



**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER G-23-12**

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

and

An Application by FortisBC Energy Inc.
for a Certificate of Public Convenience and Necessity
for Constructing and Operating a Compressed Natural Gas Refueling Station
at BFI Canada Inc.

BEFORE: A.A. Rhodes, Commissioner

March 2, 2012

ORDER

WHEREAS:

- A. On July 19, 2011, the British Columbia Utilities Commission (Commission) issued Order G-128-11 regarding FortisBC Energy Inc.'s (FEI) December 1, 2010 application (CNG-LNG Application) for Approval of a Service Agreement for Compressed Natural Gas (CNG) Service for Waste Management of Canada Corporation (WM Agreement) and for Approval of General Terms and Conditions for CNG and Liquefied Natural Gas (LNG) Service (GT&C 12B);
- B. Order G-128-11 approved the WM Agreement and denied the GT&C 12B as filed but indicated to FEI that the Commission would approve a revised GT&C 12B, which better provided for full cost recovery from the potential CNG and LNG customers as set out in the Reasons for Decision;
- C. In accordance with Order G-128-11, FEI filed revised GT&C 12B on September 28, 2011 and, following communications with Commission staff, provided a further revised filing on February 6, 2012;
- D. By Order G-14-12 dated February 7, 2012, the Commission approved the GT&C 12B as a standard form tariff setting out the rate design approved for CNG and LNG Service pursuant to sections 59 through 61 of the Act;
- E. CNG Service falls within the category of New Initiatives, which are being considered in the ongoing Alternative Energy Solutions (AES) Inquiry that was established by Order G-118-11 dated July 8, 2011;

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- F. Order G-9-12 dated January 31, 2012 established, on an interim basis until the completion of the AES Inquiry, a zero dollar Certificate of Public Convenience and Necessity (CPCN) threshold for New Initiatives;
- G. On February 29, 2012, FEI filed an application pursuant to sections 45 and 46 of the *Utilities Commission Act* (Act) for a CPCN for the construction and operation of a CNG refueling station at the premises of BFI Canada Inc. (BFI) located in Coquitlam, British Columbia (Application);
- H. FEI also seeks approval of rate design and rates established in the Fueling Station License and Use Agreement with BFI for CNG Service (BFI Agreement) as just and reasonable under sections 59 through 61 of the Act;
- I. FEI requests that the Application be reviewed in an expedited written hearing process with one round of Information Requests to allow sufficient lead time to meet BFI's contractual obligation with the City of Surrey to start service on October 1, 2012;
- J. The Commission considers that establishing a written public hearing and regulatory timetable for the registration of Interveners and for the review of the Application is necessary and in the public interest.

NOW THEREFORE the Commission orders as follows:

- 1. The Application will be examined by a Written Public Hearing process and the Regulatory Timetable attached as Appendix A is established.
- 2. The Application, together with any supporting materials, will be made available for inspection at the FortisBC Energy Inc. office at 16705 Fraser Highway, Surrey, BC, V4N 0E8 and at the British Columbia Utilities Commission, Sixth Floor, 900 Howe Street, Vancouver, B.C., V6Z 2N3, and will also be available on the FortisBC Energy Inc. website at www.fortisbc.com.
- 3. FEI shall provide a copy of the Application to all Registered Interveners and Interested Parties in the CNG-LNG Application proceeding, the AES Inquiry and the 2012-2013 FortisBC Energy Revenue Requirements Application, and to the City of Surrey and the City of Coquitlam.
- 4. Interveners and Interested Parties should register with the Commission, in writing or electronic submission, by Friday, March 9, 2012. Interveners should specifically state the nature of their interest in the Application and identify generally the nature of the issues that they may intend to pursue during the proceeding and the nature and extent of their anticipated involvement in the review process.

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DATED at the City of Vancouver, in the Province of British Columbia, this *Second* day of March 2012.

BY ORDER

Original signed by:

A.A. Rhodes
Commissioner

Attachment

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for a Certificate of Public Convenience and Necessity for
Constructing and Operating a Compressed Natural Gas Refueling Station

REGULATORY AGENDA AND TIMETABLE

ACTION	DATE
Registration of Interveners and Interested Parties	Friday, March 9
Commission Information Request No. 1 to FEI	Thursday, March 15
Intervener Information Request No. 1 to FEI	Thursday, March 22
FEI Response to Information Requests No. 1	Thursday, March 29
FEI Final Argument Submission (if necessary)	Monday, April 2
Intervener Final Argument Submissions (if necessary)	Thursday, April 5
FEI Reply Argument Submission (if necessary)	Wednesday, April 11