



BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER G-104-88

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 by
B.I.O. Gas Industries Inc.

BEFORE: N. Martin,)
Commissioner; and) November 3, 1988
W.M. Swanson, Q.C.,)
Commissioner)

O R D E R

WHEREAS on June 7, 1988, B.I.O. Gas Industries Inc. ("BIO Gas") applied to the British Columbia Utilities Commission ("the Commission") for exemption from the provisions of the Utilities Commission Act ("the Act"), other than Part 2; and

WHEREAS the landfill gas production and distribution operations of BIO Gas in the Corporation of the Township of Richmond, British Columbia, and proposed for the Corporation of the District of North Vancouver and for other municipally-owned or operated landfill sites in the Province of British Columbia, will sell landfill gas directly to industrial customers; and

WHEREAS the Commission has considered the Application and is satisfied that an Order properly conserves public convenience and interest.

NOW THEREFORE the Commission, pursuant to its powers under Section 103(3) of the Act, orders as follows:

1. BIO Gas and its equipment and facilities in place and to be put in place for the production and distribution of landfill gas at:
 - (i) the Richmond Landfill owned by the Fraser River Harbour Commission in the Corporation of the Township of Richmond; and
 - (ii) the Premier Street Landfill owned by and located in the Corporation of the District of North Vancouver;

are hereby exempted from the Application of Sections 27, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 45, 46, 47 and 51 through 70 of Part 3, and all of Parts 5 and 6, of the Act.

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2. That the conditions of this Exemption Order are:
- (i) BIO Gas shall ensure that its operations are in keeping with the terms of any agreement between BIO Gas and any municipality or municipalities within which it is operating.
 - (ii) BIO Gas shall construct, maintain and operate its physical plant in a safe manner and shall abide by all legislation, codes, regulations and rules applicable thereto.
 - (iii) In the event of complaint by any interested person, or on the Commission's own motion, any initiatives of BIO Gas related to the production and distribution of landfill gas in the Province of British Columbia may be reviewed by the Commission and the conditions of this Order may be varied, or this Order may be rescinded, by the Commission in the public interest.
 - (iv) BIO Gas shall file with the Commission on or before January 31, 1989, and annually thereafter, information in writing for the previous calendar year identifying its landfill gas production and distribution operations and sites, and the volumes of gas being sold and delivered.
3. This Exemption Order shall not have force and effect until after the date upon which it is approved by the Lieutenant Governor in Council, pursuant to Section 103(3) of the Act.

DATED at the City of Vancouver, in the Province of British Columbia, this 13th day of December, 1988.

BY ORDER



N. Martin
Commissioner