*

Marija Tresoglavic  
Acting Commission Secretary

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**ORDER NUMBER**  
**G-301-20**

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

and

FortisBC Energy Inc.  
Biomethane Energy Recovery Charge Rate Methodology  
Assessment Report

**BEFORE:**

D. M. Morton, Panel Chair  
R. I. Mason, Commissioner  
D. A. Cote, Commissioner

on November 30, 2020

**ORDER**

**WHEREAS:**

- A. On August 12, 2016, the British Columbia Utilities Commission (BCUC) issued its Decision and Order G-133-16 approving FortisBC Energy Inc. (FEI) Biomethane Energy Recovery Charge (BERC) Rate Methodology Application. Directive 16 of the Decision directed FEI to file a comprehensive assessment report for BCUC approval at the earlier of the application by FEI for a transfer of biomethane inventory from the Biomethane Variance account to the Mid-Stream Reconciliation account, or four years after the date of issue of the Decision, whichever came first;
- B. On August 12, 2020, in accordance with Directive 16 of the Decision, FEI filed the BERC Rate Assessment Report (Assessment Report) with the BCUC. In the Assessment Report, FEI stated that the BERC rate methodology remains appropriate and believes that a review or changes to the methodology are not necessary at this time;
- C. By Order G-292-20, dated November 12, 2020, the BCUC established the regulatory timetable for the review of the Assessment Report, including a list of preliminary scope items attached as Appendix C to that order and submissions on scope from all parties;
- D. By way of letter dated November 17, 2020, FEI requested that the BCUC rescind Order G-292-20, for reasons of regulatory efficiency, and instead establish a regulatory review process with two stages or two separate processes. FEI submitted that the process established in Order G-292-20 is premature, and a second stage or process would follow subsequent to FEI filing an application for changes to its Renewable Natural Gas Program after completing its planned comprehensive review;
- E. By way of letter dated November 20, 2020, the BCUC suspended the operation of Order G-292-20, pending a review of the regulatory timetable; and

F. The BCUC has reviewed FEI's request and considers that further submissions from parties is warranted.

**NOW THEREFORE**, the BCUC orders as follows:

1. An amended regulatory timetable for the review of FEI's Assessment Report is established, as set out in Appendix A to this order.
2. FEI must provide notice of the Assessment Report, along with this order, to all interveners previously registered in the following proceedings: FortisBC's Multi-Year Rate Plan Application for 2020 to 2024; FEI's 2016 BERC Rate Methodology; and all recent Section 71 proceedings involving biomethane and Renewable Natural Gas.
3. Parties who wish to participate in the regulatory proceeding are to register with the BCUC by completing a Request to Intervene Form by the date established in the regulatory timetable attached as Appendix A to this order and in accordance with the BCUC's Rules of Practice and Procedure attached to Order G-15-19.
4. The BCUC requests submissions from FEI and all registered parties on the scope items identified in Appendix B to this order.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 30<sup>th</sup> day of November 2020.

BY ORDER

*Original signed by:*

D. M. Morton  
Commissioner

Attachment

FortisBC Energy Inc.  
Biomethane Energy Recovery Charge Rate Methodology Assessment Report

**REGULATORY TIMETABLE**

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Action	Date (2021)
FEI provides notice	Friday, January 8
Intervener registration and submissions on process alternatives included in Appendix B to Order G-301-20	Thursday, January 14
FEI reply to intervener submissions on process alternatives	Thursday, January 28
Further process	To be determined

FortisBC Energy Inc.  
Biomethane Energy Recovery Charge Rate Methodology Assessment Report

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**REQUEST FOR SUBMISSIONS**

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**The British Columbia Utilities Commission (BCUC) is requesting submissions from all registered interveners on the process for its review of FortisBC Energy Inc. (FEI)'s Biomethane Energy Recovery Charge (BERC) Assessment Report (Assessment Report) and FEI's current BERC rate methodology.**

By Order G-292-20, dated November 12, 2020, the BCUC established the regulatory timetable for the review of the FEI's Assessment Report, including a list of preliminary scope items attached as Appendix C to that order. The BCUC also sought submissions on these preliminary scope items from all parties.

On November 17, 2020, FEI requested the BCUC rescind Order G-292-20 and instead establish a regulatory review process with two stages or two separate processes. FEI submitted that it neglected to indicate it already had a plan underway for a more comprehensive review of the Renewable Natural Gas (RNG) Program and proposed to provide the BCUC and interveners with a status update on or before June 30, 2021, which will include expected timing for its application for RNG Program changes, currently anticipated late in 2021.

The BCUC has considered FEI's request and have identified three process alternatives:

1. Amend the dates in the current regulatory timetable but continue with seeking submissions from FEI and registered interveners on the preliminary scope items identified in Appendix C of Order G-292-20.
2. Establish a regulatory review process, consisting of two stages, or two separate processes, as presented by FEI in its letter dated November 17, 2020 (Exhibit B-2).
3. Establish a regulatory review process in 3 stages:
  - i. Stage 1: Review of FEI's Assessment Report filed as Exhibit B-1;
  - ii. Stage 2: Review FEI's BERC program to date with the potential to make modifications to the BERC rate methodology; and
  - iii. Stage 3: FEI to file a comprehensive review and assessment of its RNG Program addressing all aspects of the program including, but not limited to, the items identified in as Appendix C of Order G-292-20.
4. Any other process alternatives, with rationale.

Following the submissions from registered interveners on the above process options, FEI will be granted a right of reply. The BCUC will then make a determination on its process after consideration of these submissions.