


MADE at the City of Calgary, in the Province of Alberta, on 23rd day of February 2005.	 ALBERTA ENERGY AND UTILITIES BOARD
ATCO Gas and Pipelines Ltd. Amendment to Riders A and B with respect to the Summer Village of Silver Beach	Application No.1371925

ATCO Gas – North, a division of ATCO Gas and Pipelines Ltd. (ATCO Gas - North) 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 Summer Village of Silver Beach (the Summer Village) to be changed from 5.26 per cent of the gross revenue of ATCO Gas - North to 20 per cent of the revenue of ATCO Gas - North derived only from the non-gas portion of its customers’ bills within the Summer Village.

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

Notice of the application was published in conjunction with the Notice for the Summer Village’s application for renewal of its franchise agreement with ATCO Gas and Pipelines Ltd. and no objections were received. ATCO Gas - North 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 Summer Village of Silver Beach and ATCO Gas - North which was approved in Order U2005-082 issued in conjunction with this order. The franchise fee provisions included in the Agreement allow the Summer 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 Summer 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. 1371925 by ATCO Gas - North dated November 26, 2004, is approved, subject to the terms and conditions herein contained.

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

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