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February 27, 2020

British Columbia Utilities Commission  
Suite 410, 900 Howe Street  
Vancouver, B.C.  
V6Z 2N3

Attention: Mr. Patrick Wruck, Commission Secretary and Manager, Regulatory Support

Dear Mr. Wruck:

**Re: FortisBC Energy Inc. (FEI)**

**Complaint Filed by Cascadia Energy Ltd., Direct Energy Marketing Limited and Access Gas Services Inc., collectively referred to as the BC Gas Marketers Coalition (BCGMC)**

**FEI Comments on Exhibit A-6**

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On February 24, 2020, the British Columbia Utilities Commission (BCUC) requested that FEI provide comments by Monday, March 2, 2020, on whether it considers a 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.

FEI takes no position on the question of whether a reasonable apprehension of bias exists and what, if any, actions or measures might be required. Instead, FEI defers to the BCUC to make its determination on the issue.

FEI wishes to make the following points for the BCUC's consideration in making its decision:

- Commissioner Loski retired from FEI effective November 1, 2014.
- During his tenure with FEI, Commissioner Loski was appointed to the position of Vice President, Customer Service on October 1, 2010.
- Since October 1, 2010, Commissioner Loski had no involvement, direct or indirect, with regulatory matters, including the maintenance, enforcement and amendments to the Transport Model Rate Schedules 22, 23, 25 and 27 as suggested by the BCGMC.<sup>1</sup>
- As discussed in FEI's Sur-Reply Comments,<sup>2</sup> there have been no substantial changes to the Transport Model, the related rate schedules, nor how the Transport Model business rules have been managed and administered by FEI since its inception in 1985.

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<sup>1</sup> Exhibit B-4.

<sup>2</sup> Exhibit C1-3.

- The most significant recent changes which took place were a result of the decision in FEI's 2016 Rate Design Application (2016 RDA), where the Transport Model was extensively reviewed.
- Internal development of the 2016 RDA began in 2015 and included stakeholder engagement sessions which took place starting February 26, 2016 and continued to August 31, 2016. The 2016 RDA was filed on December 19, 2016, and the BCUC issued its Decision and G-135-18 on July 20, 2018 (2016 RDA Decision).

FEI acknowledges that Commissioner Loski, from his earlier years with the company, will have a very good understanding of how the Transport Model operates. Whether or not that prior knowledge results in any form of bias, real or perceived, is not for FEI to decide.

It is clear, however, given the timelines described above, that Commissioner Loski had no involvement with any aspect of the development of the proposed changes or implementation of the changes approved in the 2016 RDA Decision, which seem to be the basis of the BCGMC's complaint.

In summary, FEI takes no position on the issue of bias and defers to the BCUC on the matter.

If further information is required, please contact Shawn Hill, Director, Energy Supply & Gas Control at 604-592-7840.

Sincerely,

**FORTISBC ENERGY INC.**

***Original signed:***

Doug Slater

cc (email only): BCGMC: ([nick@cascadiaenergy.ca](mailto:nick@cascadiaenergy.ca); [nicole.black@directenergy.com](mailto:nicole.black@directenergy.com); [james.bartlett@rockpointgs.com](mailto:james.bartlett@rockpointgs.com))