



SIXTH FLOOR, 900 HOWE STREET, BOX 250
VANCOUVER, B.C. V6Z 2N3
CANADA

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

and

An Application by Treminco Resources Ltd.
to Reverse the Commission's Decision Made by Letter No. L-35-94

BEFORE: M.K. Jaccard, Chairperson;)
L.R. Barr, Deputy Chairperson; and) May 18, 1995
K.L. Hall, Commissioner)

O R D E R

WHEREAS:

- A. On March 24, 1995 Treminco Resources Ltd. ("Treminco") applied to the Commission for a reversal of the Commission's Decision in Letter No. L-35-94 that declared the Treminco electrical power plant, and distribution facilities ("the electrical plant") located at Sandon, B.C., be deemed a public utility under the Utilities Commission Act ("the Act"); and
- B. On April 24, 1995, Treminco advised the Commission that it would be terminating electricity service to the residents of Sandon, effective May 31, 1995, in order to facilitate the sale of the facility; and
- C. On May 5, 1995 Treminco advised the Commission that an offer to purchase the assets of the corporation, including the electrical plant, was accepted, and that the prospective owner was in the process of arranging financing; and
- D. On May 5, 1995 Mr. Robert Samuel Fleming, Barrister, representing two electrical customers served by the electrical plant, applied to the Commission to issue an Order prohibiting Treminco from terminating service until Treminco receives permission to do so from the Commission pursuant to Sections 44, 45 and 47 of the Act; and
- E. The Commission is in receipt of a number of requests from the residents of Sandon to use its office to keep the electrical plant operating as it is the only reliable source of electricity in the community; and

F. The Commission has reviewed the matter and finds that a Public Inquiry, under the auspices of a single Inquiry Officer, to review Treminco's application is required in order for the Commission to make a decision.

NOW THEREFORE the Commission orders as follows:

1. The Commission, pursuant to Section 93(2) of the Act, appoints Commissioner Harold Page as Inquiry Officer to inquire into and report on all aspects of the Treminco application, including the distribution facilities of the electrical plant. The Inquiry Officer will be assisted by Commission staff Mr. W.J. Grant, Executive Director and Mr. N.C.J. Smith, Manager, Electrical Engineering.
2. The Commission will hold a Public Inquiry into this matter in the Sandon Museum on Slocan Star Street in Sandon on May 31, 1995 commencing at 9:00 a.m.
3. Interested Parties who wish to participate in the Inquiry can do so either in person or by making written submissions to the Commission Secretary by May 29, 1995.
4. The Notice of Public Inquiry, attached as Appendix A of this Order, is to be delivered to all the residents and customers of the Sandon electrical power plant as soon as possible in order to provide timely notification to all interested parties.

DATED at the City of Vancouver, in the Province of British Columbia, this *18th* day of May, 1995.

BY ORDER



Dr. Mark K. Jaccard
Chairperson

Attachment



SIXTH FLOOR, 900 HOWE STREET, BOX 250
VANCOUVER, B.C. V6Z 2N3
CANADA

TELEPHONE: (604) 660-4700
BC TOLL FREE: 1-800-663-1385
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NOTICE OF PUBLIC INQUIRY

Into the Application by Treminco Resources Ltd., Respecting the Public Utility Classification of the Sandon Electrical Power Plant and Distribution Facilities

THE APPLICATION

On March 24, 1995 Treminco Resources Ltd. ("Treminco") applied to the Commission for a reversal of the Commission's Decision in Letter No. L-35-94 that declared the Treminco electrical power plant, and distribution facilities ("the electrical plant") located at Sandon, B.C., be deemed a public utility under the Utilities Commission Act ("the Act").

The purpose of the Public Inquiry is to ensure that all issues relating to the Application by Treminco are reviewed in a public forum before the Commission, pursuant to Sections 86 and 93 of the Act. Commissioner Harold J. Page has been appointed Inquiry Officer to review this matter and to report and make recommendations to the Commission.

PUBLIC INQUIRY

The Commission invites all interested parties to attend and participate in the Public Inquiry. The date, time and location are as follows:

Location:	Sandon Museum Slocan Star Street
Date:	May 31, 1995
Time:	9:00 a.m. local time Sandon, B.C.

SUBMISSIONS IN WRITING

Persons who are unable to attend the Public Inquiry, but wish to make a statement or present evidence, should send written submissions to the Commission Secretary, on or before May 29, 1995.

CLARIFICATION

Persons intending to participate in the Public Inquiry should advise the Commission Secretary, Mr. R. J. Pellatt, or Mr. Neptune Smith, Manager, Electrical Engineering; by telephone at 660-4700, or B.C. Toll Free: 1-800-663-1385, by fax at (604) 660-1102, or in writing to Box 250, 900 Howe Street, Vancouver, B.C., V6Z 2N3. The Commission can also be reached on the InterNet at RPELLAT@GALAXY.Gov.BC.CA or on the Government Electronic Mail System ("GEMS") at RPELLAT@BCSC.

BY ORDER

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

Robert J. Pellatt
Commission Secretary