



January 13, 2021

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British Columbia Utilities Commission
6th Floor – 900 Howe Street
Vancouver, BC V6Z 2V3

**Attention: Marija Tresoglavic, Acting Commission
Secretary**

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Dear Ms. Tresoglavic:

Parkland Corporation Request for Advance Ruling on Confidentiality for *Fuel Price Transparency Act* Reporting Submissions – Submissions pursuant to Order G-303-20

We are legal counsel to Shell Canada Limited, acting on behalf of its general partnerships, Shell Canada Products and Shell Trading Canada (collectively, “**Shell**”) in this matter and write to provide submissions on its behalf with respect to the topics raised by the Commission in Directive #2 of Order G-303-20 dated November 30, 2020.¹

In general, Shell submits that the Commission should issue an order establishing that specific categories of information which must be reported by responsible persons pursuant to the *Fuel Price Transparency Act*,² as described in greater detail below, constitute protected information, and will accordingly be held confidential. In the event that the Commission decides to publish information relating to these categories, Shell considers it necessary that this information be published in an aggregated form, which includes data from a minimum of five responsible persons reporting on the relevant category of information.

Protecting the commercially sensitive information of those responsible persons who are reporting information to the Commission under the *Act* will serve to maintain and encourage competition in the gasoline and diesel market in British Columbia. Conversely, failing to protect this information would undermine the competitiveness of that market, and would accordingly run counter to the Commission’s obligations under the *Act*.³

We address each of the specific topics raised by the Commission in Directive #2 of Order G-303-20 in turn, below.

- a. The most efficient and effective framework and process for the Administrator to determine whether fuel data submitted by responsible persons which they claim is protected information**

¹ Exhibit A-4.

² SBC 2019, c. 46 (the “*Act*”).

³ Pursuant to s. 4(2)(b) of the *Act*.
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does constitute protected information under the FPT Act. Submissions in this regard should include consideration of:

- i. **What are some efficient ways to group or categorize specific fuel data and at what levels of detail for making such determination?**
- ii. **Is it possible for the Administrator to pre-determine types of fuel data as protected information?**
 - a. **If so, identify the type of fuel data and why it should be pre-designated as protected information.**
 - b. **If not, what other process(es) could be implemented to ensure consistency and reduce the administrative burden of protected information determinations?**
- iii. **Any other submissions.**

Shell reiterates its earlier concern that industry requires the formal assurance that sensitive information will not be made public before submitting such information to the Commission.⁴ In Shell's view, the most efficient way for the Commission to provide this assurance is to categorize the specific fields of information which must be reported under the *Act* as either protected information, or not.

To date, the Commission has issued seven reports in total (five under the *FPT Regulation Reporting Guidelines* issued October 5, 2020 and two under the *Retail Data Collection Pilot Reporting Guidelines* issued on October 19, 2020 – collectively, the “**Reports**”),⁵ pursuant to which responsible persons must report information to the Commission. In Appendix A to this letter, Shell provides its views on which specific fields of information which must be reported by responsible persons pursuant to each Report constitute protected information under the *Act*, along with the reason that applicable fields of information should be treated as protected information.

In general, Shell submits that, among others, fields which relate to pricing information, volume-related information, and information that relates to third parties should be treated as protected information by the Commission. These categories of information could cause considerable commercial harm to Shell and other responsible persons if they were released to the public, as well as to third parties with which Shell and other responsible persons do business. For example, such information could allow competitors to identify potentially vulnerable positions in the markets that Shell serves or impact Shell's ability to negotiate pricing with contractual counterparties (if, for example, such counterparties were aware of the prices Shell had agreed to in other contracts for comparable products or services). In addition, much of the information that Shell has indicated constitutes protected information in Appendix A is subject to contractual confidentiality protections which Shell has entered into with third parties.

Shell notes, further, that it has indicated in Appendix A that certain categories of information are not protected information, on the basis that other categories of information are protected information. To take one example, Shell has indicated that the “Country of Origin”, “Province of Origin” and “State of Origin” fields in the British Columbia Monthly Importer Report are not protected information. However, this is on the basis that the “Volume (L15)”, “Purchase Price per Litre” and “Transportation Costs per Litre” fields are protected information, as otherwise publication of the origin of the imported fuel would disclose highly confidential information regarding the percentage of Shell's fuel that it sources from different locations.

⁴ Exhibit C6-2, p. 2.

⁵ ***FPT Regulation Reporting Guidelines***: British Columbia Monthly Importer Report; British Columbia Monthly Wholesale Purchaser Report; British Columbia Monthly LCFS Credit Report; British Columbia Annual Storage Report; and British Columbia Monthly Retail Supplier Report.

Retail Data Collection Pilot Reporting Guidelines: British Columbia Monthly Retail Purchases Report and British Columbia Monthly Retail Sales Report.

Accordingly, if the Commission determines that any of the fields which Shell has indicated are protected information should be made public, Shell requests the opportunity to make further submissions before any information within these fields is published.

Finally, in the event that the Commission issues additional reports in the future, pursuant to which responsible persons must report fuel data or other information to the Commission under the *Act*, Shell submits that the Commission should solicit input from responsible persons regarding which fields within these additional reports constitute protected information, and make an advance determination in this regard before publishing any such information.

b. Are there circumstances where the confidential status of protected information would expire after a certain time period? If so, what would be the review process for the Administrator to make such a determination? If not, why?

Shell acknowledges that, although in some instances protected information will remain confidential indefinitely, there may be other circumstances where the confidential status of protected information may expire after a certain time period. However, Shell submits that, in general, information relating to fuel pricing and volumes remains commercially sensitive for a period of at least ten years.

In any event, the Commission should notify the applicable responsible person before the Commission discloses any protected information related to that responsible person due to the passage of time, and give the affected responsible person an opportunity to make submissions on whether the information should continue to be protected from disclosure.

More generally, Shell requests that, if the Commission determines that a given category of information which must be reported under the *Act* constitutes protected information, and subsequently determines that some or all of the information collected under the *Act* for which confidential status has been granted may be disclosed (whether through a change of practice or otherwise), the parties which will be affected be given an opportunity to respond to the possibility of this disclosure.

c. If the fuel data is determined to be protected information by the Administrator, whether such fuel data is suitable for public disclosure under section 9(2) of the FPT Act while meeting the objectives of the FPT Act? Submissions should include:

- i. Ways to aggregate or anonymize protected information such that the fuel data is no longer protected information and can be published pursuant to section 9(2)(a) of the FPT Act.**
- ii. What public interest considerations or factors should the Administrator consider when determining whether “the public interest in the protected information that will be disclosed outweighs any potential harm to responsible persons” pursuant to section 9(2)(b) of the FPT Act?**
- iii. Any other submissions.**

As Shell has noted, the categories of information that Shell has marked as protected information in Appendix A could cause considerable commercial harm to Shell and other responsible persons if they were released to the public. This information should accordingly not be disclosed to the public.

However, if the Commission decides to publish information relating to these categories, Shell submits that anonymizing the identities of the applicable parties does not provide sufficient protection to responsible persons to allow publication under the *Act*. Given the nature of the British Columbia fuel market, anonymizing information before publication, without more, would likely still allow industry participants to identify individual reporting entities.

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Rather, Shell considers it necessary that protected information be published in an aggregated form, which includes data from a minimum of five responsible persons reporting on the relevant category of information. If there are less than five responsible persons reporting on a given field, there is a significant likelihood that an individual responsible person's information will be discernable, resulting in commercial harm. As examples of aggregation practices that Shell considers would be permissible under the *Act*, the Commission could publish total monthly wholesale fuel volumes transacted (i.e. combined purchased and exchanged volumes) for all of British Columbia, or, in relation to retail reporting, monthly average fuel selling prices charged by all retail dealers to retail purchasers for all of British Columbia.

With respect to the public interest considerations or factors that the Commission should consider when determining whether "the public interest in the protected information that will be disclosed outweighs any potential harm to responsible persons" pursuant to section 9(2)(b) of the *Act*, Shell submits that protecting the confidentiality of commercially sensitive information is consistent with the Commission's obligation, under paragraph 4(2)(b) of the *Act*, to administer the *Act* so as to promote (i) the competitiveness of the market for reportable fuels, and (ii) public confidence in the competitiveness of that market.⁶

In particular, the disclosure of the information Shell has indicated as protected information in Appendix A could undermine the competitiveness of the gasoline and diesel market in British Columbia, for the reasons described in Appendix A and above, and protecting this information from disclosure will assist in maintaining and encouraging competition in the market.⁷

Please contact the writer if you have any questions.

Yours very truly,



For: Matthew D. Keen
Partner

MDK/roe

⁶ Exhibit C6-2, p. 4.

⁷ Exhibit C6-2, pp. 4-5.

APPENDIX A

British Columbia Monthly Importer Report

Field	Description	Protected Information (Yes/No)	Reason
Internal ID	Unique number used to identify imports internally by the responsible person. Examples could include invoice numbers, unique identifiers from billing system, or any other unique identifier.	No	
Fuel Type	Enter gasoline, diesel fuel, or a prescribed fuel or other substance according to the key provided.	No	
Fuel Grade	Select the most applicable fuel grade according to the key provided.	No	
Importer	Enter the name of the responsible person importing the reportable fuel into British Columbia and who is responsible for reporting the importation of reportable fuel into British Columbia under the <i>Customs Act</i> .	No	
Volume (L15)	Enter the volume imported by the responsible person during the reporting period; expressed in litres temperature corrected to 15°C (L15) and rounded to the nearest whole number.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, competitors would be able to determine, with specificity, the amount of fuel being imported by Shell from different out-of-province locations. This would allow competitors to determine how much fuel Shell sources from different markets (including within British Columbia) during particular months. The detailed information being provided could be used by competitors to determine, for example, months during which Shell is short on fuel supplies from specific regions, which competitors could use to, for instance, determine when to increase prices. This, in turn, could negatively affect Shell's ability to compete in the marketplace and lessen competition in the gasoline and diesel market in British Columbia.

Field	Description	Protected Information (Yes/No)	Reason
Purchase Price per Litre	<p>Using purchase price per litre (L15) as a base unit of measure, enter the purchase price excluding any British Columbia Provincial / Dedicated Motor Fuel Tax, Carbon Tax, Federal Excise Tax, and Goods and Services Tax to the responsible person of the reportable fuel imported during the reporting period. If applicable, taxes incurred while obtaining, importing, or producing reportable fuel (such as product importation tariffs, domestic crude oil taxes, facilities taxes, etc.) should be included in the purchase price.</p> <p>If purchase price is not applicable, the responsible person may enter a null value, the transfer price (at fair market value) or other market value as determined by the responsible person's customary accounting practices.</p> <p>The price must be rounded to the nearest hundredth.</p>	Yes	<p>The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, considerable commercial harm would be caused to Shell and its contractual counterparties. Specifically, disclosure would adversely impact Shell's current and future ability to negotiate pricing and purchase volumes with counterparties at wholesale and retail levels (if, for example, such counterparties were aware of the prices Shell had agreed to in other contracts for comparable products). This would negatively affect Shell and its counterparties' ability to compete in the marketplace, thus leading to less competitive pricing and potentially causing Shell to cease operating in certain marketplaces entirely.</p>
Currency	<p>Enter the applicable currency in which the amount was paid or, if not yet paid, invoiced. A list of currencies and the required format are provided in the key.</p>	No	

Field	Description	Protected Information (Yes/No)	Reason
Transaction Type	<p>Select the most applicable term which describes this import according to the key provided.</p> <p>“Intra-Company Transfer” means a transaction in which reportable fuel is exchanged between non-arm’s length entities under common control such as those occurring between units and divisions of a consolidated entity.</p> <p>“Third-Party Transaction” means an arms-length transaction.</p>	No	
Reporting Period	Enter the reporting period in the format ‘mm/yyyy’. For example, 10/2020 for the calendar month of October 2020.	No	
Country of Origin	Enter the country from which the reportable fuel originated. The list of Countries and required format can be found in the key provided.	No	
Province of Origin	Enter the province from which the reportable fuel originated, if the reportable fuel originated from Canada. The list of Provinces and Territories and required format can be found in the key provided.	No	
State of Origin	Enter the state from which the reportable fuel originated, if the reportable fuel originated from the United States of America. The list of states and required format can be found in the key provided.	No	

Field	Description	Protected Information (Yes/No)	Reason
Transportation Costs per Litre	Using cost per litre (L15) as a base unit of measure, enter the cost incurred by the responsible person for transporting the reportable fuel imported during the reporting period from its source to the location in British Columbia at which it is delivered; rounded to the nearest hundredth.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, Shell's competitors and counterparties could discern Shell's contract terms and conditions with transport companies (including road, rail, and marine companies). This could impact Shell's current and future ability to effectively negotiate such contracts if, for instance, a contractual counterparty were aware of terms Shell had previously agreed to for comparable services.

British Columbia Monthly Wholesale Purchaser Report

Field	Description	Protected Information (Yes/No)	Reason
Internal ID	Unique number used to identify transactions internally. Examples could include invoice numbers, unique identifiers from billing system, etc.	No	
Fuel Type	Enter gasoline, diesel fuel, or a prescribed fuel or other substance according to the key provided.	No	
Fuel Grade	Select the most applicable fuel grade according to the key provided.	No	
Name of Wholesale Purchaser	Enter the name of the responsible person purchasing the wholesale reportable fuel.	No	
Volume (L15)	Enter the wholesale volume purchased or exchanged by the responsible person; expressed in litres temperature corrected to 15°C (L15) and rounded to the nearest whole number.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, competitors would be able to determine, with specificity, the volumes of fuel that Shell supplies to specific customers on specific dates at specific prices. The detailed information being provided could be used by competitors to determine, for example, how and when Shell manages fuel shipments, which could be used to identify potentially vulnerable positions in the markets that Shell serves. Public disclosure of this information would negatively affect Shell's ability to compete in the marketplace, which could lessen competition in the gasoline and diesel market in British Columbia.

Field	Description	Protected Information (Yes/No)	Reason
Purchased Price per Litre	<p>Using purchased price per litre (L15) as a base unit of measure, enter the purchase price excluding any British Columbia Provincial / Dedicated Motor Fuel Tax, Carbon Tax, Federal Excise Tax, and Goods and Services Tax to the responsible person of the reportable fuel purchased.</p> <p>If purchase price is not applicable, the responsible person may enter a null value, the transfer price (at fair market value) or other market value as determined by the responsible person's customary accounting practices.</p> <p>If a supply exchange agreement is being used to purchase the wholesale reportable fuel and no price is included in the transaction, the responsible person may enter a null value or other fair market value as determined by the responsible person's customary accounting practices.</p> <p>The price must be rounded to the nearest hundredth.</p>	Yes	<p>The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, considerable commercial harm would be caused to Shell and its contractual counterparties. Specifically, disclosure would adversely impact Shell's current and future ability to negotiate pricing and purchase volumes with counterparties at wholesale and retail levels (if, for example, such counterparties were aware of the prices Shell had agreed to in other contracts for comparable products). This would negatively affect Shell and its counterparties' ability to compete in the marketplace, thus leading to less competitive pricing and potentially causing Shell to cease operating in certain marketplaces entirely.</p>
Currency	<p>Enter the applicable currency in which the amount was paid or, if not yet paid, invoiced. A list of currencies and the required format are provided in the key.</p>	No	

Field	Description	Protected Information (Yes/No)	Reason
Transaction Type	<p>Select the most applicable term which describes this transaction according to the key provided.</p> <p>“Intra-Company Transfer” means a transaction in which reportable fuel is exchanged between non-arm’s length entities under common control such as those occurring between units and divisions of a consolidated entity.</p> <p>“Third-Party Transaction” means an arms-length transaction.</p> <p>“Supply Exchange Agreement” means any transaction in which quantities of reportable fuel are received or given up in return for a similar product. The transaction includes reciprocal sales and purchases. The receiver of the reportable fuel must record the transaction as a purchase for the purpose of this report.</p>	No	
Transaction Date	Enter the date on which the reportable fuel was purchased.	No	
Seller Name	Enter the name of the person from whom the reportable fuel was purchased.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, competitors would be able to identify the parties involved in Shell’s wholesale fuel transactions. This would potentially harm Shell’s deal-making and relationships with these customers.
Seller Address	Enter the address of the person from whom the reportable fuel was purchased.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, competitors would be able to identify the parties involved in Shell’s wholesale fuel transactions. This would potentially harm Shell’s deal-making and relationships with these customers.

British Columbia Monthly LCFS Credit Report

Field	Description	Protected Information (Yes/No)	Reason
Total Number of Transfers	Enter the number of transfers under section 8 of the <i>Greenhouse Gas Reduction (Renewable and Low Carbon Fuel Requirements) Act</i> that were made during the reporting period.	No	
Total Credits	Enter the total number of credits under section 8 of the <i>Greenhouse Gas Reduction (Renewable and Low Carbon Fuel Requirements) Act</i> that were transferred during the reporting period.	No	
Average Price per LCFS Credit	Enter the average purchase price for validated credits under section 8 of the <i>Greenhouse Gas Reduction (Renewable and Low Carbon Fuel Requirements) Act</i> that were purchased by the responsible person during the reporting period. The price must be rounded to the nearest hundredth.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, this would adversely impact Shell's current and future ability to negotiate pricing with counterparties with respect to LCFS credits (if such counterparties were aware of the average price Shell had agreed to in the past). This would, in turn, adversely impact Shell's current and future ability to negotiate pricing and lead to a less competitive marketplace.

British Columbia Annual Storage Report - Terminal Information

Field	Description	Protected Information (Yes/No)	Reason
BCUC Terminal ID	Leave blank on first submission. For all subsequent submissions enter the BCUC-provided Terminal ID.	No	
Terminal Name	Enter the common name you use for the fuel storage terminal owned or operated by the responsible person.	No	
Owner/Operator	Enter the name of the responsible person who owns or operates the fuel storage terminal.	No	
Address	Enter the physical address of the fuel storage terminal owned or operated by the responsible person.	No	
Transloading Capacity (Litres/Hour)	Using litres per hour (L15/hr) as a base unit of measure, enter the maximum safe operating capacity to transfer a shipment from one mode of transportation to another. Litres must be rounded to the nearest whole number.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, competitors would have visibility into Shell's supply capabilities, leading in turn to potential harm to Shell's deal-making and customer relationships. For instance, if Shell's competitors were aware of the limits to Shell's capacity to supply customers, this information could be used to identify potentially vulnerable positions in the markets that Shell serves.
Terminal Loading Capacity (Litres/Hour)	Using litres per hour (L15/hr) as a base unit of measure, enter the terminal's maximum safe operating physical loading capacity from the fuel storage terminal to the truck rack, rail rack, marine loading, and other method. Litres must be rounded to the nearest whole number.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, competitors would have visibility into Shell's supply capabilities, leading in turn to potential harm to Shell's deal-making and customer relationships. For instance, if Shell's competitors were aware of the limits to Shell's capacity to supply customers, this information could be used to identify potentially vulnerable positions in the markets that Shell serves.

Field	Description	Protected Information (Yes/No)	Reason
Terminal Unloading Capacity (Litres/Hour)	Using litres per hour (L15/hr) as a base unit of measure, enter the terminal's maximum safe operating physical unloading capacity from pipeline, marine, rail, truck, and other method to the fuel storage terminal. Litres must be rounded to the nearest whole number.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, competitors would have visibility into Shell's supply capabilities, leading in turn to potential harm to Shell's deal-making and customer relationships. For instance, if Shell's competitors were aware of the limits to Shell's capacity to supply customers, this information could be used to identify potentially vulnerable positions in the markets that Shell serves.

British Columbia Annual Storage Report - Tank Information

Field	Description	Protected Information (Yes/No)	Reason
BCUC Terminal ID	Leave blank on first submission. For all subsequent submissions enter the BCUC-provided Terminal ID.	No	
Terminal Name	Enter the common name you use for the fuel storage terminal owned or operated by the responsible person.	No	
BCUC Tank ID	Leave blank on first submission. For all subsequent submissions enter the BCUC-provided Tank ID.	No	
Tank Name	Enter the name of the storage tank for storing reportable fuel located at the fuel storage terminal owned or operated by the responsible person.	No	
Fuel Type	Enter gasoline, diesel fuel, a prescribed fuel or other substance, or multi-purpose according to the key provided.	No	
Fuel Grade	Select the most applicable fuel grade according to the key provided.	No	
Blending Capacity (Litres/Hour)	Using litres per hour (L15/hr) as a base unit of measure, enter the storage tank's capacity to blend products into a reportable fuel. Litres must be rounded to the nearest whole number.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, competitors would have visibility into Shell's supply capabilities, leading in turn to potential harm to Shell's deal-making and customer relationships. For instance, if Shell's competitors were aware of the limits to Shell's capacity to supply customers, this information could be used to identify potentially vulnerable positions in the markets that Shell serves.

Field	Description	Protected Information (Yes/No)	Reason
Physical Maximum Capacity (L15)	Enter the total tank capacity (in L15) based on physical dimensions of the tank, rather than usable storage capacity. Litres must be rounded to the nearest whole number.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, competitors would have visibility into Shell's supply capabilities, leading in turn to potential harm to Shell's deal-making and customer relationships. For instance, if Shell's competitors were aware of the limits to Shell's capacity to supply customers, this information could be used to identify potentially vulnerable positions in the markets that Shell serves.
Tank Heel Volume (L15)	Enter the tank heel volume (in L15) based on the volume that remains in a storage tank at the lowest operable level below the level of the pump suction. Litres must be rounded to the nearest whole number.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, competitors would have visibility into Shell's supply capabilities, leading in turn to potential harm to Shell's deal-making and customer relationships. For instance, if Shell's competitors were aware of the limits to Shell's capacity to supply customers, this information could be used to identify potentially vulnerable positions in the markets that Shell serves.
Net Usable Capacity (L15)	Enter the net useable tank capacity (in L15) expressed as the difference between the tank's maximum safe operating inventory level and the tank heel volume. Litres must be rounded to the nearest whole number.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, competitors would have visibility into Shell's supply capabilities, leading in turn to potential harm to Shell's deal-making and customer relationships. For instance, if Shell's competitors were aware of the limits to Shell's capacity to supply customers, this information could be used to identify potentially vulnerable positions in the markets that Shell serves.

British Columbia Monthly Retail Supplier Report

Field	Description	Protected Information (Yes/No)	Reason
Internal ID	Unique number used to identify shipments internally. Examples could include invoice numbers, unique identifiers from billing system, reference numbers from bill of lading, etc.	No	
Fuel Type	Enter gasoline, diesel fuel, or a prescribed fuel or other substance according to the key provided.	No	
Fuel Grade	Select the most applicable fuel grade according to the key provided.	No	
Supplier of Reportable Fuel	Enter the person who is engaged in supplying reportable fuel to retail dealers in BC.	No	
Shipment Volume (L15)	Enter the volume of reportable fuel supplied in the shipment; expressed in litres temperature corrected to 15°C (L15) and rounded to the nearest whole number.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, competitors would be able to determine, with specificity, the volumes of fuel that Shell supplies to specific customers on specific dates at specific prices. The detailed information being provided could be used by competitors to determine, for example, how and when Shell manages fuel shipments, which could be used to identify potentially vulnerable positions in the markets that Shell serves. Public disclosure of this information would negatively affect Shell's ability to compete in the marketplace, which could lessen competition in the gasoline and diesel market in British Columbia.

Field	Description	Protected Information (Yes/No)	Reason
Shipment Date	Enter the date on which the shipment of reportable fuel left the facility at which the reportable fuel was stored for transportation to the retail dealers.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, competitors would be able to determine the timing of Shell's fuel shipments to retailers. Since there is less variability of the volume of fuel per shipment for retail supply, this level of detail would allow competitors to determine the volumes shipped to specific locations at specific times. This could, in turn, negatively affect Shell's ability to compete in the marketplace, which could lessen competition in the gasoline and diesel market in British Columbia.
Amounts Paid/Payable by Purchaser per Litre	<p>Enter the amounts paid and payable per litre (L15) excluding any British Columbia Provincial / Dedicated Motor Fuel Tax, Carbon Tax, Federal Excise Tax, and Goods and Services Tax to the responsible person for the shipment of reportable fuel.</p> <p>If the amounts paid and payable is not applicable, the responsible person may enter a null value, the intra-company transfer price, or other fair market value as determined by the responsible person's customary accounting practices.</p> <p>The purchase price must be rounded to the nearest hundredth.</p>	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, considerable commercial harm would be caused to Shell and its contractual counterparties. Specifically, disclosure would adversely impact Shell's current and future ability to negotiate pricing and purchase volumes with counterparties at wholesale and retail levels (if, for example, such counterparties were aware of the prices Shell had agreed to in other contracts for comparable products). This would negatively affect Shell and its counterparties' ability to compete in the marketplace, thus leading to less competitive pricing and potentially causing Shell to cease operating in certain marketplaces entirely.

Field	Description	Protected Information (Yes/No)	Reason
Transaction Type	<p>Select the most applicable term which describes this shipment according to the key provided.</p> <p>“Intra-Company Transfer” means a transaction in which reportable fuel is exchanged between non-arm’s length entities under common control such as those occurring between units and divisions of a consolidated entity.</p> <p>“Third-Party Transaction” means an arms-length transaction.</p>	No	
Currency	Enter the applicable currency in which the amount was paid or, if not yet paid, invoiced. A list of currencies and the required format are provided in the key.	No	

British Columbia Monthly Retail Purchases Report

Field	Description	Protected Information (Yes/No)	Reason
BCUC Retail Station ID	Leave blank on first submission. For all subsequent submissions enter the BCUC-provided Retail Station ID.	No	
Retail Station Name	Enter the common name you use for the retail station owned or operated by the responsible person.	No	
Retail Station Address	Enter the full physical address of the retail station.	No	
Internal ID	Unique number used to identify shipments of reportable fuel internally. Examples could include invoice numbers, unique identifiers from billing system, reference numbers from bill of lading, etc.	No	
Fuel Type	Enter gasoline, diesel fuel, or a prescribed fuel or other substance according to the key provided.	No	
Fuel Grade	Select the most applicable reportable fuel grade according to the key provided.	No	
Shipment Date	Enter the date on which the shipment of reportable fuel was loaded from the fuel storage terminal for delivery to the retail station.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, competitors would be able to determine the timing of Shell's fuel shipments to retailers. Since there is less variability of the volume of fuel per shipment for retail supply, this level of detail would allow competitors to determine the volumes shipped to specific locations at specific times. This could, in turn, negatively affect Shell's ability to compete in the marketplace, which could lessen competition in the gasoline and diesel market in British Columbia.

Field	Description	Protected Information (Yes/No)	Reason
Shipment Volume (L15)	Enter the volume of reportable fuel supplied by the supplier of reportable fuel; expressed in litres temperature corrected to 15°C (L15) and rounded to the nearest whole number.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, competitors would be able to determine, with specificity, the volumes of fuel that Shell receives or supplies to specific retail dealer customers on specific dates at specific prices. The detailed information being provided could be used by competitors to determine, for example, how and when Shell manages fuel shipments, which could be used to identify potentially vulnerable positions in the markets that Shell serves. Public disclosure of this information would negatively affect Shell's ability to compete in the marketplace, which could lessen competition in the gasoline and diesel market in British Columbia.
Purchase Price per Litre	<p>Using purchase price per litre (L15) as a base unit of measure for a reportable fuel, enter the purchase price excluding British Columbia Provincial / Dedicated Motor Fuel Tax, British Columbia Carbon Tax, Federal Excise Tax, and/or Goods and Services Tax paid or payable by the responsible person for the reportable fuel purchased.</p> <p>Transportation costs that are paid as part of the purchase price at the point of sale should be included in the reported unit price.</p> <p>If purchase price of the reportable fuel is not applicable, the responsible person may enter a null value, the transfer price (at fair market value) or other market value as determined by the responsible person's customary accounting practices</p> <p>The price must be rounded to the nearest thousandths.</p>	Yes	<p>Shell notes that, since all Shell retail stations in British Columbia receive their fuel from Shell affiliates, Shell expects to enter a null value in this field for all of its submissions of this report relating to company-owned retail locations.</p> <p>However, Shell submits that this field should nonetheless be treated as protected information by the Commission. The information reported under this field is commercially sensitive because, for those responsible persons who are reporting a price, if the information were disclosed to the public, considerable commercial harm would be caused to the responsible person and its contractual counterparties. Specifically, disclosure would adversely impact the responsible person's current and future ability to negotiate pricing and purchase volumes with counterparties (if, for example, such counterparties were aware of the prices the responsible person had agreed to in other contracts for comparable products). This would negatively affect the responsible person and its counterparties' ability to compete in the marketplace, thus leading to less competitive pricing.</p>

Field	Description	Protected Information (Yes/No)	Reason
Currency	Enter the applicable currency in which the purchase price, transfer price (at fair market value) or other market value (as determined by the responsible person's customary accounting practice amount was paid or, if not yet paid, invoiced. A list of currencies and the required format are provided in the key.	No	
Transaction Type	<p>Select the most applicable term which describes this purchase according to the key provided.</p> <p>“Intra-Company Transfer” means a transaction in which reportable fuel is exchanged between non-arm's length entities under common control such as those occurring between units and divisions of a consolidated entity.</p> <p>“Third-Party Transaction” means an arms-length transaction.</p>	No	

Field	Description	Protected Information (Yes/No)	Reason
Transportation Costs per Litre	<p>Using cost per litre (L15) as a base unit of measure, enter the cost incurred by the responsible person for transporting the reportable fuel from the fuel storage terminal to the retail station or, if known, the transportation cost included as part of the purchase price; rounded to the nearest thousandths.</p> <p>If there were no transportation cost incurred by the retail dealer or it is not identifiable in the purchase price for the shipment volume, the responsible person may enter a null value.</p>	Yes	<p>The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, Shell's competitors would be able to determine commercially sensitive cost details which may enable them to discern Shell's pricing strategy, which would harm Shell's ability to remain competitive.</p>
Purchase Price includes Transportation Costs	<p>Select yes or no if the purchase price includes any transportation costs for the shipment volume.</p>	No	
Currency	<p>Enter the applicable currency in which the transportation amount was paid or, if not yet paid, invoiced. A list of currencies and the required format are provided in the key.</p>	No	
Seller Name	<p>Enter the name of the person from whom the reportable fuel was supplied.</p>	Yes	<p>Shell notes that, since all Shell retail stations in British Columbia receive their fuel from Shell affiliates, disclosure of this information by Shell would not be directly harmful to its commercial interests.</p> <p>However, in general, Shell submits that this information should be treated as confidential information. If it were disclosed to the public, competitors would be able to determine a list of a responsible person's fuel suppliers. This would potentially harm the responsible person's deal-making and relationships with these suppliers.</p>

Field	Description	Protected Information (Yes/No)	Reason
Seller Address	Enter the address of the person from whom the reportable fuel was supplied.	Yes	<p>Shell notes that, since all Shell retail stations in British Columbia receive their fuel from Shell affiliates, disclosure of this information by Shell would not be directly harmful to its commercial interests.</p> <p>However, in general, Shell submits that this information should be treated as confidential information. If it were disclosed to the public, competitors would be able to determine a list of a responsible person's fuel suppliers. This would potentially harm the responsible person's deal-making and relationships with these suppliers.</p>
Supply Location	Enter the physical address of the fuel storage terminal where the reportable fuel was transported from as indicated on the bill of lading or equivalent shipment document.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, it would provide competitors with insight into commercially sensitive logistical details of Shell's business. This disclosure may enable a competitor to discern Shell's pricing strategy, which would harm Shell's ability to remain competitive.

British Columbia Monthly Retail Sales Report

Field	Description	Protected Information (Yes/No)	Reason
BCUC Retail Station ID	Leave blank on first submission. For all subsequent submissions enter the BCUC-provided Retail Station ID.	No	
Fuel Type	Enter gasoline, diesel fuel, or a prescribed fuel or other substance according to the key provided.	No	
Fuel Grade	Select the most applicable fuel grade according to the key provided.	No	
Retail Station Name	Enter the common name you use for the retail station owned or operated by the responsible person.	No	
Retail Station Address	Enter the full physical address of the retail station.	No	
Date of Sale	Enter the day of the month corresponding to each daily sale of reportable fuel to a retail purchaser over the 24-hour period.	No	
Daily Volume Sold (L15)	Enter the daily volume sold to a retail purchaser over the 24-hour period; expressed in litres temperature corrected to 15°C (L15) and rounded to the nearest whole number.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, it would enable Shell's competitors to discern the volumes sold by Shell at specific retail stations. This, in turn, would provide competitors with insight into Shell's operational and pricing strategy at each retail station, which would harm Shell's ability to remain competitive. Among other things, this information could allow competitors to identify potential vulnerabilities in the markets served by Shell.

Field	Description	Protected Information (Yes/No)	Reason
Volume-Weighted Selling Price (\$/L15)	Using the net selling price per litre (\$/L15) as a base unit of measure, enter the volume-weighted price for each fuel grade sold to retail purchasers excluding any British Columbia Provincial / Dedicated Motor Fuel Tax, Carbon Tax, Federal Excise Tax, and Goods and Services Tax. The price must be rounded to the nearest thousandths.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, it would enable competitors to discern Shell's pricing strategy, which would harm Shell's ability to remain competitive. Among other things, this information could allow competitors to identify potential vulnerabilities in the markets served by Shell.
Taxes per Litre Collected (\$/L15)	Using dollars per litre (\$/L15) as a base unit of measure, enter the total British Columbia Provincial / Dedicated Motor Fuel Tax, Carbon Tax, Federal Excise Tax, and Goods and Services Tax collected daily for each fuel grade divided by the total daily volume sold. The taxes collected must be rounded to the nearest thousandths.	Yes	The information is considered by Shell to be commercially sensitive because, if it were disclosed to the public, it would enable back-calculation of Shell's average selling price. This, in turn, would enable a competitor to discern Shell's pricing strategy, which would harm Shell's ability to remain competitive.
Daily High Price (\$/L15)	Enter the highest value transaction price per litre (\$/L15) for that calendar day. The price must be rounded to the nearest thousandths.	Yes	The information is considered by Shell to be commercially sensitive because, if disclosed to a competitor it may enable them to discern Shell's pricing strategy, which would harm Shell's ability to remain competitive. Competitors could use this information to, for instance, determine when to increase or lower prices, and by how much.
Daily Low Price (\$/L15)	Enter the lowest value transaction price per litre (\$/L15) for that calendar day. The price must be rounded to the nearest thousandths.	Yes	The information is considered by Shell to be commercially sensitive because, if disclosed to a competitor it may enable them to discern Shell's pricing strategy, which would harm Shell's ability to remain competitive. Competitors could use this information to, for instance, determine when to increase or lower prices, and by how much.

Field	Description	Protected Information (Yes/No)	Reason
Time of Daily High Price (hh:mm)	Enter the time of day when the Daily High Price is first set using the 24-hour time format.	Yes	The information is considered by Shell to be commercially sensitive because, if disclosed to a competitor it may enable them to discern Shell's pricing strategy, which would harm Shell's ability to remain competitive. In particular, it may allow competitors to pre-emptively change prices in a manner that is harmful to Shell's competitive position.
Time of Daily Low Price (hh:mm)	Enter the time of day when the Daily Low Price is first set using the 24-hour time format.	Yes	The information is considered by Shell to be commercially sensitive because, if disclosed to a competitor it may enable them to discern Shell's pricing strategy, which would harm Shell's ability to remain competitive. In particular, it may allow competitors to pre-emptively change prices in a manner that is harmful to Shell's competitive position.