



ORDER NUMBER
C-3-17

IN THE MATTER OF
the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

FortisBC Energy Inc.
Application for Approval of Operating Agreement between
the Corporation of the Village of Fruitvale and FortisBC Energy Inc.

BEFORE:

D. M. Morton, Commissioner
W. M. Everett, Commissioner
D. J. Enns, Commissioner
H. G. Harowitz, Commissioner
M. Kresivo, Commissioner
B. A. Magnan, Commissioner

on April 6, 2017

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS:

- A. On March 15, 2017, and later revised on March 28, 2017, FortisBC Energy Inc. (FEI) applied to the British Columbia Utilities Commission (Commission) for approval of the Operating Agreement dated January 23, 2017 (Operating Agreement) between the Corporation of the Village of Fruitvale (Municipality) and FEI (Application) pursuant to section 45 of the *Utilities Commission Act*;
- B. FEI (formerly BC Gas Inc. and Terasen Gas Inc.) and the Municipality entered into a Franchise Agreement dated June 23, 1998 (Franchise Agreement). On October 27, 1998, Commission Order C-12-98 approved a Franchise Agreement covering the period April 21, 1996 to April 20, 2006 (Primary Term) and continuing from year-to-year thereafter, but not longer than 21 years;
- C. The term of the Franchise Agreement is set to expire on April 20, 2017;
- D. On January 23, 2017, FEI and the Municipality signed the Operating Agreement; and
- E. The Commission reviewed the Application and determines that approval of the Operating Agreement is in the public interest.

NOW THEREFORE the British Columbia Utilities Commission, pursuant to section 45 of the *Utilities Commission Act*, approves the Operating Agreement dated January 23, 2017, between the Corporation of the Village of Fruitvale and FortisBC Energy Inc. as filed.

DATED at the City of Vancouver, in the Province of British Columbia, this 6th day of April 2017.

BY ORDER

Original signed by:

D. M. Morton
Commissioner