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CANADA



BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER C-10-98

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IN THE MATTER OF
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473

and

An Application by BC Gas Utility Ltd.
for Approval of a Standard Form Franchise Agreement with
The Corporation of the City of Enderby

BEFORE: P. Ostergaard, Chair)
L.R. Barr, Deputy Chair) June 25, 1998

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS:

- A. On June 19, 1998, BC Gas Utility Ltd. ("BC Gas") applied to the Commission for approval of a Standard Form Franchise Agreement ("the Agreement"), dated June 16, 1998, with The Corporation of the City of Enderby ("the City") pursuant to Section 45(7) of the Utilities Commission Act ("the Act"); and
- B. The Agreement replaces a 21-year Gas Franchise Agreement, approved by B.C. Energy Commission Order No. C-4-79, between Inland Natural Gas Co. Ltd. (a predecessor company to BC Gas) and the City, which expires July 19, 1998; and
- C. Municipal By-Law No. 1223, 1997 ratified the Agreement and received statutory approval under the Municipal Act on January 30, 1998; and
- D. The Commission has reviewed the Agreement and finds that approval is necessary and in the public interest.

NOW THEREFORE pursuant to Section 45(7) of the Act, the Commission approves the June 16, 1998 Standard Form Franchise Agreement between BC Gas and the City covering the ten-year Primary Term to September 5, 2008, and continuing from year-to-year after the expiry of the Primary Term until terminated by either party upon 12-months written notice of termination received one year prior to the expiry of the Primary Term or any anniversary thereafter, but not longer than 21 years.

DATED at the City of Vancouver, in the Province of British Columbia, this 7th day of July, 1998.

BY ORDER

Original signed by:

Peter Ostergaard
Chair