



**BRITISH COLUMBIA  
UTILITIES COMMISSION**

**ORDER  
NUMBER C-9-11**

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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 Village of Clinton

**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 March 13, 1990, FortisBC Energy Inc. (FEI) (formerly BC Gas Inc. and Terasen Gas Inc.) entered into a Franchise Agreement with the Village of Clinton (the Municipality) that expired on March 12, 2011 (the Existing Agreement);
- B. On March 1, 2011, FEI and the Municipality entered into an Amending Agreement which extends the terms and conditions of the Existing Agreement to June 30, 2011 (Extension Agreement I);
- C. On June 16, 2011, FEI applied for approval of an extension agreement, pursuant to section 45 of the *Utilities Commission Act*, to extend the term of the Existing Agreement for an additional period from March 13, 2011 to June 30, 2011;
- D. On June 30, 2011, FEI and the Municipality entered into a subsequent Amending Agreement which extends the terms and conditions of the Extension Agreement I to March 31, 2012 (Extension Agreement II);
- E. On July 20, 2011, prior to the Commission approving the June 30, 2011 Extension Agreement I Application, FEI requested approval for an additional Extension Agreement expiring on March 31, 2012 with all other terms of the agreement unchanged other than the expiration date;
- F. The Commission has reviewed the two Extension Agreement requests 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 I and the Extension Agreement II as filed.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 18<sup>th</sup> of August 2011.

BY ORDER

*Original signed by:*

D. Morton  
Commissioner