



**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER C-9-12**

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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 Operating Terms between the District of Coldstream and FEI

BEFORE: D.M. Morton, Commissioner
L.F. Kelsey, Commissioner
C.A. Brown, Commissioner July 5, 2012
N.E. MacMurchy, Commissioner
R.D. Revel, Commissioner

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS:

- A. FortisBC Energy Inc. (FEI) (formerly BC Gas Inc. and Terasen Gas Inc.) entered into a Certificate of Public Convenience and Necessity (CPCN) to operate its system in the District of Coldstream (the Municipality) on October 10, 1967;
- B. On January 28, 1991, FEI entered into a Franchise Agreement with the Municipality that expired on August 11, 2010 (the Franchise Agreement);
- C. On August 23, 2010, FEI applied to the British Columbia Utilities Commission (the Commission) for approval of an extension of the Franchise Agreement to December 31, 2010, and on September 30, 2010, Commission Order C-7-10 approved the requested extension;
- D. 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 10, 2011, Commission Order C-2-11 approved the requested extension;
- E. On June 13, 2011, FEI applied to the Commission for approval of an additional extension of the Franchise Agreement to December 31, 2011 and on August 18, 2011, Commission Order C-10-11 approved the requested extension;

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- F. On January 3, 2012, FEI applied to the Commission for approval of an additional extension of the Franchise Agreement to June 30, 2012 and on January 26, 2012, Commission Order C-1-12 approved the requested extension (the Existing Agreement);
- G. On February 27, 2012, FEI applied to the Commission under section 32 of the *Utilities Commission Act* for approval of Operating Terms between the Municipality and FEI (the Section 32 Application);
- H. On March 8, 2012, Commission Order G-32-12 established a written hearing process and a regulatory timetable in response to the Section 32 Application;
- I. On June 26, 2012, FEI and the Municipality entered into an agreement which extends the terms and conditions of the Existing Agreement to December 31, 2012 (the Extension Agreement);
- J. On June 28, 2012, FEI applied to the Commission for approval of the Extension Agreement (the Application);
- K. The Commission has reviewed the Application and considers that approval is warranted.

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 5th day of July 2012.

BY ORDER

Original signed by:

D.M. Morton
Commissioner