


# Miscellaneous Gas Rate Order U2007-158

MADE at the City of Calgary, in the Province of Alberta, on  14th day of June 2007.	 ALBERTA ENERGY AND UTILITIES BOARD
ATCO Gas South Amendment to Riders “A” and “B” with respect to the Town of Carstairs	Application No. 1510562

ATCO Gas South, a division of ATCO Gas and Pipelines Ltd. (ATCO Gas South) 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) for the Town of Carstairs (the Town). This allows the franchise fee in the Town to be changed from 5.26 per cent of the gross revenue of ATCO Gas to 25 per cent of the revenue of ATCO Gas South derived only from the non-gas portion of its customers’ bills within the Town.

ATCO Gas South has also applied for a change to Rate Rider “B” which recovers municipal taxes. ATCO Gas South will provide an estimate of the municipal taxes to be collected for the Town after the Town completes the third reading of its by-law.

Notice of the application was published in conjunction with the Notice for the Town’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 Town and ATCO Gas and Pipelines Ltd. which was approved in Order U2007-157 issued in conjunction with this order. The franchise fee provisions included in the Agreement allow the Town 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 Town 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. 1510562 by ATCO Gas South dated April 26, 2007, is approved, subject to the terms and conditions herein contained.

2. The new rate for the Town of Carstairs, as indicated on Rate Rider “A” attached as Schedule “A” to this Order, becomes effective upon the execution of the Town’s Franchise Renewal Agreement with ATCO Gas and Pipelines Ltd.
3. The new rate for the Town of Carstairs, as indicated on Rate Rider “B” attached as Schedule “B” to this Order, becomes effective upon the execution of the Town’s Franchise Renewal Agreement with ATCO Gas and Pipelines Ltd.

END OF DOCUMENT