

Date Submitted: March 08, 2021

Proceeding name: Parkland - Advance Ruling on Confidentiality for FPTA Reporting Submissions

Are you currently registered as an intervener or interested party: No

Name: Anthony Durocher, Competition Bureau

City: Ottawa

Province: Ontario

Email:

Phone number:

Comment:

Letter of comment attached.

Has Attachment:

True



March 8th, 2021

Competition Bureau of Canada written letter of comment on the BCUC's proposed draft framework

Commission Secretary,

I write in connection to the recently released draft framework to support the administration of the *Fuel Price Transparency Act*.

We were pleased to see the principle of promoting market competitiveness in the identification of protected information (s 3.1.1), as well as the inclusion of aggregation and passage of time in the approaches for releasing protected information (s.6.0).

While a combination of the two approaches is the most effective way to reduce the risk of parties using published information to facilitate coordinated behaviour, we recognize the desire for greater transparency in fuel pricing in British Columbia. Where the BCUC determines a combination of aggregation and delay does not achieve the public interest goals of the *Fuel Price Transparency Act*, it should mitigate the potential risk to competition through alternate means. On its own, anonymization of competitively sensitive information is less likely to prevent an interested party in re-identifying the source of the data.

As stated previously in our letter of comment dated January 13, collection of commercially sensitive information by a regulator is not prohibited by the *Competition Act*, nor is complying with a regulatory requirement to submit such information. With that in mind, appropriate steps should be taken to mitigate the risk of an unintended dampening of competitive intensity. The BCUC appears to have taken those risks seriously in the first iteration of this framework.

As always, if you would like to engage with us further, please do not hesitate to contact Leila Wright, Associate Deputy Commissioner responsible for the Competition Bureau's Advocacy Unit, at leila.wright@canada.ca, or by telephone at (819) 997-1705.

Best Regards,

Anthony Durocher
Deputy Commissioner
Competition Promotion Branch
Competition Bureau