


MADE at the City of Calgary, in the Province of Alberta, on 2nd day of February 2007.	 ALBERTA ENERGY AND UTILITIES BOARD
ATCO Gas South Compliance to Board Decision 2006-095 Deferral Account for Refund of ATCO Pipelines Facilities Connection Service Deferral Account (FCS DA)	Application No. 1488593

1 BACKGROUND

By letter dated November 24, 2006, ATCO Gas (AG) filed an application (the Application) to the Alberta Energy and Utilities Board (the Board) for approval of a deferral account to hold the amounts refunded from ATCO Pipelines (AP) FCS DA accounts per the directions in Decision 2006-095. AG had previously, on October 25, 2006, received a total of \$789,853 from AP for the South FCS DA refund and proposed to place this amount into a deferral account for future disposition.

The Board issued a notice of the Application on December 5, 2006, and requested parties to file their bona fide objections to the Application by December 19, 2006. One party, the Office of the Utilities Consumer Advocate, filed a submission expressing interest; however, no parties filed an objection to the Application.

2 VIEWS OF THE BOARD

The Board notes AG's views regarding the AP refunds approved in Decision 2006-095, and the possible implications of the DGA Limitations Decision 2006-042. AG stated its view that it would be within its rights to retain portions of the refund that exceeded the two year limitation period stipulated by Decision 2006-042.

The Board considers that AG's proposal to hold the FCS DA refund in a deferral account, as described in the Application, is fair, reasonable, and consistent with its directions in Decision 2006-095. Therefore, the Board approves the establishment of a deferral account to hold the amounts refunded/charged to AG from time to time resulting from ATCO Pipelines transportation charges that are considered to be outside the two year limitation period. The Board expects that the true up and disposition of amounts in this deferral account will be addressed in a timely manner, at the next appropriate opportunity.

3 ORDER

It is therefore ordered that AG shall establish a deferral account as described above.

END OF DOCUMENT