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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER A-12-15**

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

and

FortisBC Energy Inc.
Customer Choice Program Seventh Annual General Meeting

BEFORE: D. A. Cote, Panel Chair / Commissioner
H. G. Harowitz, Commissioner September 29, 2015
I. F. MacPhail, Commissioner

O R D E R

WHEREAS:

- A. FortisBC Energy Inc. (FEI) obtained a Certificate of Public Convenience and Necessity (CPCN) on August 14, 2006 for the Commodity Unbundling Project for Residential Customers (Customer Choice) in accordance with the government's 2002 energy policy which allows for the direct sale of natural gas to residential and small volume commercial customers through gas marketing companies licensed by the British Columbia Utilities Commission (Commission);
- B. Article 34 of the Code of Conduct for Gas Marketers requires the Commission to hold an Annual General Meeting (AGM) to discuss program improvements or enhancements;
- C. On February 26, 2015, by Order A-2-15, the Commission established a preliminary regulatory timetable for the seventh AGM;
- D. In accordance with the Regulatory Timetable, FEI filed the Customer Choice program statistics for the 2014 calendar year on March 6, 2015; interveners and Commission staff submitted issues for discussion by March 27, 2015; and interveners submitted reply submissions on issues that warrant discussion and whether a written process or in-person meeting was warranted by April 10, 2015;
- E. On May 8, 2015, by Order A-3-15, the Commission established an in-person meeting and subsequent written process to address the issues requiring discussion, as outlined in Appendix B to that order;
- F. On May 28, 2015, Commission staff filed proposed changes to the Code of Conduct for Gas Marketers established by Order A-10-12 with FEI and interveners, for discussion during the remainder of the proceeding;

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- G. On June 9, 2015, the Commission hosted the seventh AGM for the Customer Choice program. Participants included FEI, Access Gas Services Inc., Bluestream Energy Inc., Direct Energy Marketing Ltd., Just Energy (BC) Limited Partnership, the BC Old Age Pensioners Organization *et al.* and Commission staff;
- H. On July 22, 2015, by Order A-4-15, the Commission revised the Regulatory Timetable in order to establish a deadline for the submission of an independent legal opinion on the issue of spousal authority and provide additional time for interveners to review and comment on the independent legal opinion prior to final submissions;
- I. Following the AGM, FEI filed the 2014 Customer Choice Annual Report, summarizing the issues raised and parties' positions at the AGM on June 30, 2015. Commission staff filed the independent legal opinion on the issue of spousal authority on July 2, 2015. Intervenors made final submissions on July 22, 2015 and FEI filed its reply submission on August 10, 2015; and
- J. The Commission has reviewed the information and submissions made during the proceeding.

NOW THEREFORE the British Columbia Utilities Commission orders as follows:

1. FortisBC Energy Inc. must submit an application regarding the Customer Choice program fee structure to the Commission by March 31, 2016.
2. The changes in the Ninth Revision of the Code of Conduct for Gas Marketers, attached as Appendix A to the decision issued concurrently with this order, are effective as of November 10, 2015, with one exception: the removal of the word "spouse" from Article 26, regarding residential signing authority, is effective immediately. Gas marketers must ensure full compliance with the changes to the Code of Conduct for Gas Marketers; and
3. All other directives set out in the decision issued concurrently with this order are effective, as outlined in the decision.

DATED at the City of Vancouver, in the Province of British Columbia, this 29th of September 2015.

BY ORDER

Original signed by:

D. A. Cote
Panel Chair / Commissioner