



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

and

IN THE MATTER OF Applications filed by  
Vancouver Island Gas Company Ltd., and  
Victoria Gas Company (1988) Ltd., and

Order No. G-98-90

BEFORE: N. Martin, )  
Commissioner and )  
Chairman of the Division; )  
H.J. Page, ) December 14, 1990  
Commissioner; and )  
K.L. Hall, )  
Commissioner )

### ORDER

#### **WHEREAS:**

- A. The Commission, by Order No. G-98-90, set down the Applications for Commission approval of Interim Operating Agreements ("the Applications") by Vancouver Island Gas Company Ltd. and Victoria Gas Company (1988) Ltd., (together called "the Applicant,") for a public hearing that will commence January 7, 1991 at Victoria, B.C.; and
- B. Pursuant to Order No. G-98-90 a pre-hearing conference was held on December 12, 1990 in Victoria, B.C.; and
- C. At the pre-hearing conference, the Applicant recommended a number of scheduling proposals in order to facilitate the exchange of information by the parties; and
- D. Participants stated that the Applicant had not entered into any meaningful negotiations with the municipalities identified in the Applications. The municipalities were concerned that any Operating Agreement must deal with their substantive concerns related to the planning, installation and operations of the Applicant; and
- E. The Applicant advised that construction activity is required to commence in some areas by February, 1991 if underground distribution grid systems are to be in service in time for the arrival of natural gas in the Vancouver Island Natural Gas Pipeline constructed by Pacific Coast Energy Corporation ("PCEC"); and
- F. The Commission has considered the evidence, information obtained during the pre-hearing conference, and requires that the schedule for the public hearing, as set forth in Order G-98-90, should be amended.

**NOW THEREFORE** the Commission orders as follows:

1. The public hearing into the Applications, set for January 7, 1991, is rescheduled.
2. The Applicant is to file written direct evidence and provide a response to Commission Staff Information Request No. 1, by December 21, 1990.
3. The Applicant is to immediately enter into meaningful negotiations with those municipalities identified in the Applications. Every effort should be made to reach agreement on the terms and conditions of either a Franchise Agreement or an Operating Agreement, whichever is desired by a municipality. Commission Staff are to be kept apprised of negotiation progress.
4. The Applicant is to advise the Commission in writing of any unresolved aspects of such agreement by 4:30 p.m., January 14, 1991.
5. If any substantive issues remain unresolved as at January 14, 1991, Commission Staff will be instructed to assist in the negotiations between the Applicant and the Municipalities as an independent third party in order to facilitate agreement on the remaining unresolved issues.
6. Failing final resolution of all issues by January 21, 1991, then both the Applicant and Intervenor are to file written direct testimony on unresolved issues with the Commission by January 24, 1991.
7. A public hearing will commence on Monday, January 28, 1991 at the Hotel Grand Pacific, 450 Quebec Street, Victoria, B.C.
8. The Notice of Public Hearing accompanying this Order is required to be published by December 22, 1990 in the same newspapers as specified in Order No. G-98-90.
9. Intervenor and Interested Parties who intend to participate at the hearing are required to register with the Commission by Friday, December 28, 1990.

**DATED** at the City of Vancouver, in the Province of British Columbia, this / 4 day of December, 1990.

BY ORDER



N. Martin  
Commissioner and  
Chairman of the Division



## NOTICE OF PUBLIC HEARING - RESCHEDULING

### THE APPLICATION

Vancouver Island Gas Company Ltd. and Victoria Gas Company (1988) Ltd. (together called "the Applicant") applied concurrently on November 30, 1990 for Commission Orders approving the Terms and Conditions of Interim Operating Agreements to construct, operate and maintain natural gas distribution facilities in municipalities on Vancouver Island and the Sunshine Coast.

The Commission reviewed the Agreements and by Order No. G-98-90 set the matter down for public hearing. A pre-hearing conference was held on December 12, 1990 that enabled the Applicant and interested parties to provide the Commission with critical information.

### CLARIFICATION

The Commission has requested that the Applicant meet with the municipalities or their representatives to address their concerns and has outlined the timing requirements in Order No. G-106-90. A copy of this Order and Notice was provided to interested parties that had registered with the Commission as at December 14, 1990.

### THE PUBLIC HEARING

The public hearing scheduled for January 7, 1991 is rescheduled to 9:00 a.m., Monday, January 28, 1991 at the Hotel Grand Pacific, 450 Quebec Street, Victoria, B.C.

### INTERVENTION AND CLARIFICATION

Intervenors and Interested Parties intending to be present or to be represented at the re-scheduled public hearing are advised to register with the Commission on or before December 28, 1990. In order that information is expedited to those parties, contact may be with Mr. R.J. Pellatt, Commission Secretary, or Mr. Paul Gronert, Manager, Petroleum Engineering by telephone (660-4700, B.C. Toll Free: 1-800-663-1385) or in writing.

BY ORDER

A handwritten signature in black ink, appearing to read "R. J. Pellatt", is written over the printed name.

Robert J. Pellatt  
Commission Secretary