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March 8, 2021  
File No.: 305706.00025/16550

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**By Electronic Filing**

British Columbia Utilities Commission  
Suite 410, 900 Howe Street  
Vancouver, BC V6Z 2N3

**Attention: Patrick Wruck, Commission Secretary**

Dear Sirs/Mesdames:

**Re: Framework for the Determination of Confidentiality and Treatment of Protected  
Information Collected under the *Fuel Price Transparency Act***

We enclose for filing pursuant to the established regulatory timetable in the above-noted proceeding Parkland Corporation's submissions on Framework Draft No. 1.

Yours truly,

**FASKEN MARTINEAU DuMOULIN LLP**

***[Original signed by]***

Tariq Ahmed

TVA/vde  
Enclosure

**BEFORE THE BRITISH COLUMBIA UTILITIES COMMISSION**

**IN THE MATTER OF THE *UTILITIES COMMISSION ACT*, R.S.B.C. 1996, Chapter 473**

**and**

**THE *FUEL PRICE TRANSPARENCY ACT*, S.B.C. 2019, Chapter 46**

**and**

**FRAMEWORK FOR THE DETERMINATION OF CONFIDENTIALITY AND  
TREATMENT OF PROTECTED INFORMATION COLLECTED  
UNDER THE *FUEL PRICE TRANSPARENCY ACT***

**SUBMISSION OF PARKLAND CORPORATION REGARDING  
FRAMEWORK DRAFT No. 1**

**March 8, 2021**

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## PART ONE: INTRODUCTION

1. BCUC Order G-303-20 requested submissions from Parkland Corporation (“Parkland”) and interveners on Framework Draft No. 1.

2. As described in Parkland’s previous submissions in this proceeding, confidentiality and the treatment of protected information are of great importance to Parkland. Significant harm could occur to Parkland and the broader competitive market, and by consequence to consumers, if confidential fuel data were made public. The BCUC is able to fulfill its role as the administrator under the *Fuel Price Transparency Act* (the “FPT Act”) while maintaining confidentiality over protected information.

3. Parkland appreciates the provision of Framework Draft No. 1 as it provides a helpful starting point for the preparation of a framework for determination of the confidentiality and treatment of protected information filed by responsible persons under the FPT Act. Parkland submits that some changes to the framework are necessary to respect the legislative objectives and to provide appropriate protection to Parkland’s and the industry’s information.

4. This document is organized as follows:

(a) **Part Two** provides Parkland’s overall comments on Framework Draft No. 1.

(b) **Part Three** provides submissions on the items listed in Exhibit A-5.

## **PART TWO: OVERALL COMMENTS**

5. Framework Draft No. 1 includes a number of commendable concepts, in particular the grouping of fuel data, and the advanced recognition of confidentiality over some types of fuel data. The statutory definition of “protected information”, and its treatment under the FPT Act, represents an area where further consideration should be given in future drafts of the framework. These items are discussed in more detail below.

### **A GROUPING FUEL DATA IS A REASONABLE APPROACH**

6. Parkland supports the approach of organizing fuel data collected pursuant to the FPT Act into groups based on the nature of the data.<sup>1</sup> While Parkland has further submissions on the categorization of specific types of fuel data, the proposed approach of grouping fuel data will assist in efficiently addressing the confidentiality of fuel data collected pursuant to the FPT Act.

### **B ADVANCED DETERMINATION OF CONFIDENTIALITY PROMOTES EFFICIENCY**

7. Parkland supports the approach of granting confidential treatment to particular groups of fuel data without the requirement of a specific request for confidentiality.<sup>2</sup>

8. There is no legal or practical impediment to a pre-determination that some types of fuel data are protected information. It would further the purposes of the FPT Act for such a determination to be made, and would significantly reduce the administrative burden on responsible persons and the BCUC.

### **C PROTECTED INFORMATION IS DEFINED IN THE FPT ACT**

9. In Parkland’s submission, one area for refinement in further iterations is the use of the term “protected information” in the framework. For example, section 3.1.1 of Framework Draft No. 1 sets out principles to guide the determination of what fuel data constitutes protected information, namely 1) promotion of transparency; 2) promotion of market competitiveness; and 3) reducing regulatory burden. While these principles may have relevance to the treatment of

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<sup>1</sup> Framework Draft No. 1, s. 3.1.2.

<sup>2</sup> Framework Draft No. 1, s. 3.2.

confidential information, they do not bear upon whether fuel data is protected information under the FPT Act.

10. Protected information is defined in section 9(1) of the FPT Act as information that would reveal (a) trade secrets<sup>3</sup> of a responsible person, or (b) commercial, financial, labour relations, scientific or technical information of or about a responsible person. Accordingly, fuel data that meets that definition is protected information regardless of the principles that may be adopted for addressing confidentiality. The BCUC has no jurisdiction under the FPT Act to redefine protected information in the manner suggested by the framework draft.

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<sup>3</sup> Under the FPT Act, "trade secret" has the same meaning as in the *Freedom of Information and Protection of Privacy Act*.

### **PART THREE: RESPONSES TO THE BCUC'S QUESTIONS**

12. Parkland addresses below the questions posed by the BCUC in Exhibit A-5.

**A SHOULD THE FINAL FRAMEWORK FOR DETERMINATION OF CONFIDENTIALITY AND TREATMENT OF PROTECTED INFORMATION BE IMPLEMENTED AS AN ORDER TO THIS PROCEEDING OR ADOPTED AS BCUC RULES?**

13. Parkland submits that implementing the framework as BCUC rules would be more appropriate than implementation as an order in this proceeding since the framework would constitute general guidance for responsible persons. Regardless, the final framework should be implemented by way of BCUC order, which is the approach the BCUC has taken for other rules.

**B ARE THE FUEL DATA IDENTIFIED AS PROTECTED INFORMATION IN FRAMEWORK DRAFT NO. 1 REASONABLE AND SUPPORTABLE? IF SO, PLEASE EXPLAIN WHY AND PROVIDE ANY SUPPORTING EVIDENCE YOU MAY HAVE TO JUSTIFY PROTECTING THESE ITEMS. IF NOT, WHY NOT? (APPENDIX A)**

14. Parkland submits that confidential treatment of the fuel data identified in Table A1 – Volume and Table A2 – Price of Appendix A of Framework Draft No. 1 is reasonable and supportable.

15. Disclosure of volumetric data such as that contained in Table A1 of Appendix A of Framework Draft No. 1 would provide competitors, suppliers, and customers with detailed information about the operations of the company. External parties should not know the volume of business conducted at individual retail stations, the volume of product imported into the province, or the volume of product produced on a detailed level. This information is closely guarded confidential information and can be used, for example, to target dealers who sell lower volumes of product and who might therefore be in financially weaker positions and could be put out of business by temporarily lower pricing (thus lessening competition in the long term).

16. In Parkland's circumstance, volumetric data could be used to target suppliers from which the company purchases lower volumes of product on the expectation their relationships with Parkland may be weaker. It could also negatively impact Parkland's ability to negotiate with certain suppliers, since they may know they have a stronger position (or weaker position) in



comparison to other suppliers with which Parkland conducts business. For example, they may determine that they are the sole or nearly-sole supplier to Parkland of a particular product or in a particular vicinity, giving them greater power over Parkland. Any resulting price increases may ultimately be factored in to the retail price, leading to increasing prices for consumers.

17. Similar to volumetric data, disclosing pricing data, such as that contained in Table A2 of Appendix A of Framework Draft No. 1, would provide external parties with substantial information about the operations of the company.

18. Purchase discounts (both discounts given to Parkland when it purchases product, and discounts Parkland gives when it sells product) are highly negotiated throughout the industry. Such negotiations are necessarily conducted with imperfect information about discounts that are offered to other parties, and if this information were public, it would threaten parties' abilities to negotiate unique deals. Eventually, discounts would likely be lower across the board. In addition, exchanging competitively sensitive information such as prices and costs can harm the competitiveness of the marketplace by facilitating coordination between firms.

19. In addition to the concerns described above, all of this data is treated as confidential by Parkland and its disclosure could result in a material financial loss and prejudice to Parkland's competitive position. This data is also typically subject to confidentiality agreements between parties. If parties determine that their information will not be kept confidential within British Columbia, they will be discouraged from entering into open discussions and may not be willing to offer unique deals to Parkland or to other participants in the market, because it may affect their relationships with other stakeholders. This may affect Parkland's ability to compete not just in British Columbia, but in other parts of Canada. For example, a supplier may refrain from offering Parkland a competitive discount that it would otherwise offer, because that supplier has an important relationship with a competitor of Parkland (whether within British Columbia or elsewhere), and that competitor would demand the same discount if it becomes aware of that discount through the FPT Act. Offering that discount across the board may not be economical, and therefore the discount may simply not be offered if the supplier is unable to rely on its confidentiality agreements with Parkland.

**C IS THERE ANY FUEL DATA THAT IS MARKED AS PROTECTED INFORMATION IN FRAMEWORK DRAFT NO. 1 THAT SHOULD NOT BE? IF SO, WHY? (APPENDIX A)**

20. In Parkland's submission all of the types of fuel data that are to be accorded confidential treatment should remain as such.

21. In this proceeding Parkland has identified certain types of fuel data as protected information based on the nature of its operations. Due to the differing operations of responsible persons, it may be the case that some types of fuel data could be protected information for one responsible person, but not another. For example, Parkland does not consider storage capacity contained in the Annual Storage Report to constitute protected information in its circumstances. However, this fuel data could reasonably be highly confidential for other responsible persons. Accordingly, the BCUC should not conclude that some types of fuel data are not protected information simply because some, but not all, responsible persons have identified the type of fuel data as such. For consistency and to avoid inadvertently revealing one party's protected information, information that is kept confidential for one participant should be kept confidential for all.

**D IS THERE ANY FUEL DATA THAT IS NOT MARKED AS PROTECTED INFORMATION IN FRAMEWORK DRAFT NO. 1 THAT SHOULD BE? IF SO, WHY? (APPENDIX A)**

22. Parkland's prior submission in the proceeding<sup>4</sup> identified a number of types of fuel data that are commercially sensitive protected information and were not included in Table A1 or Table A2 of Framework Draft No. 1. These types of fuel data are: Internal ID, Seller Name and Address, Supply Location, Taxes per Litre, and Ownership Structure.

23. Internal ID (contained in all of Parkland's reporting), Seller Name (contained in the Monthly Wholesale Purchaser Report), Seller Address (contained in the Monthly Wholesale Purchaser Report), Supply Location (contained in the Monthly Retail Purchases Report), and Ownership Structure (contained in the Retail Station Survey) all contain third party identity information. Disclosing any of these data points would allow other parties to know precisely

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<sup>4</sup> Exhibit B-3.

which suppliers are used to supply which locations (including whether imported or local). This may allow competitors to target certain dealers, as discussed above. It may also allow competitors to target certain suppliers. (Internal ID is included because it relates back to invoice or bill of lading numbers and can be used to discern seller identity. Based on the submissions of other responsible persons in this proceeding, this circumstance may be unique to Parkland.)

24. Taxes per Litre Collected constitutes pricing data that could be used to back-calculate the price that was paid for the fuel. For example, if the amount of GST paid on an item is available, that amount can be used to determine the price of the product. Since price is commercially sensitive, Tax per Litre Collected is commercially sensitive.

**E IS THE PROCESS PROPOSED FOR REQUESTING CONFIDENTIALITY OVER NON-PROTECTED INFORMATION, ON AN EXCEPTION BASIS, THE MOST REGULATORY-EFFICIENT PROCESS? IF NOT, WHAT ALTERNATIVE PROCESS WOULD YOU RECOMMEND AND WHY? (SECTION 4)**

25. The process proposed for requesting confidentiality over fuel data that is not accorded confidential treatment in Appendix A of Framework Draft No. 1 will be overly burdensome unless adjustments are made to include the additional types of fuel data described in the section above. Responsible parties such as Parkland will otherwise be left to seek confidential treatment on a recurring basis. In light of this, if adjustments are not made to Appendix A, it would be reasonable for the BCUC to provide ongoing exceptions for responsible persons so they are not required to make a request for confidential treatment with each reporting submission. For example, without adjustments to Appendix A or an ongoing exemption, Parkland would be required to apply for confidential treatment of its Internal ID fuel data with each reporting submission that it makes.

**F IS THE UNDERTAKING AND DECLARATION PROCESS PROPOSED FOR PERMITTING ACCESS TO PROTECTED INFORMATION REASONABLE? WHY OR WHY NOT? (SECTION 5.1)**

26. In principle, the undertaking and declaration process described in section 5.1 of Framework Draft No. 1 appears reasonable; however, a few modifications would significantly improve the process:

- (a) The 14-day timeline contained in Framework Draft No. 1 is unnecessarily short. It would be reasonable to provide responsible persons more time to consider their response to a request. Parkland submits that 30 days would be appropriate;
- (b) The process should include a provision for a stay of the release of any protected information pending reconsideration or appeal;
- (c) The framework should provide that the BCUC will notify the recipient that section 106 of the *Utilities Commission Act* (the “UCA”) provides that failing or refusing to obey an order of the BCUC constitutes an offence, and Part 8.1 of the UCA provides for the imposition of administrative penalties; and
- (d) A form of the declaration and undertaking should be included as an appendix to the next iteration of the framework draft for comment from the parties.

**G ARE THE PROCESS AND CONSIDERATIONS PROPOSED FOR DETERMINING WHETHER THE PUBLIC INTEREST IN THE DISCLOSURE OF PROTECTED INFORMATION OUTWEIGHS ANY POTENTIAL HARM TO RESPONSIBLE PERSONS REASONABLE? WHY OR WHY NOT? (SECTION 5.2) IF NOT, WHAT ALTERNATIVE PROCESS AND/OR CONSIDERATIONS SHOULD THE BCUC CONSIDER AND WHY?**

27. Parkland submits that the considerations proposed for determining whether protected information should be disclosed should be revised to incorporate broader considerations and the potential of harm to responsible persons.

**(A) Broader Considerations Are Relevant**

28. A significant omission from the considerations contained in section 5.2 of Framework Draft No. 1 is potential harm to the market, consumers and third parties from disclosing protected information.

29. Maintaining confidentiality over commercially sensitive company-specific information is in the public interest. It supports a competitive market, consistent with competition law, which in turn benefits consumers.

30. The protection of detailed company-specific commercial and competitively sensitive information will support, rather than diminish, public confidence in the work of the BCUC and competitiveness of British Columbia fuel markets. Competition is enhanced when competitively sensitive information is protected. The potential disclosure of this information could adversely affect market participants, most notably consumers.

31. The importance of protecting competitively sensitive information is well-established as a matter of competition law. In fact, under the *Competition Act*, if market participants were to disclose to each other the type of information that must be reported to the BCUC under the FPT Act regulation and which would be released to the public under Framework Draft No. 1, they would risk being found to have contravened the *Competition Act's* criminal and civil provisions. The Competition Bureau has summarised some of its concerns in its *Competitor Collaboration Guidelines*:

An agreement to disclose or exchange information that is important to competitive rivalry between the parties can result in a substantial lessening or prevention of competition. For example, exchanging pricing information, costs, trading terms, strategic plans, marketing strategies or other significant competitive variables can raise concerns under the [Competition] Act. Where competitors agree to share competitively sensitive information, it can become easier for these firms to act in concert, thereby reducing or even eliminating competitive rivalry.<sup>5</sup>

32. The Competition Bureau has itself specifically recognized, in its letter of comment filed in this proceeding, the competitive harm that could be caused by the public release of commercially sensitive information as part of the administration of the FPT Act.<sup>6</sup>

33. For these and other reasons, Parkland goes to great lengths to avoid the disclosure of such information as part of its competition law compliance efforts.

34. The risks that publication of commercially sensitive information poses to British Columbia consumers are increased by the fact that the British Columbia market is part of a

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<sup>5</sup> *Competitor Collaboration Guidelines* (Competition Bureau, Ottawa, December 2009) at 3.7.1, available at: <https://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/eng/03177.html>.

<sup>6</sup> Exhibit E-8.

broader North American market; British Columbia consumers are impacted by the actions of companies outside of British Columbia. For instance, Parkland's refining competitors include refineries in the United States Pacific Northwest, whose products are sold by intermediaries into the British Columbia market. They could make use of Parkland's published data to the detriment of consumers in British Columbia (not to mention Parkland itself), without the BCUC, the Government of British Columbia or the Competition Bureau having any legal or practical recourse to protect British Columbia consumers.

35. Significant harm would occur to Parkland, the broader competitive market, and ultimately consumers, if protected information were to be published. The BCUC is able to fulfill its role as the administrator and provide public confidence in the competitiveness of the market without undermining the market's competitiveness by sufficiently aggregating and anonymizing the underlying protected information. Maintaining confidentiality over protected information is also consistent with the BCUC's obligation to administer the FPT Act so as to promote the competitiveness of the market.<sup>7</sup>

**(B) Significant Harm Not Required**

36. Parkland also submits that the considerations to which the BCUC should have regard when considering disclosure of protected information should be revised to accord with the FPT Act. The considerations in Framework Draft No. 1 include "*material* financial loss or gain to a Responsible Person" and "*significant* harm or prejudice to that Responsible Person's competitive or negotiating position". These considerations set a lower standard for the protection of protected information than that contained in the FPT Act. The FPT Act requires "any potential harm to responsible persons" to be considered.<sup>8</sup> Parkland respectfully submits that the BCUC would be acting contrary to its legislative mandate by adopting a lower standard. Nor is it clear to Parkland why data that is appropriately aggregated and anonymized would not be sufficient for the BCUC to be able to fulfill its role as the administrator under the FPT Act.

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<sup>7</sup> Section 4(2)(b).

<sup>8</sup> Section 9(2)(b).

**H ARE THE (I) AGGREGATION; (II) ANONYMIZATION; AND (III) TIME RELEASE  
METHODOLOGIES PROPOSED APPROPRIATE? WHY OR WHY NOT? (SECTION 6.0) IF  
NOT, WHAT ALTERNATIVE METHODOLOGIES SHOULD THE BCUC CONSIDER AND WHY?**

37. As described above, publication of the source fuel data provided by market participants through reporting is very problematic. The same is true for publication of aggregated or ostensibly anonymized data for areas of the market where few participants are subject to reporting and back-calculation would be possible. For example, while a number of refineries in Alberta and the United States serve British Columbia customers, only Parkland and one other small refinery located in British Columbia will be reporting, meaning that third parties will effectively have access to confidential Parkland refining data, even if it is publicized anonymously.

**(i) Effectiveness of Aggregation Is Context-Specific**

38. The foregoing notwithstanding, limited aggregation is possible without materially compromising Parkland's competitive position or affecting the competitiveness of the marketplace, while also maintaining the BCUC's goal of reporting meaningful information to the public. The Competition Bureau has recognized that aggregating information can protect it and make it less likely to adversely affect the competitiveness of the marketplace:

[I]nformation that is aggregated so as not to disclose information specific to any given firm is less likely to raise concerns than information that is shared in a disaggregated form. For example, firms wishing to determine costs relative to industry averages or industry trends may agree to supply current sales information to a third party for disclosure in an aggregated form that does not reveal the sales information of any specific firm, as distinct from sharing that information directly.<sup>9</sup>

39. While the proposed aggregation of no fewer than five parties as set out in Framework Draft No. 1 may be sufficient in many circumstances, it may not be effective in circumstances where one party makes up a large portion of the data, and their position in the market is generally understood. For example, Parkland manufactures approximately 80% of the product produced in the province. Any data set that has the potential to be parsed by

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<sup>9</sup> *Competitor Collaboration Guidelines* (Competition Bureau, Ottawa, December 2009) at 3.7.4, available at: <https://www.competitionbureau.gc.ca/eic/site/cb-bc.nsf/eng/03177.html>.

manufacturing region would not provide Parkland with an equal level of anonymity as its competitors.

40. The context in which the aggregation occurs will matter. Accordingly, the BCUC should refrain from adopting a “hard and fast” number of parties from which aggregated data may be published. Prior to publishing specific aggregated data, the BCUC should provide its proposed aggregation strategy to market participants (without including the aggregated data itself), in order to give participants an opportunity to provide comments and propose a different approach. Once a strategy for specific aggregated data is established, the BCUC can continue to publish on a recurring basis without comment by the industry, unless a material change in the market’s structure occurs.

41. As set out in its prior submission, Parkland submits that the following categories of fuel data may be aggregated as described:

- (a) **Volumetric data:** the total volume of products that are produced in the province, imported into the province, and sold at retail stations in the province could be publicly disclosed on a monthly basis. This would be sufficiently aggregated as to protect Parkland’s commercially sensitive information (and that of other market participants).
- (b) **Pricing data:** a daily or monthly weighted average price of products purchased at wholesale throughout the province (averaging product both refined in the province and imported into the province) could be disclosed without allowing for back-calculation. It would also be acceptable to disclose retail pricing information on a detailed, localized basis. However, Parkland cautions that this information has the potential to be very misleading, since retail pricing changes throughout the day in many regions of the province. For example, Kent Group Ltd. pricing data can be misleading as they take morning prices only, which do not give a true representation of the prices that occur in the Greater Vancouver market with price cycling over the course of the day. As a result, the pricing data are based on what



are typically higher morning prices without accounting for lower prices that may occur later in the day due. (The gaspricesbc.ca website, which currently discloses some retail information based on public sources, has this same limitation.)

- (c) **Third party identity information:** a full list of participants in the BC market, identifying suppliers within and outside the provinces, without connecting such participants to specific purchasers, specific regions, or specific stations, could be published so the public is aware of the various companies that are active in the province.

**(ii) Effectiveness of Anonymization Is Context-Specific**

42. Anonymization is similarly context-specific. For example, and as described above, there are only two refineries located in British Columbia, which vary significantly in size. Even if data with respect to a refinery were anonymized, the party could be easily deduced.

43. As another example, simply stripping a supplier's name is insufficient to provide any level of protection to the supplier or to the supplier's purchasers. There are numerous sources of additional information that, when combined with transactional information and the limited logistical options available to suppliers in British Columbia, would effectively give a knowledgeable person transparency into the ostensibly anonymized data. Potential data sources would include Trans Mountain Pipeline monthly product movements, Port of Vancouver ship/barge movements, import/export data, barge configurations, terminal capacities and product storage limitations, or product specifications, which when applied to transactional information eliminate any anonymity that stripping the name of the supplier would have provided.

44. Similarly to the aggregation of information, Parkland submits that Framework Draft No. 1 should be revised to require consultation with the responsible person before publishing protected information, even on an anonymized basis.

**(iii) Protected Information Remains Protected Information Notwithstanding the Passage of Time**

45. Parkland does not support the proposed two-year expiry for the treatment of confidential information contained in Framework Draft No. 1. This timeframe does not take into consideration the commercial realities of the fuel market.

46. There is no specific time period after which protected information data becomes “stale dated” and no longer confidential. Though the commercial sensitivity of some fuel data may diminish over time, the data remains confidential. Expired commercial arrangements often form the basis of subsequent arrangements, so that even pricing arrangements from a number of years ago are often comparable to current pricing arrangements.

47. As an example, this is the case with Parkland’s agreements to exchange product between Alberta refiners and Parkland’s Burnaby Refinery, which can save Parkland from shipping product by truck to Alberta and Alberta refiners the cost of shipping their product to British Columbia, thus eliminating the cost of transportation for both parties. Parkland usually has such agreements in place with three or four parties. These agreements are often renegotiated every two or three years to obtain competitive pricing. If prices, term, or volumes associated with these contracts were disclosed at any point during the term of the contract, or post-termination, it would severely undermine Parkland’s ability to negotiate these agreements and extract the greatest value for its products. This would also undermine a commonly-used industry practice that reduces the cost of distributing fuels and drives efficiency in the industry.

48. Accordingly, the BCUC should maintain the confidentiality of protected information without any limits on the time period. Before any fuel data which was treated as protected information is disclosed, the BCUC should first seek submissions from the relevant responsible person or persons.

**I ARE THERE ANY ADDITIONAL AREAS THAT SHOULD BE ADDRESSED IN FRAMEWORK DRAFT NO. 1? IF SO, PLEASE EXPLAIN.**

49. While section 7 of Framework Draft No. 1 provides that a determination under the framework may be reconsidered pursuant to section 99 of the UCA and Part V of the BCUC Rules of Practice and Procedure, Parkland submits that an automatic stay provision on the publication or provision of protected information to allow for a reconsideration application to occur without it being rendered moot is appropriate.

**J HOW SHOULD THE BCUC TREAT FUEL DATA THAT HAS BEEN GRANTED ADVANCED APPROVAL OF CONFIDENTIAL STATUS PURSUANT TO ORDER G-275-20 DATED OCTOBER 30, 2020, FOLLOWING IMPLEMENTATION OF THE FINAL FRAMEWORK?**

50. Parkland submits that the treatment of protected information that has already been provided to the BCUC pursuant to Order G-275-20 would be better addressed after the preparation of the next framework draft. However, any such fuel data should not be published without first providing the responsible party an opportunity to make submissions as to why their fuel data should continue to be kept confidential.

**PART FOUR: CONCLUSION**

51. Parkland submits that, while there are promising aspects of the initial framework draft, changes are needed to ensure that the BCUC delivers on its statutory mandate. Given the significance of this exercise for the future business of reporting entities, Parkland looks forward to the opportunity to comment on subsequent iterations of the framework.

ALL OF WHICH IS RESPECTFULLY SUBMITTED.

Dated:	<u>March 8, 2021</u>	<u><b><i>[original signed by Matthew Ghikas]</i></b></u> Matthew Ghikas Counsel for Parkland Corporation
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Dated:	<u>March 8, 2021</u>	<u><b><i>[original signed by Tariq Ahmed]</i></b></u> Tariq Ahmed Counsel for Parkland Corporation
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