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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER F-1-12**

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IN THE MATTER OF
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473

and
Applications for Participant Assistance/Cost Awards
in an Application by FortisBC Energy Inc.
for Approval of Sale of Part of the Tilbury Property
and Sale of Easement Rights Over an Easement Area on Neighbouring Land

BEFORE: M.R. Harle, Panel Chair/Commissioner

January 23, 2012

O R D E R

WHEREAS:

- A. On April 27, 2010, the British Columbia Utilities Commission (the Commission) by Order C-2-10 granted a Certificate of Public Convenience and Necessity (2009 Tilbury CPCN) to FortisBC Energy Inc. (FEI, then Terasen Gas Inc.) for the purchase of a parcel of land located at 6939, 7150 Tilbury Road, and 7505 Hopcott Road in the Tilbury Industrial Area of Delta, BC, adjacent to the Tilbury LNG Facility (the Tilbury Property);
- B. The approval of the CPCN was subject to the conditions set out in paragraphs 2-7 of Order G-68-10;
- C. On October 12, 2011, pursuant to section 52(1)(a) of the *Utilities Commission Act* and consistent with directive 4(c) and (d) of Commission Order G-68-10, FEI filed a confidential application (the Application) for approval of the sale of the South Area and the sale of easement rights encumbering part of the neighbouring land;
- D. On October 21, 2011, the Commission issued Order G-178-11 which established an Integrated Review Process to hear the Application in the presence of Registered Interveners (British Columbia Public Interest Advocacy Center and Commercial Energy Consumers), Commission Panel, and Commission staff. The review process took place on October 28, 2011 in Vancouver, BC which encompassed FEI's oral presentation of the Application along with discussions to assist all parties with a thorough review and understanding of the Application and its proposed transactions;
- E. On November 1, 2011 by Order G-181-11, the Commission granted the application for sale of the South Area of the Tilbury Property and sale of easement rights encumbering part of the neighbouring Varsteel property;

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- F. On November 28, 2011, the British Columbia Old Age Pensioners' Organization *et al.* (BCOAPO) applied for Participant Assistance/Cost Award (PACA) funding with respect to its participation in the proceeding;
- G. On December 1, 2011, the Commercial Class Energy Consumers Association of British Columbia (CEC) applied for PACA funding with respect to its participation in the proceeding;
- H. By letters dated December 20, 2011 and January 13, 2012, FortisBC advised the Commission of its view that BCOAPO and CEC's PACA Applications were not unreasonable ;
- I. The Commission has reviewed the PACA applications with regard to the criteria and rates set out in the PACA Guidelines in Order G-72-07 and has concluded that the applied for cost awards should be approved for participants in the proceeding.

NOW THEREFORE the Commission orders as follows:

- 1. Pursuant to section 118(1) of the *Utilities Commission Act*, the Commission awards funds to the following for their participation in the proceeding:

	<u>Application</u>	<u>Award</u>
BCOAPO	\$7,042.00	\$7,042.00
CEC	\$4,200.00	\$4,200.00

- 2. FortisBC is directed to reimburse the above-noted participants for the awarded amounts in a timely manner.

DATED at the City of Vancouver, in the Province of British Columbia, this 23rd day of January 2012.

BY ORDER

Original signed by:

M.R. Harle
Panel Chair/Commissioner