



**BRITISH COLUMBIA
UTILITIES COMMISSION**

ORDER
NUMBER T-39-83

PROVINCE OF BRITISH COLUMBIA

BRITISH COLUMBIA UTILITIES COMMISSION

IN THE MATTER OF the Utilities Commission
Act, S.B.C. 1980, c. 60, as amended

and

IN THE MATTER OF an Application for a
Certificate of Public Convenience and
Necessity by Onyx Systems Corp.

BEFORE: M. Taylor,)
Chairman;)
R.J. Ludgate,) May 24, 1983
Commissioner; and)
W. Wolfe,)
Commissioner)

O R D E R

WHEREAS the Lieutenant Governor in Council issued
Order-in-Council No. 193 February 1, 1982 and directed the
Commission to hold hearings on any Applications received for
a Certificate of Public Convenience and Necessity for the
construction or operation of a pay-television undertaking;
and

WHEREAS the Commission issued a public notice
advising of the terms of reference of Order-in-Council
No. 193; and

WHEREAS Onyx Systems Corp. applied for a Certi-
ficate of Public Convenience and Necessity by an Application
dated July 30, 1982; and

WHEREAS the Application was heard by the Commis-
sion in Vancouver on April 21, 1983.

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NOW THEREFORE the Commission orders as follows:

1. Certificate of Public Convenience and Necessity No. T-39-83 issue to Onyx Systems Corp. covering the ownership, construction and operation of a pay-television undertaking serving The City of Vancouver, British Columbia, all as more particularly described in the Application and hearing record, subject to the following condition:
 - (a) The service offered by the undertaking must be provided at the rates and under the terms of service to be filed with the Commission prior to commencement of operation.
2. A complaint which the Commission finds is related to a matter which may be in contravention of the guidelines for enforcement of the obscenity provisions, Criminal Code of Canada may be referred to the Attorney General for investigation and the Commission may suspend the Certificate until such matter is concluded.
3. This Certificate will expire if Onyx Systems Corp. has not commenced the operation of the said pay-television undertaking prior to December 31, 1984.
4. No variation or alteration in the Certificate of Public Convenience and Necessity or this Order may be made without the approval of the Commission first obtained.

DATED at the City of Vancouver, in the Province of British Columbia, this 31st day of May, 1983.

BY ORDER


Chairman



Certificate T-39-83

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

ONYX SYSTEMS CORP.

is granted a certificate for the purpose of providing a pay-television undertaking
in the Province of British Columbia subject to the terms and conditions
contained in Commission Order No. T-39-83

British Columbia Utilities Commission

CHAIRMAN

Date: MAY 24, 1983