



ORDER NUMBER
G-343-23

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 Penticton (City of Penticton) and FortisBC Energy Inc.

BEFORE:

B. A. Magnan, Commissioner

on December 12, 2023

ORDER

WHEREAS:

- A. On October 31, 2023, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (BCUC) for approval of an operating agreement dated October 17, 2023, between the Corporation of the City of Penticton (City of Penticton) and FEI effective January 1, 2024 (FEI-Penticton Operating Agreement or Application), pursuant to section 23(1)(g) of the *Utilities Commission Act*;
- B. By Order C-8-03, dated September 2, 2003, the BCUC approved the current Operating Agreement and Addendum between FEI (through its predecessor companies Terasen Gas Inc. and BC Gas Utility Ltd.) and the City of Penticton. The term of the current Operating Agreement expires on December 31, 2023;
- C. By Order G-307-23, dated November 10, 2023, the BCUC established a public hearing process and a regulatory timetable for the review of the Application, which included public notice, intervener registration and letters of comment. The regulatory timetable established the deadline for intervener registration and letters of comment as December 6, 2023;
- D. By December 6, 2023, no intervener registration requests or letters of comment were received by the BCUC; and
- E. The BCUC has reviewed the Application and determines that approval is warranted.

NOW THEREFORE pursuant to section 23(1)(g) of the *Utilities Commission Act*, the BCUC orders that the FEI-Penticton Operating Agreement is approved on a permanent basis, effective January 1, 2024.

DATED at the City of Vancouver, in the Province of British Columbia, this 12th day of December 2023.

BY ORDER

Original signed by:

B. A. Magnan
Commissioner