

THE PROVINCE OF ALBERTA

MUNICIPAL GOVERNMENT ACT

ALBERTA ENERGY AND UTILITIES BOARD

IN THE MATTER of a Franchise
Agreement between the
Village of Hussar and
ATCO Gas and Pipelines Ltd.

ORDER U2000-341

Application No. 2000310
File No. 6675-H16

The Village of Hussar (the Village) filed an application with the Alberta Energy and Utilities Board (EUB) for approval to renew its special franchise agreement with ATCO Gas and Pipelines (ATCO Gas) for a period of 10 years in accordance with the terms of a natural gas Franchise Agreement (the Renewal Agreement) which is attached as Schedule "A" to this Order.

The EUB notes that the Renewal Agreement includes a change in the calculation of the franchise fee from 5.26 per cent of the gross revenue of ATCO Gas derived from the sale of natural gas to its customers within the Village to 13.74 per cent of the revenue of ATCO Gas derived only from the non-gas portion of its customers' bills within the Village.

Notice of the application was published and no objections were received.

The EUB considers that the privilege or franchise contained in the Renewal Agreement is necessary and proper for the public convenience and properly conserves the public interests. The EUB notes that the Village and ATCO Gas have given the EUB consent to proceed with the application without a hearing.

Therefore, the Alberta Energy and Utilities Board, pursuant to section 45 of the *Municipal Government Act*, S.A. 1994, c. M-26.1, hereby orders as follows:

1. Application No. 2000310 by the Village of Hussar dated October 16, 2000 is approved, subject to the terms and conditions herein contained.
2. The Village of Hussar shall file with the Alberta Energy and Utilities Board a copy of the By-law No. 448-00 after third reading; and a copy of the executed Renewal Agreement.

DATED at the City of Edmonton, in the Province of Alberta, on December 12, 2000.

ALBERTA ENERGY AND UTILITIES BOARD

SCHEDULE AA^e