



**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER C-10-11**

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

and

An Application by FortisBC Energy Inc.
for Approval of an Extension to the Operating Agreement
with the Municipality of Coldstream

BEFORE: L.F. Kelsey, Commissioner
C.A. Brown, Commissioner August 18, 2011
N.E. MacMurchy, Commissioner
D. Morton, Commissioner

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS:

- A. On January 28, 1991, FortisBC Energy Inc. (FEI) (formerly BC Gas Inc. and Terasen Gas Inc.) entered into a Franchise Agreement with the Municipality of Coldstream (the Municipality) that expired on August 11, 2010 (the Franchise Agreement);
- B. On August 23, 2010, FEI applied to the British Columbia Utilities Commission (the Commission) for approval of the extension of the Franchise Agreement to December 31, 2010, and on September 30, 2010, Commission Order C-7-10 approved the requested extension;
- C. On December 21, 2010, FEI applied to the Commission for approval of an additional extension of the Franchise Agreement to March 31, 2011 and on February 11, 2011, Commission Order C-3-11 approved the requested extension (the Existing Agreement);
- D. On April 5, 2011, FEI and the Municipality entered into an Amending Agreement which extends the terms and conditions of the Existing Agreement to December 31, 2011 (the Extension Agreement);
- E. On June 13, 2011, FEI applied to the Commission for approval of the Extension Agreement;
- F. The Commission has reviewed the Application and considers that approval is warranted.

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NOW THEREFORE pursuant to section 45 of the *Utilities Commission Act*, the Commission approves the Extension Agreement as filed.

DATED at the City of Vancouver, in the Province of British Columbia, this 18th of August 2011.

BY ORDER

Original signed by:

D. Morton
Commissioner