


MADE at the City of Calgary, in the Province of Alberta, on  8th day of August 2007.	 ALBERTA ENERGY AND UTILITIES BOARD
ATCO Gas and Pipelines Ltd. Amendment to Riders "A and "B" with respect to the Town of Whitecourt	Application No. 1517523

ATCO Gas and Pipelines 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 Town of Whitecourt (the Town) to be changed from 5.26 per cent of the gross revenue of ATCO Gas and Pipelines Ltd. derived from the sale of natural gas within the Town to 19 per cent of the revenue of ATCO Gas and Pipelines from the delivery of natural gas within the Town, but excluding revenue derived from the cost of gas. In addition, the annual franchise fee payment on any point of delivery has a maximum charge of \$10,000 for large use customers only, within the municipal area.

ATCO Gas and Pipelines has also applied for a change to Rate Rider "B" which recovers municipal taxes. ATCO Gas and Pipelines 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 and Pipelines 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 of Whitecourt and ATCO Gas and Pipelines Ltd. which was approved in Order U2007-202 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. 1517523 by ATCO Gas and Pipelines dated July 4, 2007, is approved, subject to the terms and conditions herein contained.

2. The new rate for the Town of Whitecourt, 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 Whitecourt, 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.

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