THE ISLAND REGULATORY AND APPEALS COMMISSION
Prince Edward Island
Île-du-Prince-Édouard
CANADA

Dockets **P-1-1, P-6-1A,P-6-12A, P-6-2A, P-6-11A & P-6-9A**

Order **PW21-004**

IN THE MATTER of prices charged by wholesaler licensees for petroleum products;

AND

IN THE MATTER of applications by Irving Energy Distribution and Marketing, Kenmac Energy Inc., Superior Plus Inc. (dba Superior Propane), Parkland Fuel Corporation (dba Island Petroleum) and Noonan Petroleum Ltd. regarding propane pricing.

BEFORE THE COMMISSION
on Thursday, the 28th day of January, 2021

J. Scott MacKenzie, Q.C., Chair
M. Douglas Clow, Vice-Chair
Erin T. Mitchell, Commissioner
Terry McKenna, Commissioner

Order

Compared and Certified a True Copy

(Sgd) *Loretta Cameron*

Regulatory Services

IN THE MATTER of prices charged by wholesaler licensees for petroleum products;

AND

IN THE MATTER of applications by Irving Energy Distribution and Marketing, Kenmac Energy Inc., Superior Plus Inc. (dba Superior Propane), Parkland Fuel Corporation (dba Island Petroleum) and Noonan Petroleum Ltd. regarding propane pricing.

Order

UPON reviewing and considering current international, national and regional market and related conditions;

AND UPON it appearing to the Commission that:

1) An increase in all gasoline prices in both the dealer and consumer schedules of 1.0 cents per litre (cpl);

2) A continuation of the diesel prices currently in effect in both the dealer and consumer schedules; and

3) A continuation of the furnace fuel and stove oil prices currently in effect in the consumer schedule;

will result in prices that are just and reasonable;

AND UPON receiving:

1) The application of Irving Energy Distribution and Marketing (Irving) on January 26, 2021 for an increase of 4.9 cents per litre (cpl) in its propane pricing schedule based on increased costs;

2) The application of Kenmac Energy Inc. (Kenmac) on January 25, 2021 for an increase of 4.1 cpl in its propane pricing schedule based on increased costs;

3) The application of Superior Plus Inc. (Superior) on January 26, 2021 for an increase of 4.0 cpl in its propane pricing schedule based on increased costs;

4) The application of Parkland Fuel Corporation (Island Petroleum) on January 22, 2021 for an increase of 5.2 cpl in its propane pricing schedule based on increased costs; and

5) The application of Noonan Petroleum Ltd. (Noonan) on January 26, 2021 for an increase of 4.1 cpl in its propane pricing schedule based on increased costs;

AND UPON it also appearing to the Commission that:

1) An increase of 4.9 cpl in Irving's propane schedule;

2) An increase of 4.1 cpl in Kenmac's propane schedule;

3) An increase of 4.0 cpl in Superior's propane schedule;

4) An increase of 5.2 cpl in Island Petroleum's propane schedule; and

5) An increase of 4.1 cpl in Noonan Petroleum's propane schedule;

will result in prices that are just and reasonable;

NOW THEREFORE, pursuant to the ***Island Regulatory and Appeals Commission Act*** and ***the Petroleum Products Act***;

IT IS ORDERED THAT

1. **the prices contained in the attached Retail Dealer Pump Prices Schedule shall be effective 12:01 a.m. on Friday, January 29, 2021;**

2. **the prices contained in the attached Maximum Consumer Petroleum Prices Schedule shall be the maximum prices charged by the respective licensee, effective 12:01 a.m. on Friday, January 29, 2021;**

3. **the attached dealer prices, with H.S.T. added, shall be indicated on all documents accompanying deliveries of these products;**

4. **effective 12:01 a.m. Friday, January 29, 2021, the maximum propane prices charged by:**

   a. **Irving Energy Distribution and Marketing be in accordance with Appendix "A" to this Order;**
   b. **Kenmac Energy Inc. be in accordance with Appendix "B" to this Order;**
   c. **Superior Plus Inc. be in accordance with Appendix "C" to this Order;**
   d. **Parkland Fuel Corporation be in accordance with Appendix "D" to this Order; and**
   e. **Noonan Petroleum Ltd. be in accordance with Appendix "E" to this Order;**

5. **the propane prices approved herein shall appear on all invoices covering sales or deliveries of propane; and**

6. **the prices determined in this Order, with adjustments resulting from tax changes only, shall remain in effect until otherwise ordered by the Commission.**

DATED at Charlottetown, Prince Edward Island, this 28th day of January, 2021.

BY THE COMMISSION:

(Sgd) J. Scott MacKenzie
J. Scott MacKenzie, Q.C., Chair

(Sgd) M. Douglas Clow
M. Douglas Clow, Vice-Chair

(Sgd) Erin T. Mitchell
Erin T. Mitchell, Commissioner

(Sgd) Terry McKenna
Terry McKenna, Commissioner

NOTICE:

Section 58 of the *Petroleum Products Act* reads as follows:

> ***58.*** *Where any person has the status of a party or is an intervenor in any hearing before the Commission, he is entitled*
>
> *(a to appeal the decision of the Commission to the Court of Appeal; and*
>
> *(b) to participate as a party in the hearing of an appeal.*
>
> *and an appeal shall be on a question of law or jurisdiction only and be governed by section 13 of the Island Regulatory and Appeals Commission Act.*

Sections 13 (1) and (2) of *the Island Regulatory and Appeals Commission Act* provide as follows:

> *13.(1) An appeal lies from a decision or order of the Commission to the Court of Appeal upon a question of law or jurisdiction.*
>
> *(2) The appeal shall be made by filing a notice of appeal in the Court of Appeal within twenty days after the decision or order appealed from and the rules of court respecting appeals apply with the necessary changes.*

The information in this Order is confidential until the price changes take effect. Any unauthorized use or communication of this information by licensees or their employees, and in particular, any disclosure of the contents of this Order to the public, or to the media, prior to 12:01 a.m. on the date in which these price changes come into effect, is strictly prohibited, and may result in license suspension or monetary penalty.

Island Regulatory and Appeals Commission

Prince Edward Island **Effective: January 29, 2021**

RETAIL DEALER PUMP PRICES

ALL BRANDS:

CANADIAN CENTS PER LITRE (cpl)

PRODUCT	Regular Gasoline	Mid-Grade Gasoline	Premium Gasoline	Diesel
Benchmark Price	61.8	65.3	68.7	65.0
+ Wholesale Margin	5.0	5.0	5.0	5.0
= Dealer Base Price	66.8	70.3	73.7	70.0
+ Federal Excise Tax	10.0	10.0	10.0	4.0
+ PEI Prov. Tax	8.47	8.47	8.47	14.15
+ Carbon Levy	6.63	6.63	6.63	8.05
= Wholesale Price (DTT)	91.9	95.4	98.8	96.2

Self-Serve	Min	Max	Min	Max	Min	Max	Min	Max
+ Self-Serve Retail Margin	6.0	7.0	6.0	7.0	6.0	7.0	6.0	7.0
+ HST (15%)	14.7	14.8	15.2	15.4	15.7	15.9	15.3	15.5
= Self-Serve Pump Price	112.6	113.7	116.6	117.8	120.5	121.7	117.5	118.7

Full-Serve	Min	Max	Min	Max	Min	Max	Min	Max
+ Full-Serve Retail Margin	6.0	10.5	6.0	10.5	6.0	10.5	6.0	10.5
+ HST (15%)	14.7	15.4	15.2	15.9	15.7	16.4	15.3	16.0
= Full-Serve Pump Price	112.6	117.8	116.6	121.8	120.5	125.7	117.5	122.7

Island Regulatory and Appeals Commission

Prince Edward Island **Effective: January 29, 2021**

MAXIMUM CONSUMER PETROLEUM PRICES

FOR PRODUCTS NOT SOLD AT RETAIL OUTLETS

CENTS PER LITRE (CPL)	Maximum Consumer Base Price	Federal Excise Tax	Price Incl. Excise Tax	PEI Prov. Tax	Carbon Levy	**MAXIMUM** Consumer Price (Before HST)*
Regular Unleaded Gasoline	76.9	10.0	86.9	8.47	6.63	102.0
Mid-Grade Unleaded Gasoline	79.1	10.0	89.1	8.47	6.63	104.2
Premium Unleaded Gasoline	81.3	10.0	91.3	8.47	6.63	106.4
Ultra Low-Sulphur Diesel	82.3	4.0	86.3	14.15	8.05	108.5
Stove Oil	90.5		90.5			90.5
Furnace Oil	82.6		82.6			82.6
Furnace Oil-ThermaClean	86.6		86.6			86.6

***TAXATION RATES ON MAXIMUM POSTED TANK TRUCK PRICES: GAS AND DIESEL PRODUCTS SUBJECT TO 15%; STOVE AND FURNACE OIL PRODUCTS SUBJECT TO 5%**

APPENDIX "A"

IRVING ENERGY DISTRIBUTION AND MARKETING

EFFECTIVE JANUARY 29, 2021

MAXIMUM (EX. TAX) PRICES **PRINCE EDWARD ISLAND**

CATEGORY	CENTS PER LITRE
Bulk Propane Delivery	**86.2**
Dispensing Units	**80.2**
Carburation and Portable Cylinders	**90.3**

33 lb. Carburation Cylinders:		
Handling Fee	$3.00	Per Cylinder
Rental Through CAT Rentals	$4.00	Per Cylinder

Rental Rates for Cylinders and Tanks:			
100	lb. Portable Cylinder	$36.00	Per Year
200	lb. Fixed Cylinder	$30.00	Per Installation Per Year
420	lb. Fixed Cylinder	$91.00	Per Installation Per Year
334	Gallon Fixed Tank	$60.00	Per Installation Per Year
500	Gallon Fixed Tank	$150.00	Per Installation Per Year
1,000	Gallon Fixed Tank	$250.00	Per Installation Per Year
1,750	Gallon Fixed Tank	$250.00	Per Installation Per Year
2,000	Gallon Fixed Tank	$250.00	Per Installation Per Year

Service Rates:

- All installations will be charged on the basis of time and materials used.
- Cylinder and tank removal fees are not to exceed $75.00 per tank.

APPENDIX "B"

KENMAC ENERGY INC.

EFFECTIVE JANUARY 29, 2021

MAXIMUM (EX. TAX) PRICES **PRINCE EDWARD ISLAND**

CATEGORY	CENTS PER LITRE
Bulk Propane Delivery	**86.8**
Dispensing Units	**80.8**
Carburation and Portable Cylinders	**90.9**

33 lb. Carburation Cylinders:		
Handling Fee	$3.00	Per Cylinder

Rental Rates for Cylinders and Tanks:			
33	lb. Portable Cylinder	$3.60	Per Month
100	lb. Portable Cylinder	$3.60	Per Month
200	lb. Fixed Cylinder	$30.00	Per Installation Per Year
420	lb. Fixed Cylinder	$89.00	Per Installation Per Year for Each Tank
334	Gallon Fixed Tank	$110.00	Per Installation Per Year
500	Gallon Fixed Tank	$110.00	Per Installation Per Year
1,000	Gallon Fixed Tank	$250.00	Per Installation Per Year
1,750	Gallon Fixed Tank	$250.00	Per Installation Per Year
2,000	Gallon Fixed Tank	$250.00	Per Installation Per Year

Service Rates:

- All installations will be charged on the basis of time and materials used.
- Cylinder and tank removal fees are not to exceed $75.00 per tank.

APPENDIX "C"

SUPERIOR PLUS INC.

EFFECTIVE JANUARY 29, 2021

MAXIMUM (EX. TAX) PRICES **PRINCE EDWARD ISLAND**

CATEGORY	CENTS PER LITRE
Bulk Propane Delivery	**86.3**
Dispensing Units	**80.8**

Rental Rates for Cylinders and Tanks:		
33 lb. Cylinder	$3.60	Per Month
100 lb. Cylinder	$3.60	Per Month
Residential Installations	$79.00	Per Installation Per Year for Each Tank
Commercial Installations	$110.00	Per Year for First Tank; Additional $10.00 Per Year for Each Added Tank
Smart Tank Sensor	$120.00	Additional Per Year

Service Rates:

- All installations will be charged on the basis of time and materials used.
- Cylinder and tank removal fees are not to exceed $75.00 per tank.

APPENDIX "D"

PARKLAND FUEL CORPORATION

EFFECTIVE JANUARY 29, 2021

MAXIMUM (EX. TAX) PRICES **PRINCE EDWARD ISLAND**

CATEGORY	CENTS PER LITRE
Bulk Propane Delivery	**86.8**

Rental Rates for Cylinders and Tanks:			
420	lb. Fixed Cylinder	$80.00	Per Installation Per Year. Each Additional Tank $40.00 Per Year. Generator Tanks $80.00 Per Year
334/500	Gallon Fixed Tank	$125.00	Per Installation Per Year. Each Additional Tank $65.00 Per Year. Generator Tanks $150.00 Per Year
1000	Gallon Fixed Tank	$200.00	Per Installation Per Year. Each Additional Tank $100.00 Per Year. Generator Tanks $250.00 Per Year
1750/2000	Gallon Fixed Tank	$250.00	Per Installation Per Year. Each Additional Tank $125.00 Per Year. Generator Tanks $500.00 Per Year
Tank Monitor		$50.00	Per Installation Per Year

Service Rates:

- All installations will be charged on the basis of time and materials used.
- Cylinder and tank removal fees are not to exceed $110.00 per tank.

APPENDIX "E"

NOONAN PETROLEUM LTD.

EFFECTIVE JANUARY 29, 2021

MAXIMUM (EX. TAX) PRICES **PRINCE EDWARD ISLAND**

CATEGORY	CENTS PER LITRE
Bulk Propane Delivery	**86.8**
Dispensing Units	**80.8**
Carburation and Portable Cylinders	**90.9**

33 lb. Carburation Cylinders:		
Handling Fee	$3.00	Per Cylinder

Rental Rates for Cylinders and Tanks:			
33	lb. Portable Cylinder	$3.60	Per Month
100	lb. Portable Cylinder	$3.60	Per Month
200	lb. Fixed Cylinder	$30.00	Per Installation Per Year
420	lb. Fixed Cylinder	$89.00	Per Installation Per Year for Each Tank
334	Gallon Fixed Tank	$110.00	Per Installation Per Year
500	Gallon Fixed Tank	$110.00	Per Installation Per Year
1,000	Gallon Fixed Tank	$250.00	Per Installation Per Year
1,750	Gallon Fixed Tank	$250.00	Per Installation Per Year
2,000	Gallon Fixed Tank	$250.00	Per Installation Per Year

Service Rates:

- All installations will be charged on the basis of time and materials used.
- Cylinder and tank removal fees are not to exceed $75.00 per tank.