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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER** A-4-08

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IN THE MATTER OF
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473

and

An Application by Direct Energy Marketing Limited
Transfer of Planet Energy Gas Contracts under the Residential/Commercial Unbundling Program

BEFORE: L.F. Kelsey, Commissioner
P.E. Vivian, Commissioner March 13, 2008
A.A. Rhodes, Commissioner

O R D E R

WHEREAS:

- A. Article 28 of the Code of Conduct for Gas Marketers, Transfer of Agreements requires that the assignment, sale or transfer of a Gas Marketer's Consumer agreements to another Gas Marketer must be approved in advance by the Commission; and
- B. By Order No. A-1-08 dated January 23, 2008 the Commission approved Direct Energy Marketing Ltd.'s ("Direct Energy") proposed transaction to acquire Planet Energy (B.C.) Ltd.'s ("Planet Energy") Residential Gas Marketer contracts and requested clarification of Commission requirements to approve the transaction
- C. By letter dated February 25, 2008, Direct Energy advised the Commission that the proposed transfer of Planet Energy's Residential Gas Marketer contracts would not be completed as both parties have decided not to proceed with the transaction; and
- D. Pursuant to Section 99 of the Utilities Commission Act, the Commission may reconsider, vary or rescind a decision, order, rule or regulation made by it, and may rehear an application before deciding it.

NOW THEREFORE pursuant to section 99 of the Utilities Commission Act the Commission rescinds Order No. A-1-08.

DATED at the City of Vancouver, in the Province of British Columbia, this 13th day of March 2008.

BY ORDER

Original signed by

L.F. Kelsey
Commissioner