

**NEWFOUNDLAND AND LABRADOR
BOARD OF COMMISSIONERS OF PUBLIC UTILITIES**

AN ORDER OF THE BOARD

NO. P.P. 30(2023)

1 **IN THE MATTER OF the Petroleum Products**
2 **Act**, SNL 2001, Chapter P-10.1 and
3 regulations thereunder; and
4

5 **IN THE MATTER OF** an application from
6 Black Tickle Convenience and Gas Inc. for
7 an increase in the retail maximum price for
8 full-serve gasoline motor fuel in Zone 11a -
9 Coastal Labrador South (Tanker Supplied)
10 pursuant to Section 8 of the **Petroleum**
11 **Products Act**; and
12

13 **IN THE MATTER OF** an alternative pricing
14 methodology for stove oil heating fuel
15 maximum prices in Zone 11a - Coastal
16 Labrador South (Tanker Supplied)
17 pursuant to Section 14.(2.6) of the
18 **Petroleum Products Regulations**.
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21 **WHEREAS** on February 9, 2023 Black Tickle Convenience and Gas Inc. (“BTCG”) contacted the
22 Board with respect to the status of its operations in Zone 11a - Coastal Labrador South (Tanker
23 Supplied) and questioned receiving an exemption to sell gasoline motor fuel and stove oil
24 heating fuel at or above the price at which it was purchased; and
25

26 **WHEREAS** on February 17, 2023 the Board requested additional information with respect to
27 methods of supply, storage and distribution, sales, frequency of deliveries, delivery dates and
28 purchase prices for gasoline motor fuel and stove oil heating fuel in Zone 11a - Coastal Labrador
29 South (Tanker Supplied); and
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31 **WHEREAS** on February 23, 2023 BTCG provided a response to the Board’s request for additional
32 information, including invoices verifying the cost of the product; and
33

34 **WHEREAS** on March 6, 2023 the Board wrote BTCG requesting confirmation that BTCG, as a
35 retailer in the province of Newfoundland and Labrador, wished to file an application requesting

1 a change in maximum price for gasoline motor fuel and stove oil heating fuel pursuant to
2 Section 8 of the **Petroleum Products Act** and advised that the Board may conduct its own
3 assessment of its maximum prices for other petroleum products based on the information filed;
4 and

5
6 **WHEREAS** maximum price adjustments for all regulated petroleum products, with the
7 exception of propane heating fuel, are currently suspended in Zone 11a - Coastal Labrador
8 South (Tanker Supplied); and

9
10 **WHEREAS** on March 24, 2023 BTCG filed a letter confirming a request for a change in the full-
11 serve regular gasoline motor fuel maximum price it could charge in Zone 11a - Coastal Labrador
12 South (Tanker Supplied) pursuant to Section 8 of the **Petroleum Products Act** but did not
13 propose any change to stove oil heating fuel retail maximum prices (the "Application"); and

14
15 **WHEREAS** the Application included cost and volumetric information for gasoline motor fuel and
16 proposed a new retail maximum price for full-serve regular gasoline motor fuel in Zone 11a -
17 Coastal Labrador South of 245.7 cents per litre, the retail maximum price for the product that
18 was in place at the time it was purchased in November 2022; and

19
20 **WHEREAS** on March 31, 2023 the Board requested additional delivery and volumetric
21 information from BTCG for gasoline motor fuel and stove oil heating fuel; and

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23 **WHEREAS** on April 4, 2023 BTCG provided the requested additional information for both
24 gasoline motor fuel and stove oil heating fuel; and

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26 **WHEREAS** based on its review of the cost and delivery information provided by BTCG with
27 respect to gasoline motor fuel the Board is satisfied that it is appropriate to adjust the
28 maximum price that BTCG can charge for full-serve regular gasoline motor fuel in Zone 11a -
29 Coastal Labrador South (Tanker Supplied) to reflect the cost of the product which was
30 purchased in November 2022 when the Board's maximum price was 245.7 cents per litre,
31 including applicable taxes; and

32
33 **WHEREAS** the Board finds that the Application should be approved and a retail maximum price
34 of 245.7 cents per litre, including applicable taxes, should be established for BTCG for full-serve
35 regular gasoline motor fuel in Zone 11a - Coastal Labrador South (Tanker Supplied); and

36
37 **WHEREAS** based on its review of the cost and delivery information provided by BTCG with
38 respect to stove oil heating fuel the Board is satisfied that an alternative methodology should
39 be established for stove oil heating fuel maximum prices for BTCG in Zone 11a - Coastal
40 Labrador South (Tanker Supplied) to reflect the cost of the product which was purchased in
41 November of 2022 when the Board's maximum price was 185.05 cents per litre, excluding
42 applicable taxes; and

1 **WHEREAS** the Board finds that a retail maximum price of 185.05 cents per litre, excluding
2 applicable taxes, should be established for BTCG for stove oil heating fuel in Zone 11a - Coastal
3 Labrador South (Tanker Supplied).

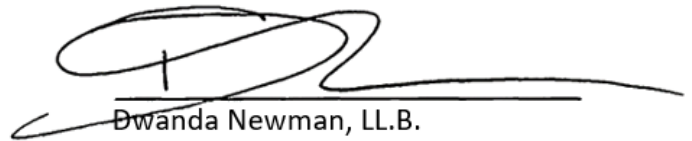
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6 **IT IS THEREFORE ORDERED THAT:**


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- 8 1. Black Tickle Convenience and Gas Inc. can charge a retail maximum price of up to 245.7
9 cents per litre, taxes included, for full-serve regular gasoline motor fuel in Zone 11a -
10 Coastal Labrador South (Tanker Supplied), effective 12:01 a.m., Thursday, May 4, 2023, until
11 further Order of the Board.
12
- 13 2. Black Tickle Convenience and Gas Inc. can charge a retail maximum price of up to 185.05
14 cents per litre, excluding taxes, for stove oil heating fuel in Zone 11a - Coastal Labrador
15 South (Tanker Supplied), effective 12:01 a.m., Thursday, May 4, 2023, until further Order of
16 the Board.

DATED at St. John's, Newfoundland and Labrador, this 3rd day of May, 2023.


Dwanda Newman, LL.B.
Vice-Chair


John O'Brien, FCPA, FCA, CISA
Commissioner


Christopher Pike, LL.B., FCIP
Commissioner


Cheryl Blundon
Board Secretary