



August 26, 2021

Norton Rose Fulbright Canada LLP  
510 West Georgia Street, Suite 1800  
Vancouver, BC V6B 0M3 Canada

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

F: +1 604.641.4949  
[nortonrosefulbright.com](http://nortonrosefulbright.com)

**Attention: Patrick Wruck, Commission Secretary**

**Matthew D. Keen**  
+1 604.641.4913  
[matthew.keen@nortonrosefulbright.com](mailto:matthew.keen@nortonrosefulbright.com)

Assistant  
+1 604.641.4527  
[rosalind.endo@nortonrosefulbright.com](mailto:rosalind.endo@nortonrosefulbright.com)

Our reference 1000372952

Dear Mr. Wruck:

**Parkland Corporation Request for Advance Ruling on Confidentiality for *Fuel Price Transparency Act* Reporting Submissions – Response to Undertaking No. 1**

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 Shell’s response to Undertaking No. 1 from the workshop held on August 12, 2021, which is enclosed.

Please contact the writer if you have any questions.

Yours very truly,

A handwritten signature in blue ink, appearing to read 'M. Keen'.

For: Matthew D. Keen  
Partner  
MDK/roe

CAN\_DMS: \141029344\1

**Parkland Corporation - Request for Advance Ruling on Confidentiality for Fuel Price Transparency Act Reporting Submissions**

**SHELL CANADA LIMITED (“SHELL”) RESPONSE TO UNDERTAKING NO. 1**

**Hearing Date:** August 12, 2021

**Requestor:** BCUC Staff

**Transcript Reference:** page 247, line 6 to page 249, line 9

**Transcript Excerpt:**

MS. de BOER: And could you speak to what proportion of Shell's stations provide information to Kent?

MS. COURTRIGHT: Not off hand.

MS. de BOER: Is this something that Shell would be able to provide in writing after the fact?

MS. COURTRIGHT: Is the question tied specifically to what percentage of Shell sites are voluntarily submitting? Is that the question? Or am I missing something?

MS. de BOER: That is the question, I am interested in understanding whether it's a large proportion of Shell's stations that are voluntarily complying, or what magnitude of stations are opting out of the voluntary submission of data to get a sense of the distinction that you've raised today, that it's not required.

So, if you could take an undertaking to provide that information, it would be appreciated.

**Information Request**

[...]

Mr. DICKINSON: So, I chimed in there, I heard the word undertaking, and as counsel that obviously made my ears perk up, but also, I need to note that Shell stations is a bit of a challenge for us, given the way that we are structured. We have as you've heard in the prior proceeding, both corporately owned sites and dealer sites, and we would have to go away and look into the extent to which we have in fact got insight into non-corporately owned sites, and how they report.

So, you know, I don't think we can give you an undertaking to provide that information. I think we're certainly happy to go away and see what information we can come up with.

MS. de BOER: Yes, on a best effort basis. If it's just the corporate sites, I think that would be helpful to staff. If there's additional you can provide, that's also useful. Again, trying to understand the picture of what proportion of stations are voluntarily participating in supplying data to Kent versus those that are opting out. So appreciated.

MR. DICKINSON: Understood, yeah. We will go away and do that.

**QUESTION:**

What proportion of stations [in British Columbia] are voluntarily participating in supplying data to Kent, versus those that are opting out.

**RESPONSE:**

The decision whether to allow Kent to collect data at a given corporately owned Shell retail station occurs at the site level and, therefore, Shell is unable to confirm the specific proportion of these sites that participate in Kent site surveys. Although participation in Kent site surveys is permitted by Shell, Shell does not track individual retail station participation in these surveys at the corporate level, nor does Shell oversee, guide or track any Kent volume survey data for sites, or provide guidance to corporate retail site operators as to what information to provide, or allow Kent to collect, during site surveys. As a result, Shell does not specifically know what particular data or information is – or is not – provided to Kent by each corporately owned retail site.

It is Shell's understanding, however, that the majority of corporately owned Shell retail sites in British Columbia may facilitate or permit Kent collection of site-specific operating data, from time to time. In relation to those sites that do participate in Kent site surveys, it is Shell's understanding that Kent does not survey every Shell site for every reporting period for which Kent provides site data to subscribers (i.e. Kent's reporting frequency is greater than its site survey frequency). Therefore, Kent reporting in relation to any given Shell site may be based on modelling that extrapolates data for that site for periods between site surveys.

Shell has no insight into the participation of its non-corporately owned dealer sites in Kent site surveys.