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CANADA



BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER G-31-93

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

and

A Complaint Registered by the Vancouver Island Gas Joint Venture

BEFORE: M.K. Jaccard,)
Chairperson; and) April 23, 1993
L.R. Barr,)
Deputy Chairperson)

WHEREAS:

- A. The Binding Agreement that allowed Pacific Coast Energy Corporation ("PCEC") to construct and operate the Vancouver Island Natural Gas Pipeline ("VINGPL") was modified by Order in Council No. 437 with agreement by all parties to recognize October 1, 1991 as the date that officially meets the definition of start-up of the VINGPL; and
- B. The gas transportation toll formula as developed in Section 5.02 of the Gas Transportation Service Agreement between PCEC and the Vancouver Island Gas Joint Venture ("Joint Venture") requires that the BC Gas Inc. ("BC Gas") demand charge be included in the toll calculation; and
- C. The Bridging Agreement was approved by Order No. G-88-91 and covers the interim period until the final BC Gas Wheeling Agreement is approved; and
- D. On October 26, 1992 the Joint Venture filed a complaint ("the Complaint") with the Commission requesting that just and reasonable transportation tolls be determined for the period July to December 31, 1991; and
- E. Commission Order No. G-125-92 appointed Kenneth L. Hall as an Inquiry Officer into the Complaint pursuant to Section 93(2) of the Utilities Commission Act ("the Act") and required a Report to be submitted to the Commission by January 29, 1993 in accordance with specified Terms of Reference; and
- F. The Inquiry Officer prepared a Report and Recommendation dated January 27, 1993 ("the Report") which the Commission adopted and issued Order No. G-11-93; and
- G. On April 8, 1993 PCEC applied to the Commission pursuant to Section 114(1) of the Act for an order rescinding Order No. G-11-93 citing both Sections 64(1) and 100(1) of the Act which required a hearing to be held; and
- H. The Commission has reviewed the PCEC application.

NOW THEREFORE the Commission orders as follows:

1. Commission Order No. G-11-93 is stayed subject to further order of the Commission.

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2. PCEC, the Joint Venture, BC Gas, Squamish Gas Co. Ltd. ("Squamish Gas"), and the Ministry of Energy, Mines, and Petroleum Resources ("MEMPR") can examine the file of the Inquiry Officer.
3. PCEC is to file written argument on the Inquiry Officer's Report on or before May 17, 1993.
4. The Joint Venture, BC Gas, Squamish Gas, and MEMPR are to file their written argument, on the Report, including their reply, if any, to the PCEC argument on or before May 31, 1993.
5. PCEC is to file a reply, if any, to the arguments filed by the Joint Venture, BC Gas, Squamish Gas, and MEMPR on or before June 7, 1993.

DATED at the City of Vancouver, in the Province of British Columbia, this 21st day of April, 1993.

BY ORDER



Lorna R. Barr
Deputy Chairperson