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CANADA



BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER C-12-98

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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 Village of Fruitvale

BEFORE: P. Ostergaard, Chair)
L.R. Barr, Deputy Chair) June 30, 1998
K.L. Hall, Commissioner)

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS:

- A. On June 24, 1998, BC Gas Utility Ltd. ("BC Gas") applied to the Commission for approval of a Standard Form Franchise Agreement ("the Agreement"), dated June 23, 1998, with The Corporation of the Village of Fruitvale ("the Village") 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. G-13-75, between Inland Natural Gas Co. Ltd. (a predecessor company to BC Gas) and the Village which expired April 21, 1996; and
- C. Municipal By-Law No. 571, 1995 ratified the Agreement and received statutory approval under the Municipal Act on November 13, 1996; 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 23, 1998 Standard Form Franchise Agreement between BC Gas and the Village covering the ten-year Primary Term commencing April 21, 1996 and expiring April 20, 2006, 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 27th day of October, 1998.

BY ORDER

Original signed by:

Peter Ostergaard
Chair