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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 Alberta Power Limited
for an Exemption Covering the Sale of Power

BEFORE: M.K. Jaccard, Chairperson;)
L.R. Barr, Deputy Chairperson; and) June 1, 1995
K.L. Hall, Commissioner)

O R D E R

WHEREAS:

- A. On December 22, 1994 Alberta Power Limited ("APL") filed with the Commission, an Application for exemption from the provisions of the Utilities Commission Act ("the Act") for the supply of power by APL to Home Oil Company Limited's ("Home Oil") Gas Plant at Kahntah, B.C.; and
- B. APL proposes to serve Home Oil by constructing a 68 km 25 kV line from its Ring Creek substation in Alberta to Home Oil's Kahntah gas plant in British Columbia, and will supply up to 4.5 MW in 1995, increasing to 7.5 MW in the year 2,000; and
- C. By Order No. E-7-95 dated February 20, 1995, the Commission approved the Electric Service Agreement between APL and Home Oil dated February 1, 1995; and
- D. On September 12, 1994 the Ministry of Municipal Affairs, Recreation and Culture - Electrical Safety Branch, issued to APL an Annual Utility Permit allowing the utility to perform and operate electrical work on the project in British Columbia; and
- E. On November 9, 1994 the Ministry of Environment, Lands and Parks issued to APL a Temporary Permit - General, allowing for the construction of the power line on Crown Lands in British Columbia; and

- F. On August 16, 1994 British Columbia Hydro and Power Authority confirmed that it had no plans to ~~construct a transmission line from Fort St. John, 200 km away, to supply Home Oil's gas plant at Kahntah, B.C.;~~ and
- G. The Commission has considered the Application and is satisfied that an Order exempting APL from certain sections of the Act properly conserves the public interest; and
- H. On May 17, 1995 the approval of the Lieutenant Governor in Council was given to the said exemption by Order in Council No. 0557, 1995, attached as Appendix A; and
- I. The Commission may, pursuant to Section 114 of the Act, reconsider, vary or rescind an Order made by it.

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

1. The sale of power by APL to Home Oil is exempted from the application of the Act, other than Part 2 and Sections 29 and 30 effective May 17, 1995.
2. APL is responsible for the safe and proper operation of its plant facilities consistent with the requirements of the Electrical Safety Branch.

DATED at the City of Vancouver, in the Province of British Columbia, this *1st* day of June 1995.

BY ORDER


Dr. Mark K. Jaccard
Chairperson

Attachment

PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No.

0557

, Approved and Ordered MAY 17, 1995



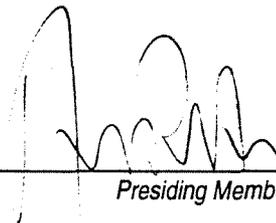
Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that approval is given to the British Columbia Utilities Commission (the Commission) to exempt Alberta Power Limited (APL) from the application of Part 3 of the *Utilities Commission Act*, except sections 29 and 30 and subject to the powers of the Commission under those sections, in respect of the sale of electricity by APL to Home Oil Company Limited (Home) at its Kahntah Gas Processing Plant approximately 135 kilometres southeast of Fort Nelson, British Columbia, pursuant to an agreement dated February 1, 1995 entered into by APL and Home.



Minister of Energy, Mines and Petroleum Resources



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section:- Utilities Commission Act, section 103 (3)

Other (specify):- _____

April 7, 1995

466/95/13/sas