


Miscellaneous Gas Rate Order U2007-58

MADE at the City of Calgary, in the Province of Alberta, on 6th day of March 2007.	 ALBERTA ENERGY AND UTILITIES BOARD
ATCO Gas South Amendment to Rider "A" with respect to the Village of Delburne	Application No. 1499525

ATCO Gas South, a division of ATCO Gas and Pipelines Ltd., applied to the Alberta Energy and Utilities Board (the EUB) for an Order approving an amendment to Rate Rider "A" (surcharge for a franchise fee). This allows the franchise fee in the Village of Delburne (the Village) to be changed from 5.26 per cent of the gross revenue of ATCO Gas South, derived from the sale of natural gas within the Village, to 21.60 per cent of the revenue of ATCO Gas South derived only from the non-gas portion of its customers' bills within the Village.

Notice of the application was published in conjunction with the Notice for the Village's application for renewal of its franchise agreement with ATCO Gas and Pipelines Ltd. and no objections were received. ATCO Gas South has given the EUB consent to proceed with the application without a hearing.

The Board notes that these changes in rates result from the provisions included in the franchise agreement between the Village and ATCO Gas and Pipelines Ltd. which was approved in Order U2007-57 issued in conjunction with this order. The franchise fee provisions included in the Agreement allow the Village to change the level of the franchise fee once annually within a cap of 35 per cent. Clause 4.c) of the Franchise Agreement includes a requirement for the Village to publish notice prior to any change in the level of the fee.

The Alberta Energy and Utilities Board, pursuant to the *Gas Utilities Act*, R.S.A. 2000, c. G-5, hereby orders as follows:

1. Application No. 1499525 by ATCO Gas South dated January 29, 2007, is approved, subject to the terms and conditions herein contained.
2. The new rate for the Village of Delburne, as indicated on Rate Rider "A" attached as Schedule "A" to this Order, becomes effective upon the execution of the Village's Franchise Renewal Agreement with ATCO Gas and Pipelines Ltd.

END OF DOCUMENT