



**ORDER NUMBER**  
**G-190-18**

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

and

FortisBC Energy Inc.  
Application for Use of Lands under Sections 32 and 33 of the Utilities Commission Act in the City of Coquitlam  
for the Lower Mainland Intermediate Pressure System Upgrade Projects

**BEFORE:**

D. A. Cote, Panel Chair/Commissioner  
W. M. Everett, QC, Commissioner

on October 4, 2018

**ORDER**

**WHEREAS:**

- A. On October 16, 2015, the British Columbia Utilities Commission (BCUC) issued Order C-11-15 approving a Certificate of Public Convenience and Necessity (CPCN), which granted FortisBC Energy Inc. (FEI) approval for the Lower Mainland Intermediate Pressure System Upgrade Projects (LMIPSU Project). A component of the LMIPSU Project is a new Nominal Pipe Size (NPS) 30 Intermediate Pressure (IP) gas line, operating at 2070 kilopascals, that starts at the Coquitlam Gate Station and proceeds in a westerly direction through the cities of Coquitlam, Burnaby and Vancouver, and ends at the East 2nd Avenue Woodland Station in Vancouver (Coquitlam Component of the LMIPSU Project);
- B. On June 28, 2018, FEI filed an application with the BCUC pursuant to sections 32 and 33 of the *Utilities Commission Act* (UCA) for orders setting the terms for FEI's use of lands in the City of Coquitlam (City) for the Coquitlam Component of the LMIPSU Project (Application);
- C. In the Application, FEI also states that, despite agreement in principle to the "Terms Agreed To", the traffic management plans and engineering drawings attached thereto as documented in confidential Appendix E-2 to the Application ("Terms Agreed To"), the City has declined to provide formal approval for the Coquitlam Component of the LMIPSU Project's engineering drawings unless FEI first agrees to two conditions:
  1. FEI repaves the entire width of a 5.5 kilometre segment of Como Lake Avenue, at an estimated cost of \$5 million, despite FEI's construction only disturbing primarily two out of four lanes; and
  2. FEI removes, at its own cost (estimated at \$5.5 million), approximately 380 metre segment of the NPS 20 IP gas line that is authorized to be abandoned in place, despite the operating agreement between the parties dated January 7, 1957;<sup>1</sup>

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<sup>1</sup> Exhibit B-1, pp. 2-3.

- D. FEI requested that the BCUC establish a two-phase review process for the Application. Phase one addressing the approval to proceed with the Coquitlam Component of the LMIPSU Project in the City, in accordance with the “Terms Agreed To” (Phase One) and phase two addressing the City’s two conditions (Phase Two);
- E. By Order G-144-18A dated August 1, 2018, the BCUC established a two-phase review process;
- F. By Order G-158-18 dated August 22, 2018, the BCUC made its determination on Phase One, approving FEI to proceed with the Coquitlam Component of the LMIPSU Project, according to the Terms and Conditions jointly agreed by FEI and the City during Phase One;
- G. On September 5, 2018, the Commercial Energy Consumers Association of British Columbia registered as an intervener for Phase Two of the proceeding;
- H. By letter dated September 12, 2018, the BCUC requested submissions from FEI and the City on the issues that need to be addressed in Phase Two, and the relief being sought in this proceeding;
- I. By letter dated September 20, 2018, the City provided its submission regarding issues for Phase Two, stating its intent to file evidence, and seeking a BCUC order requiring FEI to undertake curb-to-curb repair and repaving of Como Lake Avenue;
- J. By letter dated September 20, 2018, FEI provided its submission regarding issues for Phase Two. FEI seeks a BCUC order confirming that:
  - 1. FEI shall be responsible for repaving only to the extent required by the operating agreement that governs FEI’s operations in the City (Operating Agreement);and
  - 2. The City may request that FEI remove portions of the abandoned NPS 20 IP gas line to the extent contemplated in section 4 of the Operating Agreement and the cost associated with the removal will be allocated in accordance with section 5 of the Operating Agreement.
- K. FEI stated its intent to meet with the City on September 25, 2018, to discuss undertaking a joint road condition assessment with FEI; and
- L. The BCUC has reviewed the submissions of FEI and the City and considers that establishing a regulatory timetable for Phase Two is warranted.

**NOW THEREFORE** the BCUC orders as follows:

1. The regulatory timetable for Phase Two of the proceeding is established, as set out in Appendix A of this order.
2. FEI and the City are to notify the BCUC no later than Wednesday, October 10, 2018 if any additional time is required to undertake and file evidence, following the discussions at the meeting of September 25, 2018.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 4<sup>th</sup> day of October, 2018.

BY ORDER

*Original Signed by:*

D. A. Cote  
Commissioner

Attachment

FortisBC Energy Inc.  
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Coquitlam for the Lower Mainland Intermediate Pressure System Upgrade Projects

**REGULATORY TIMETABLE**

Action	Date
FEI and the City to file evidence on Phase Two issues	Wednesday, October 31, 2018
BCUC, FEI and the City Information Requests (IRs) on Phase Two evidence	Thursday, November 15, 2018
Intervener IRs on Phase Two evidence	Wednesday, November 21, 2018
FEI and the City responses to IRs	Wednesday, December 5, 2018
FEI and the City Final Arguments	Wednesday, December 19, 2018
Intervener Final Arguments	Thursday January 10, 2019
FEI and the City Reply Arguments	Thursday January 17, 2019