

THE PROVINCE OF ALBERTA

GAS UTILITIES ACT

ALBERTA ENERGY AND UTILITIES BOARD

IN THE MATTER of an amendment to
ATCO Gas and Pipelines Ltd.'s Rider
"A" with respect to the Town of Fox
Creek

ORDER U2001-095

Application No. 2001051
File No. 6675-F9-1

ATCO Gas and Pipelines Ltd. (ATCO Gas) 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 Fox Creek (the Town) to be increased from 4.17 per cent of the gross revenue of ATCO Gas derived from the sale of natural gas to its customers within the Town to 12.93 per cent of the revenue of ATCO Gas from the delivery of natural gas within the Town, but excluding revenue derived from the cost of gas. The Town accepts this payment in lieu of taxing the special franchise, lands, buildings, improvements, pipelines, works, machinery, equipment and apparatus owned or used by ATCO Gas in the exercise of the franchise and related operations within the Town.

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 no objections were received. ATCO Gas has given the EUB consent to proceed with the application without a hearing.

The Alberta Energy and Utilities Board, pursuant to the *Gas Utilities Act*, R.S.A. 1980, c. G-4, hereby orders as follows:

1. Application No. 2001051 by ATCO Gas and Pipelines Ltd. dated February 16, 2001, as approved, subject to the terms and conditions herein contained.
2. The new rate for the Town of Fox Creek, as indicated on Rate Rider "A" attached as Schedule "A" to this Order, becomes effective upon the execution of its Franchise Renewal Agreement with ATCO Gas and Pipelines Ltd.

DATED at the City of Edmonton, in the Province of Alberta, on April 30, 2001.

ALBERTA ENERGY AND UTILITIES BOARD

SCHEDULE "A"