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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER C-5-14**

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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 District of Elkford

BEFORE: L.F. Kelsey, Commissioner
C.A. Brown, Commissioner
N.E. MacMurchy, Commissioner March 27, 2014
B.A. Magnan, Commissioner
D.M. Morton, Commissioner
R.D. Revel, Commissioner
C. van Wermeskerken, Commissioner

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS:

- A. FortisBC Energy Inc. (FEI), formerly known as BC Gas Utility Ltd. and Terasen Gas Inc., and the District of Elkford (Municipality) entered into an Operating Agreement dated November 1, 1992 (Franchise Agreement);
- B. The Franchise Agreement expired on October 23, 2013;
- C. British Columbia Utilities Commission (Commission) Order C-11-13 approved an amending agreement that extended the term of the Franchise Agreement to March 31, 2014;
- D. In Order and Decision G-113-12 the Commission ordered that amendments in the Operating Agreement between FEI and the District of Coldstream be incorporated into future operating agreements between FEI and municipalities;
- E. On February 28, 2014, FEI applied to the Commission for approval of an Operating Agreement (Operating Agreement) between FEI and the Municipality, effective April 1, 2014 (Application); and
- F. The Commission reviewed the Application and considers that approval is warranted.

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2

NOW THEREFORE pursuant to section 45 of the *Utilities Commission Act*, the British Columbia Utilities Commission approves the Operating Agreement between FortisBC Energy Inc. and the District of Elkford

DATED at the City of Vancouver, in the Province of British Columbia, this 27th of March 2014.

BY ORDER

Original Signed by:

D.M. Morton
Commissioner