



February 11, 2020

Sent via email/eFile

**FEI – COMPLAINT BY CASCADIA ENERGY, DIRECT  
ENERGY AND ACCESS GAS EXHIBIT A-5**

Nick Caumanns  
Cascadia Energy Ltd.  
Suite 2, 720 Beatty Street  
Vancouver, BC V6B 2M1  
nick@cascadiaenergy.ca

Nicole Black  
Direct Energy Marketing Limited  
2500, 530-8<sup>th</sup> Avenue SW  
Calgary, AB T2P 3S8  
Nicole.black@directenergy.com

James Bartlett  
Access Gas Services Inc.  
400 – 607 8<sup>th</sup> Avenue SW  
Calgary, AB T2P 0A7  
James.bartlett@rockpointgs.com

**Re: FortisBC Energy Inc. – Administration of Rate Schedules 22, 23, 25 and 27 – Complaint filed by Cascadia Energy Ltd., Direct Energy Marketing Ltd. and Access Gas Services Inc. – Project No. 1599064 Application regarding conflict of interest**

Dear Ms. Black, Mr. Caumanns and Mr. Bartlett:

By Order G-340-19, the British Columbia Utilities Commission (BCUC) established a regulatory timetable for the review of the Complaint filed by Cascadia Energy Ltd., Direct Energy Marketing Ltd. and Access Gas Services Inc. (BCGMC).

In its reply comments, dated January 29, 2020, BCGMC stated there was a potential of conflict of interest in relation to the appointment of Commissioner Loski to the Panel reviewing the BCGMC Complaint. BCGMC states:

*Commissioner Loski, who is currently assigned to this proceeding, has previously worked at the senior management level at FEI and cannot reasonably be considered a neutral party to hear the Complaint. The BCGMC asserts that the fairness of the process would be enhanced if the Complaint was adjudicated by Commissioners that do not have the appearance of a potential conflict of interest with, or bias against, any of the parties to the Complaint.*

In the instances where an applicant considers a conflict of interest or reasonable apprehension of bias exists, they must file an application with the BCUC to review and make a decision on the matter.

Accordingly, should the BCGMC wish to pursue its concerns regarding Commissioner Loski's appointment to the Panel reviewing this complaint, it must file an application with the BCUC outlining the reasons it considers a conflict of interest or reasonable apprehension of bias exists, whether it is real, potential or apparent, and what it considers to be the necessary measures required to address the issue.

If no application is received by the BCUC **within 10 days of this letter**, then Commissioner Loski will remain on the Panel and the review of the complaint will proceed as established by the regulatory timetable.

Sincerely,

*Original signed by Ian Jarvis for:*

Patrick Wruck  
Commission Secretary

KN/dg

cc: Mr. Doug Slater  
Director, Regulatory Affairs  
FortisBC Energy Inc.  
16705 Fraser Highway  
Surrey, BC V4N 0E8  
gas.regulatory.affairs@fortisbc.com