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CANADA

BRITISH COLUMBIA UTILITIES COMMISSION	
ORDER NUMBER	C-1-94

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

and

An Application by Northland Utilities (B.C.) Limited

BEFORE: M.K. Jaccard, Chairperson; and)
K.L. Hall, Commissioner) January 20, 1994

O R D E R

WHEREAS:

- A. On December 24, 1993 Northland Utilities (B.C.) Limited ("NUL") applied to the Commission for approval of a Franchise Agreement ("the Agreement") with the City of Dawson Creek ("the City") commencing January 1, 1994, pursuant to Section 51 of the Utilities Commission Act ("the Act"); and
- B. City Council has approved the Agreement in principle but execution has been delayed pending approval under the Municipal Act of a by-law authorizing Council to enter into the Agreement. The by-law approving the Agreement is subject to approval in principle by the Minister of Municipal Affairs, Recreation and Culture ("the Minister"); and
- C. The Agreement replaces an earlier Franchise Agreement approved by the City's By-Law No. 1405 dated March 14, 1973, which was for the term January 1, 1972 to January 2, 1993; and
- D. The City and NUL entered into a Letter Agreement which permitted NUL to operate in the City during 1993 in the period when neither of the Franchise Agreements were in effect in return for a licence fee; and
- E. The Commission has reviewed the Application and supporting documentation and finds that approval of the Agreement is necessary for the public convenience and properly conserves the public interest.

NOW THEREFORE the Commission orders as follows:

1. Pursuant to Section 51(4) of the Act, the Commission approves in principle the Agreement between NUL and the City dated January 1, 1994 provided that such determination, approval and grant shall not restrict

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any regulatory power of the Commission. The accounting treatment of the franchise fee and 1993 licence fee is covered by Commission Order No. G-6-94.

2. The City will file with the Commission a fully executed copy of the Agreement and a fully-executed copy of the By-Law following its approval by the Minister.
3. The Commission approves the May 28, 1993 Letter Agreement between NUL and the City, which allows NUL to operate in the City.

DATED at the City of Vancouver, in the Province of British Columbia, this 1st day of February, 1994.

BY ORDER



Dr. Mark K. Jaccard
Chairperson