



December 1, 2020

NEWS RELEASE – BCUC Invites Participation in Hearing to Establish Confidential Information Framework for Fuel Price Data Reporting

VANCOUVER – On November 30, 2020, by [Order G-303-20](#), the British Columbia Utilities Commission (BCUC) announced a public process to establish a framework for the determination of confidentiality and treatment of protected information submitted in accordance with BC’s [Fuel Price Transparency Act](#) (FPT Act).

Under [section 9 of the FPT Act](#), “protected information” means information that would reveal: (a) trade secrets of a responsible person; or (b) commercial, financial, labour relations, scientific or technical information of or about a responsible person. The term “[trade secret](#)” is defined in the [Freedom of Information and Protection of Privacy Act](#).

The proceeding was initiated by an application from Parkland Corporation seeking an advanced ruling on confidential data submitted under the FPT Act. On October 30, 2020, the BCUC issued [Order G-275-20](#) granting advanced approval of confidential status to fuel data submitted by a responsible person pursuant to the FPT Act that has been identified as protected information, until the completion of a hearing process to establish the framework.

The framework aims to establish a consistent approach for the BCUC to determine whether fuel data submitted by those in the wholesale and retail fuel industry should be kept confidential or made publicly available. The development of the framework and process is likely to impact both the fuel industry, who will be responsible for reporting fuel data to the BCUC pursuant to the FPT Act, and members of the public who may be interested in accessing or understanding the fuel data the BCUC receives.

The BCUC invites members of the public, affected parties, reporting entities under the FPT Act, and other stakeholders to participate in this proceeding. There are several ways to participate in the BCUC’s hearing process, including:

- **Request intervener status:** Persons who are directly or sufficiently affected by the BCUC’s decision or have relevant information or expertise, and who wish to actively participate in the proceeding, can request intervener status by submitting a completed [Request to Intervene Form](#) online by **Wednesday, January 6, 2021**. Interveners will have an opportunity to provide feedback on the importance of accessing data that fuel companies are reporting.
- **Submit a letter of comment:** Members of the public can submit a [letter of comment](#) online by **Wednesday, January 13, 2021**. Letters of comment are intended to provide for any member of the public to contribute views, opinions, and impact or potential impact, with respect to a matter before the BCUC, to the public record.
- **Register as an interested party:** Interested parties can [register online](#) to receive updates on the proceeding.

For more information on the scope, timing and details of the hearing process, please see the [proceeding page](#) on our website.

Background

On November 18, 2019, [Bill 42 – The Fuel Price Transparency Act](#) (FPT Act) was introduced in the BC Legislature by Minister Bruce Ralston. The FPT Act requires companies to report information and data on their activities in the gasoline and diesel fuel market in BC. Bill 42 received Royal Assent and became law on November 27, 2019. On March 9, 2020, the [BC government announced](#) the BCUC as the Administrator of the FPT Act.

As a first step in providing the public with more information about how gasoline and diesel prices are set in BC, the BCUC launched [GasPricesBC.ca](#) on April 7, 2020. Through a series of dashboards, [GasPricesBC.ca](#) displays publicly available data, which visitors can customize to view information based on geography or price components.

On August 14, 2020, the BC government announced FPT Regulations per [Order in Council \(OIC\) No. 474](#) requiring those in the wholesale industry to submit regular reports to the BCUC, and [Special Direction to section 4 of the FPT Act \(Special Direction\)](#), requiring retail dealers to submit fuel data to the BCUC in a retail data collection pilot. Per OIC No. 474 and the Special Direction, wholesale reporting to the BCUC began on November 1, 2020 and retail reporting begins on December 1, 2020.

Section 9 of the FPT Act provides that the BCUC may publish fuel pricing data, or other information or records, it acquires under the FPT Act, if it is satisfied that protected information will not be disclosed, or that the public interest outweighs any potential harm of releasing protected information. In addition, the BCUC [Rules of Practice and Procedure](#) apply to all requests for confidentiality and confidential documents filed with the BCUC in regard to any and all matters, including the data collected through the FPT Act.

About the BCUC

The BCUC is an independent regulatory body, responsible for regulating British Columbia's energy utilities, as well as its compulsory automobile insurance rates, and intra- and provincial pipelines rates. The BCUC is also responsible for administering BC's *Fuel Price Transparency Act*. It is the BCUC's role to balance the interests of customers with the interests of the businesses it regulates. The BCUC carries out fair and transparent reviews of matters within its jurisdiction and considers public input where public interest is impacted.

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