



ORDER NUMBER
G-132-17

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

and

Application by Sun Peaks Utilities Co., Ltd.
For approval to transfer its gas utility operations to Resort Gas Ltd.

BEFORE:

B. A. Magnan, Commissioner / Panel Chair
D. J. Enns, Commissioner
W. M. Everett, QC, Commissioner
H. G. Harowitz, Commissioner
M. Kresivo, Commissioner

on August 24, 2017

ORDER

WHEREAS:

- A. On August 3, 2017, Sun Peaks Co., Ltd. (SPUCL) applied to the British Columbia Utilities Commission (Commission) pursuant to section 52 of the *Utilities Commission Act* (UCA) for approval of the sale to Resort Gas Ltd. of all of the assets and liabilities related to the propane gas utility currently operated by SPUCL;
- B. SPUCL submits that the transfer is considered necessary as Sun Peaks Mountain Resort Municipality intends to take over the provision of water and wastewater services to its residents by acquiring all of the shares of SPUCL from Sun Peaks Resorts LLP. Before the sale of the shares occurs, the propane gas assets and gas liabilities have to be transferred to the newly created Resort Gas Ltd. in order for Sun Peaks Resort LLP to retain ultimate ownership of the propane gas utility;
- C. Electoral approval was obtained and on July 25, 2017, the Municipality passed borrowing bylaws with respect to both the water and sewer utilities;
- D. SPUCL notified its propane gas customers of the proposed asset transfer via a newsletter included in the monthly invoices and as of the time of filing the Application, SPUCL had not received any negative responses to the proposed transaction;
- E. The Asset Sale Agreement is set to close on or before October 31, 2017; and
- F. The Commission has reviewed the Application and considers that a regulatory timetable should be established for a written process.

NOW THEREFORE in accordance with section 52 of the UCA, the British Columbia Utilities Commission orders as follows:

1. A regulatory timetable is established, as set out in Appendix A to this order.
2. SPUCL must provide notice of the Application and a copy of this order, via email and mail, to all SPUCL customers by September 8, 2017.
3. Customers of SPUCL are invited to submit letters of comment on the Application to the Commission by the dates established in the Regulatory Timetable attached as Appendix A to this Order. Letters of comment must be in the Letter of Comment Form available on the Commission's website at <http://www.bcuc.com/RegisterLetter-of-Comment.aspx>, and submitted by email to commission.secretary@bcuc.com or by mail, courier or personal delivery to the British Columbia Utilities Commission, Suite 410, 900 Howe Street, Vancouver, BC, V6Z 2N3.

DATED at the City of Vancouver, in the Province of British Columbia, this 25th day of August 2017.

BY ORDER

Original signed by:

B. A. Magnan
Commissioner

Application by Sun Peaks Utilities Co., Ltd.
For Approval to transfer its gas utility operations to Resort Gas Ltd.

REGULATORY TIMETABLE

Action	Date (2017)
SPUCL deadline to Provide Notice of Application to Customers	Friday, September 8th
Commission Information Requests (IRs)	Friday, September 8th
SPUCL Responses to Commission IRs	Friday, September 22nd
Deadline for Comments from Customers	Friday, September 29th
SPUCL Responses to Customer Comments and Customers Responses to other Customer Comments	Friday, October 6th