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Utilities Commission

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August 20, 2021

Sent via email/eFile

PARKLAND – ADVANCE RULING ON CONFIDENTIALITY FOR FPTA REPORTING EXHIBIT A-16

S. Luke Dineley
Husky Energy
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Re: British Columbia Utilities Commission – Framework for the Determination of Confidentiality and Treatment of Protected Information collected pursuant to the *Fuel Price Transparency Act* – Project No. 1599130 – August 12, 2021 Workshop Written Questions to Husky Energy

Further to the above-noted matter, enclosed please find British Columbia Utilities Commission written questions from the August 12, 2021 workshop. Please file your responses on or before **Friday, August 27, 2021**.

Sincerely,

Original signed by:

Patrick Wruck
Commission Secretary

/cmv
Enclosure



British Columbia Utilities Commission
Framework for the Determination of Confidentiality and Treatment of Protected Information collected pursuant
to the *Fuel Price Transparency Act*

AUGUST 12, 2021 WORKSHOP WRITTEN QUESTIONS TO HUSKY ENERGY

Table of Contents

	Page no.
A. SUBMISSION REGARDING FRAMEWORK DRAFT NO. 2.....	1
A. SUBMISSION REGARDING FRAMEWORK DRAFT NO. 2	
1.0 Reference: HUSKY ENERGY SUBMISSIONS ON FRAMEWORK DRAFT NO. 2 Exhibit C3-5, p. 4 LCFS-related Fuel Data Fields	

Regarding the Low-Carbon Fuel Standard (LCFS) related Fuel Data fields, on page 4 of Exhibit C3-5, Husky Energy (Husky) states:

The publication of a responsible person’s credit purchase costs could result in significant commercial harm due to competitors, who may be counterparties in contractual negotiations. A competitor with access to the credit prices of responsible persons could exploit this advantage and harm the responsible person.

- 1.1 Please discuss the liquidity of the LCFS credit market in British Columbia and the negotiating power counterparties have in this market.
- 1.2 Please discuss in what ways publication of LCFS-related Fuel Data after commercial contracts have been executed would be (i) similar to and (ii) different from the British Columbia Utilities Commission’s (BCUC) standard practices respective to natural gas supply contracts entered into by public utilities.

**2.0 Reference: HUSKY ENERGY SUBMISSIONS ON FRAMEWORK DRAFT NO. 2
Exhibit C3-5, p. 4
Daily High/Low Price and Time of Daily High/Low Price Fuel Data Fields**

On page 4 of Exhibit C3-5, Husky indicates that it does not have any submissions regarding the BCUC’s request for clarification of the specific harm and/or public interest associated with the publication of the daily high/low price and the time of the daily high/low price Fuel Data fields.

- 2.1 Please confirm that Husky does not object to the publication of the daily high/low price and the time of the daily high/low price Fuel Data fields.
 - 2.1.1 If not confirmed, please discuss the harm to Husky and/or the competitiveness of the market for Reportable Fuels that would result from publication of this Fuel Data.

- 2.1.2 If not confirmed, please discuss in what ways, if any, the daily high/low price and the time of the daily high/low price Fuel Data submitted to the BCUC differs from publicly available information from sources such as GasBuddy, Kent, and OPIS.

**3.0 Reference: HUSKY ENERGY SUBMISSIONS ON FRAMEWORK DRAFT NO. 2
Exhibit C3-5, p. 5
Seller Name, Seller Address, and Supply Location Fuel Data Fields**

Regarding the wholesaler name and address, and the supply location of fuel purchases, on page 5 of Exhibit C3-5, Husky states:

Domestic supply relationships are highly competitive. If the above noted information is published, Husky's competitors could determine Husky's sources of supply and logistical arrangements and use this information to undermine Husky's competitive position in certain markets, causing Husky significant commercial harm.

- 3.1 Please explain how Husky's competitors could use information on the wholesaler name and address, and the supply location of fuel purchases to cause "significant commercial harm" to Husky.
- 3.2 It is the view of some economists that perfect information is a feature of perfect competition. Please discuss in what ways, if any, the competitiveness of the market for Reportable Fuels would benefit from having more information about market participants rather than less, in light of this concept.

**4.0 Reference: HUSKY ENERGY SUBMISSIONS ON FRAMEWORK DRAFT NO. 2
Exhibit C3-5, pp. 5–6
Purchase Price includes Transportation Costs Fuel Data Field**

Regarding the Purchase Price includes Transportation Costs Fuel Data field, on pages 5–6 of Exhibit C3-5, Husky states:

Husky submits that the Transportation Costs fuel data field in the BC Monthly Retail Purchases Report be Protected Information and be kept confidential.

The disclosure of the transportation costs associated with specific shipments purchased by Husky for specific retail locations would result in significant commercial harm to Husky. A competitor with industry knowledge in the limited BC market would be able to use this information to undermine Husky's competitive position, causing commercial harm to Husky.

- 4.1 Please confirm, or explain otherwise, that the commercial harm Husky describes in the preamble above relates to publishing actual transportation costs (i.e., the Transportation Costs per Litre (\$/L) Fuel Data field located in the Special Direction – BC Monthly Retail Purchases Report), rather than the Yes/No response submitted in the Purchase Price includes Transportation Costs Fuel Data field.
 - 4.1.1 If not confirmed, please explain the specific harm Husky anticipates would result from publishing whether the purchase price information reported to the BCUC includes or does not include transportation costs.