

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER** A-12-09



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

and

An Application by Ag Energy Cooperative Ltd.
For Renewal of a Gas Marketer Licence

BEFORE: P.E. Vivian, Commissioner October 1, 2009

O R D E R

WHEREAS:

- A. On August 26, 2009 Ag Energy Co-operative Ltd. operating as Firefly Energy ("Ag Energy") applied to the British Columbia Utilities Commission ("Commission") for a renewal of its Gas Marketer Licence. The Application for renewal of its Licence to Market Natural Gas ("Application") included the payment of the \$1,000 Application Fee and a \$250,000 Letter of Credit, pursuant to items 2 and 3 respectively, of the Licence Requirements; and
- B. The Commission has reviewed Ag Energy's Application and relying upon the information and representations made by Ag Energy finds that renewal of its Gas Marketer Licence, subject to conditions, is warranted.

NOW THEREFORE pursuant to section 71.1(6) of the *Utilities Commission Act* the Commission orders as follows:

1. The Commission issues to Ag Energy a Gas Marketer Licence for the period of November 1, 2009 to October 31, 2010.
2. The Gas Marketer Licence is subject to the following conditions:
 - 2.1 Ag Energy will carry out the undertakings as set out in the Application for a Licence to Market Natural Gas dated August 26, 2009 and the Rules for Gas Marketers.
 - 2.2 Ag Energy will comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of Terasen Gas Inc.
 - 2.3 Ag Energy will maintain a Letter of Credit or acceptable substitute in full force and effect for the duration of the Licence.

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- 2.4 Ag Energy will maintain a Working Capital position of at least \$50,000 and a Current Ratio of Current Assets to Current Liabilities of at least 1.10.
- 2.5 The Commission may, at any time and without prior notice to Ag Energy, amend or impose new terms and conditions on, suspend, or cancel the Gas Marketer Licence for reasons the Commission, in its sole discretion, deems and considers sufficient.
- 2.6 The Gas Marketer Licence and all copies of it shall remain the property of the Commission and Ag Energy will return these documents forthwith upon written request from the Commission.
- 2.7 Ag Energy must submit its audited financial statement for the fiscal year ended August 31, 2009 on or before November 15, 2009.
- 2.8 Ag Energy shall ensure that its employees, salespersons or other representatives of its products and services comply with the standards required of a Gas Marketer as set out in the Code of Conduct for Gas Marketers. Ag Energy shall be responsible for the non-compliance of its employees, salespersons or other representatives of its products and services with the Code of Conduct for Gas Marketers.

DATED at the City of Vancouver, in the Province of British Columbia, this 1st day of October, 2009.

BY ORDER

Original signed by:

P.E. Vivian
Commissioner

Attachment



LICENCE No. A-12-09

GAS MARKETER LICENCE

Ag Energy Co-operative Ltd.
Operating as: Firefly Energy

is granted a licence for the purpose of providing advice to, or acting on behalf of, a low volume consumer ⁽¹⁾ purchasing gas directly in the Province of British Columbia subject to the terms and conditions contained in Commission Order A-12-09, which are set out in the reverse of the Licence.

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P.E. Vivian, Commissioner

ISSUED: November 1, 2009

EXPIRES: October 31, 2010

(1) As described in the Rules for Gas Marketers

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 - 2.3 Ag Energy will maintain a Letter of Credit or acceptable substitute in full force and effect for the duration of the Licence.
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