



BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER C-17-98

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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 City of Castlegar

BEFORE: P. Ostergaard, Chair)
L.R. Barr, Deputy Chair) November 12, 1998
F.C. Leighton, Commissioner)

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS:

- A. On November 8, 1998, BC Gas Utility Ltd. ("BC Gas") applied to the Commission for approval of a Standard Form Franchise Agreement ("the Agreement"), dated October 13, 1998, with the City of Castlegar ("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-13-80, between Inland Natural Gas Co. Ltd. (a predecessor company to BC Gas) and the City, which expired August 30, 1998; and
- C. Municipal By-Law No. 834, 1998 ratified the Agreement which received statutory approval under the Municipal Act on February 9, 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 October 13, 1998 Standard Form Franchise Agreement between BC Gas and the City covering the ten-year Primary Term commencing August 30, 1998 and expiring August 29, 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 19th day of November, 1998.

BY ORDER

Original signed by:

Peter Ostergaard
Chair