



**ORDER NUMBER
G-120-18**

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

and

FortisBC Energy Inc.
Application for Approval to Extend the Maturity Date of the Term Credit Agreement

BEFORE:

D. M. Morton, Commissioner / Panel Chair
A. K. Fung, QC, Commissioner
D. J. Enns, Commissioner
M. Kresivo, QC, Commissioner
B. A. Magnan, Commissioner
R. I. Mason, Commissioner

on July 5, 2018

ORDER

WHEREAS:

- A. On June 11, 2018, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (BCUC) pursuant to section 50(3) of the *Utilities Commission Act* (UCA) for approval of a 365-day extension to the current maturity date of FEI's term credit agreement to August 24, 2023, on substantially the same terms and on market prices available at the time of extension (Application);
- B. Pursuant to Order G-96-07 dated August 14, 2007, the BCUC approved the incurrence of indebtedness by FEI (then Terasen Gas Inc.) under a credit agreement between FEI, the Canadian Imperial Bank of Commerce (CIBC) and other lenders, and CIBC as administrative agent for the lenders, providing for an unsecured revolving term credit facility for the principal amount of up to \$500 million with an initial term not to exceed five years;
- C. By Orders G-90-08, G-78-12, G-92-13, and G-77-14, the BCUC approved 365-day extensions of the maturity date under the term credit agreement to August 24, 2013, August 24, 2014, August 24, 2015, and August 24, 2016, respectively;
- D. By Order G-109-15 dated June 25, 2015, the BCUC approved an application to terminate the \$200 million FortisBC Energy (Vancouver Island) Inc. (FEVI) credit agreement, as a result of the amalgamation of FEI, FEVI, FortisBC Energy (Whistler) Inc. and Terasen Gas Holdings Inc., and to amend the FEI term credit agreement to include the \$200 million increase to the principal amount for a total of \$700 million (Term Credit Agreement). The BCUC also approved an extension of the Term Credit Agreement to August 24, 2018;

- E. By Order G-105-16 dated July 7, 2016, the BCUC approved a three-year extension of the maturity date under the Term Credit Agreement to August 24, 2021;
- F. By Order G-112-17 dated July 20, 2017, the BCUC approved a 365-day extension of the maturity date under the Term Credit Agreement to August 24, 2022; and
- G. The BCUC has reviewed the Application and finds that approval of a 365-day extension to the current maturity date of FEI's Term Credit Agreement to August 24, 2023 is warranted.
- H. The BCUC finds the request to keep confidential the extension fees and pricing grid for the Term Credit Agreement, which were filed as Appendix A to the Application, is warranted.

NOW THEREFORE pursuant to section 50(3) of the UCA, the BCUC orders as follows:

1. FEI's application to extend the maturity date of its Term Credit Agreement to August 24, 2023 is approved.
2. FEI must file with the BCUC, by no later than thirty days from the date of this order, the updated term sheet that discloses the upfront amendment fee for the extended Term Credit Agreement as granted by the lenders.
3. The BCUC will keep confidential the extension fees and pricing grid for the Term Credit Agreement, which were filed as Appendix A to the Application, as they contain commercially sensitive information.

DATED at the City of Vancouver, in the Province of British Columbia, this 5th day of July, 2018.

BY ORDER

Original signed by

D. M. Morton
Commissioner