



**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER** C-12-12

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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 an Operating Agreement
with the City of Revelstoke

BEFORE: L.F. Kelsey, Commissioner
D.M. Morton, Commissioner
C.A. Brown, Commissioner December 13, 2012
N.E. MacMurchy, Commissioner
C. van Wermeskerken, Commissioner
B.A. Magnan, Commissioner

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS:

- A. BC Gas Utility Ltd. [now FortisBC Energy Inc. (FEI)] and the City of Revelstoke (Municipality) entered into a Operating Agreement dated February 15, 1991 (Franchise Agreement);
- B. The Franchise Agreement expired on December 31, 2011;
- C. On November 20, 2012, FEI applied to the British Columbia Utilities Commission (Commission) for approval of an Operating Agreement (Operating Agreement) between FEI and the Municipality, effective September 6, 2012 (Application);
- D. The Commission reviewed the Application, notes that the Operating Agreement is generally consistent with such agreements with other municipalities including a franchise fee, and considers that approval is warranted.

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

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1. If FEI informs the affected customers of the franchise fee by way of a customer notice, the notice is to be reviewed in advance by Commission Staff to confirm compliance with this Order.

DATED at the City of Vancouver, in the Province of British Columbia, this 17th of December 2012.

BY ORDER

Original signed by:

D.M. Morton
Commissioner