



February 20, 2020

British Columbia Utilities Commission
6th Floor, 900 Howe Street
Vancouver, BC
V6Z 2N3

Attention: Mr. Patrick Wruck, Commission Secretary

Dear Mr. Wruck:

Re: FortisBC Energy Inc. (“FEI”) - Administration of Rate Schedules 22, 23, 25 and 27 – Complaint Filed by BC Gas Marketers Coalition (“BCGMC”) (the “Complaint”) – Project No. 1599064

BCGMC Application Regarding Conflict of Interest

In DOC_57069_A-5-Response-re-Conflict-of-Interest in the above matter, the BCUC states that 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. The BCGMC hereby applies to the BCUC to review and make a decision on the matter referenced above.

The BCGMC understands that BCUC staff and Commissioners may reasonably have previous experience in the industry they are involved in regulating without being disqualified from proceedings related to that industry. In this case, however, the BCGMC is of the view that a bias exists.

In support of this apprehension of bias, the following evidence is put forward:

According to the BCUC website, the biography for Commissioner Loski states:

“Tom spent the majority of his career with the FortisBC group of companies and its predecessors, where he held a variety of senior management and executive roles. This experience included positions in finance, strategic planning, operations, marketing, energy supply, regulatory affairs and customer service, where he served as the Vice President responsible for the successful repatriation of the customer service function, after it had been outsourced 10 years previously. For many years, Tom was responsible for the development and implementation of corporate regulatory strategy as the Chief Regulatory Officer for FortisBC...”

As evidenced by this biography, Commissioner Loski was directly involved in the maintenance, enforcement and amendments to Rate Schedules 22, 23, 25 and 27, which are the direct topic of this proceeding. This is a bias that cannot be disputed, as the Rate Schedules were either guiding the work of Commissioner Loski, in the energy supply group, or under the authorship, amendment and defense of Commissioner Loski, as the Chief Regulatory Officer.

Based on the foregoing, the BCGMC has provided evidence in support of its apprehension of bias.

BCGMC Reply Comments - Complaint on FEI Rate Schedules 22, 23, 25 and 27

Given the dedication that the BCUC has towards fairness and the fact that the BCGMC has provided evidence to support its apprehension of bias, the BCGMC requests that a replacement commissioner be selected and appointed to this proceeding.

Respectfully,



Cascadia Energy
Nick Caumanns



Direct Energy
Nicole Black



Access Gas
James Bartlett