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British Columbia
Utilities Commission

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June 21, 2021

Sent via email/eFile

YVR EXEMPTION APPLICATION FOR THE RESALE OF NATURAL GAS EXHIBIT A-6
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Mr. Matthew D. Keen
Partner
Norton Rose Fulbright Canada LLP
1800 - 510 West Georgia Street
Vancouver, BC V6B 0M3
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**Re: Vancouver Airport Authority (YVR) – Application for an Exemption Pursuant to Section 88(3) of the
Utilities Commission Act (UCA) for the Resale of Natural Gas – Project No. 1599168 – Further
Regulatory Timetable**

Dear Mr. Keen:

Further to the above-noted proceeding, enclosed please find British Columbia Utilities Commission Order G-190-21 furthering the regulatory timetable.

Sincerely,

Original signed by:

Patrick Wruck
Commission Secretary

/cmv
Enclosure



ORDER NUMBER
G-190-21

IN THE MATTER OF
the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

Vancouver Airport Authority
Application for an Exemption Pursuant to Section 88(3) of the
Utilities Commission Act for the Resale of Natural Gas

BEFORE:

R. I. Mason, Panel Chair
W. M. Everett, QC, Commissioner
T. A. Loski, Commissioner

on June 21, 2021

ORDER

WHEREAS:

- A. On December 11, 2020, pursuant to section 88(3) of the *Utilities Commission Act* (UCA), Vancouver Airport Authority (YVR) applied to the British Columbia Utilities Commission (BCUC) seeking approval for exemption from section 71 and Part 3 of the UCA except sections 25, 38, 41 and 42, in relation to YVR's resale of natural gas at the Vancouver International Airport (Airport) (Application);
- B. In the Application, YVR states that it currently purchases the natural gas it resells from the gas marketer, Direct Energy Marketing Limited (Direct Energy), which is transported to the Airport by FortisBC Energy Inc. (FEI) under Rate Schedules 25 and 23 and distributed to YVR tenants;
- C. YVR acknowledges in the Application that since YVR resells natural gas to tenants with lease terms of more than 5 years, it is captured by the definition of a public utility, as it is defined in the UCA;
- D. In the UCA, a public utility is defined in section 1, in part, as:

A person, or the person's lessee, trustee, receiver or liquidator, who owns or operates in British Columbia, equipment or facilities for the (a) production, generation, storage, transmission, sale, delivery or provision of electricity, natural gas, steam or any other agent for the production of light, heat, cold or power to or for the public or a corporation for compensation;
- E. By Order G-30-21 dated January 28, 2021, the BCUC established a regulatory timetable, which included, among other things, one round of BCUC information requests (IRs) and a letter of comment period;
- F. By Order G-61-21, dated March 2, 2021, the BCUC accepted the Extension Request by YVR and established a revised regulatory timetable;

- G. By letter dated March 12, 2021, YVR filed a further request to suspend the proceeding for three months to understand the implications of potentially providing low-carbon fuels to its tenants (Suspension Request). In the Suspension Request, YVR proposed providing an update to the BCUC regarding any necessary amendments to the Application by June 11, 2021;
- H. By Order G-85-21 dated March 18, 2021, the BCUC granted the Suspension Request and directed YVR to file an application for interim rates for the resale of natural gas to its tenants. The BCUC adjourned the proceeding and directed YVR, by no later than June 11, 2021, to submit either any necessary amendments to the Application or an application seeking the required regulatory approvals for a Certificate of Public Convenience and Necessity and its permanent rates, tariff and general terms and conditions;
- I. By Order G-99-21, the BCUC approved the proposed rates set out in YVR's Interim Rates Application on an interim, collectable and refundable basis;
- J. On June 11, 2021, YVR submitted its amended exemption application (Amended Application); and
- K. The BCUC has reviewed the Amended Application and considers that a further regulatory timetable is warranted.

NOW THEREFORE the BCUC orders as follows:

1. A further regulatory timetable is established as set out in Appendix A to this order.
2. YVR is directed, as soon as reasonably possible, but by no later than Wednesday, June 30, 2021, to:
 - a. Provide notice of the Amended Application and a copy of this order, electronically where possible, to all impacted and potentially impacted parties, including YVR's tenants, FEI and Direct Energy.
 - b. Provide notice of the Amended Application, electronically where possible, to registered interveners in the FortisBC Energy Inc. Biomethane Energy Recovery Charge (BERC) Rate Methodology proceeding.
 - c. Post a copy of this order, the Amended Application and the Public Notice attached as Appendix B, on YVR's website.
 - d. Resume publishing weekly reminder notices of the proceeding on its social media platforms until the conclusion of the letter of comment period on Monday, July 26, 2021.
3. Any party wishing to provide comments on the Amended Application is invited to submit a letter of comment by the date established in the regulatory timetable attached as Appendix A to this order. Letters of comment must be in the Letter of Comment Form available on the BCUC's website at: <https://www.bcuc.com/forms/letter-of-comment.aspx> or by mail to the British Columbia Utilities Commission, Suite 410, 900 Howe Street, Vancouver, BC, V6Z 2N3.

DATED at the City of Vancouver, in the Province of British Columbia, this 21st day of June 2021.

BY ORDER

Original signed by:

R. I. Mason
Commissioner

Attachment

Vancouver Airport Authority
Application for an Exemption Pursuant to Section 88(3) of the
Utilities Commission Act for the Resale of Natural Gas

REGULATORY TIMETABLE

Action	Date (2021)
YVR to publish notice	Wednesday, June 30
BCUC Information Request (IR) No. 2 to YVR	Monday July 5
YVR response to BCUC IR No. 2	Monday, July 19
Deadline to submit of Letters of Comment	Monday, July 26
YVR responses to Letters of Comment	Friday, August 6
Further process	To be determined



We want to hear from you

Vancouver Airport Authority Application for an Exemption Pursuant to Section 88(3) of the *Utilities Commission Act* for the Resale of Natural Gas

On December 11, 2020, the Vancouver Airport Authority (YVR) filed an Application with the British Columbia Utilities Commission (BCUC) requesting approval for exemption from section 71 and partial exemption from Part 3 of the *Utilities Commission Act* with respect to the resale of natural gas to tenants at the Vancouver International Airport (Airport). On June 11, 2021, YVR submitted an Amended Application, which included its intent for the resale of renewable natural gas to its tenants at the Airport. The BCUC has established a written public comment process for the review of the Application and Amended Application.

More information on the application can be found at bcuc.com on our “Current Proceedings” page.

HOW TO PARTICIPATE

- Submit a letter of comment
- Register as an interested party

IMPORTANT DATES

1. **Monday, July 26, 2021** – Deadline to submit a letter of comment to the BCUC

For more information on getting involved, please visit our website (www.bcuc.com/get-involved) or contact us at the information below.

GET MORE INFORMATION

British Columbia Utilities Commission



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