



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

and

an Application by Aquila Canada Corp.
for an Agents/Brokers/Marketers Licence

BEFORE: P. Ostergaard, Chair)
L.R. Barr, Deputy Chair)
B.L. Clemenhagen, Commissioner)
K.L. Hall, Commissioner) April 15, 1999
F.C. Leighton, Commissioner)
D. Rayner, Commissioner)

O R D E R

WHEREAS:

- A. On December 17, 1998, Aquila Canada Corp. ("Aquila") applied to the Commission for an Agents/Brokers/Marketers ("A/B/M") Licence. On January 27, 1999, Aquila responded to a staff information request and provided the Commission with the required information and a Surety/Performance Bond in the amount of \$250,000 with Seaboard Surety Company Canada. The Bond will be used to guarantee the performance of Aquila's gas supply contracts for supply to the BC Gas Utility Ltd. distribution grid system; and
- B. On April 12, 1999, Aquila advised that Order and Licence No. A-1-99 were issued incorrectly to a related company and requested that they be reissued in the name of Aquila Canada Corp.; and
- C. The Commission has reviewed Aquila's application and, relying upon the information and representations made by Aquila in the application, finds that approval of an A/B/M Licence, subject to conditions, is required.

NOW THEREFORE the Commission orders as follows:

1. Order and Licence No. A-1-99 is rescinded.
2. The Commission issues to Aquila an A/B/M Licence for the period up to and including October 31, 1999.

3. The A/B/M Licence is issued subject to the following conditions:

- 3.1 The A/B/M Licence is restricted to activities involving customers of BC Gas Utility Ltd.;
- 3.2 Aquila will carry out the undertakings set out in Section 19 of its December 17, 1998 Application;
- 3.3 Aquila will comply with the approved A/B/M Code of Conduct;
- 3.4 Aquila will maintain a Performance Bond or acceptable substitute in full force and effect for the duration of the A/B/M Licence;
- 3.5 Aquila will maintain a Working Capital position of at least \$50,000 and a Current Ratio of current assets to current liabilities of at least 1.10;
- 3.6 The Commission may, at any time and without prior notice to Aquila, withdraw the A/B/M Licence for reasons the Commission, in its sole discretion, deems and considers sufficient; and
- 3.7 The A/B/M Licence and all copies of it shall remain the property of the Commission and Aquila will return these documents forthwith upon written request from the Commission.

DATED at the City of Vancouver, in the Province of British Columbia, this 16th day of April 1999.

BY ORDER

Original signed by:

Peter Ostergaard
Chair

Attachment



CERTIFICATE A-2-99

AGENTS/BROKERS/MARKETERS LICENCE

AQUILA CANADA CORP.

is granted a licence for the purpose of providing advice to, or acting on behalf of, core market customers purchasing gas directly in the Province of British Columbia subject to the terms and conditions contained in Commission Order No. A-2-99, which are set out on the reverse of the Licence.

BRITISH COLUMBIA UTILITIES COMMISSION

Original signed by:

DATE: APRIL 15, 1999

CHAIR

EXPIRES: OCTOBER 31, 1999

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3. Aquila will comply with the approved A/B/M Code of Conduct.
4. Aquila will maintain a Performance Bond or acceptable substitute in full force and effect for the duration of the A/B/M Licence.
5. Aquila will maintain a Working Capital position of at least \$50,000 and a Current Ratio of current assets to current liabilities of at least 1.10.
6. The Commission may, at any time and without prior notice to Aquila, withdraw the A/B/M Licence for reasons the Commission, in its sole discretion, deems and considers sufficient.
7. The A/B/M Licence and all copies of it shall remain the property of the Commission and Aquila will return these documents forthwith upon written request from the Commission.