



**ORDER NUMBER**  
**G-73-16**

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

and

FortisBC Energy Inc.  
Application for Approval of Rates for Constructing and Operating a Liquefied Natural Gas Fueling Station  
under the Province's Greenhouse Gas Reduction Regulation for Vedder Resources Ltd. at  
Cool Creek Energy Ltd.

**BEFORE:**  
K. A. Keilty, Commissioner

on May 20, 2016

**ORDER**

**WHEREAS:**

- A. On October 19, 2015, FortisBC Energy Inc. (FEI) filed a redacted application with limited confidentiality (Application) with the British Columbia Utilities Commission (Commission). The Application requests interim and permanent approval of the rates established in the Vedder Resources Ltd. (Vedder Resources) from Cool Creek Agreement, pursuant to sections 59 to 61 of the *Utilities Commission Act* (UCA). FEI also requests that the Commission hold the redacted portions of the Application and appendices confidential, pursuant to sections 41 and 42 of the *Administrative Tribunals Act*;
- B. On September 14, 2015, FEI and Cool Creek Energy Ltd. (Cool Creek) entered into a Fueling Equipment License Agreement (Cool Creek Host Agreement) that granted a license to FEI for access over the lands and premises of Cool Creek (Lands) and use of a portion of the Lands for the installation and maintenance Fueling Equipment for the sale of Liquefied Natural Gas (LNG) to the customers of FEI. The Cool Creek Host Agreement also establishes the terms and conditions for FEI's provision of the LNG fueling service from a fueling station on Cool Creek's premises (Cool Creek Fueling Station);
- C. On October 5, 2015, FEI and Vedder Resources executed an LNG Fueling Services Agreement whereby Vedder Resources would be permitted to receive LNG service from the Cool Creek Fueling Station (Vedder Resources from Cool Creek Agreement);
- D. On October 30, 2015, FEI filed amendments to the approvals sought in the Application. Pursuant to sections 59 to 61 of the UCA, FEI requests interim and permanent approval of the Host Fee established in section 7.1 of the Cool Creek Host Agreement, effective November 1, 2015;
- E. By Order G-178-15, dated November 9, 2015, the Commission approved the rate design and rates for service established in Vedder Resources from Cool Creek Agreement and the Host Fee established in section 7.1 of the Cool Creek Host Agreement on an interim basis, effective November 1, 2015;
- F. On November 24, 2015, the Commission issued Confidential Information Request No. 1 to FEI and FEI responded on November 30, 2015;

- G. On May 6, 2016, FEI filed a revised redacted application and withdrew its request to keep confidential the rates-related information in the Application (Revised Redacted Application);
- H. On May 11, 2016, FEI applied for approval of an Amending Agreement to the Vedder Resources Agreement (Vedder Resources Amending Agreement) executed on March 31, 2016, between FEI and Vedder Resources to amend the capital rate to account for the actual the Cool Creek Fueling Station capital expenditures being lower than forecast (Amended Application); and
- I. The Commission has reviewed and considered the Application, the Revised Redacted Application, the Amended Application and information requests and responses and determines that the rates established in the Vedder Resources Amending Agreement should be approved as permanent.

**NOW THEREFORE** pursuant to sections 59–61 of the *Utilities Commission Act* the Commission orders as follows:

- 1. The rate design and rates established in the Vedder Resources Fueling Services Agreement as amended by the Vedder Resources Amending Agreement for liquefied natural gas fueling service are approved on a permanent basis, effective November 1, 2015.
- 2. The Host Fee established in section 7.1 of the Cool Creek Host Agreement is approved, effective November 1, 2015.
- 3. The variance between the interim and permanent rates are to be refunded/recovered, with interest at the average prime rate of FortisBC Energy Inc.'s principal bank for its most recent year.
- 4. The Commission will keep the redacted information in the Revised Redacted Application confidential as it contains commercially sensitive information.
- 5. FortisBC Energy Inc. is to file the Vedder Resources from Cool Creek Agreement, the Vedder Resources Amending Agreement and the Cool Creek Host Agreement as part of Tariff Supplement J-23 within 30 days of the order for endorsement by the Commission.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 20<sup>th</sup> day of May 2016.

BY ORDER

*Original signed by:*

K. A. Keilty  
Commissioner