



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

An Application by Cal-Gas Inc.
for Approval of a Certificate of Public Convenience and Necessity
for Propane Grid Systems at the Kicking Horse Mountain Resort

BEFORE: P. Ostergaard, Chair)
B.L. Clemenhagen, Commissioner)
R.D. Deane, Commissioner) November 8, 2001
K.L. Hall, Commissioner)
N.F. Nicholls, Commissioner)

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS:

- A. On August 31, 2001, Cal-Gas Inc. ("Cal-Gas") applied for a Certificate of Public Convenience and Necessity ("CPCN") to construct and operate two underground propane grid systems at Kicking Horse Mountain Resort (the "Resort") near Golden, British Columbia; and
- B. The two systems are identified as "Whispering Pines", a townhouse development and "Purcell Woods", single family lot development; and
- C. Cal-Gas has entered into an agreement with respect to the provision of propane services at these developments with Kicking Horse Mountain Resort Limited Partnership ("KHMRLP"), the owner-developer of the property; and
- D. At the end of three years, if KHMRLP wishes to change the supplier of propane, Cal-Gas will sell the grid system to them at a sliding scale price; and
- E. Cal-Gas has described its emergency response plan and provided a 24-hour contact number for emergency calls; and
- F. Cal-Gas has filed proposed Rate Schedules and Terms and Conditions for service; and
- G. The variable propane rate to be charged to customers will be a variable-market rate determined on a monthly basis as the weighted monthly average of the contract price agreed between Cal-Gas and KHMRLP, and the contract price is based on posted market prices for propane supply; and
- H. The Commission has reviewed the Application and the supporting documentation received to date and has determined that the construction and operation of the two underground propane grid systems by Cal-Gas is necessary and properly conserves the public interest.

NOW THEREFORE pursuant to Section 45 of the Utilities Commission Act, the Commission orders as follows:

1. The Commission approves a Certificate of Public Convenience and Necessity for the construction and operation of two underground propane grid systems at the Whispering Pines and Purcell Woods developments at the Resort, with Cal-Gas being responsible for obtaining all other necessary licences, permits and agency approvals.
2. Cal-Gas must furnish the Commission with a copy of the approval of the Provincial Gas Inspector for the propane grid systems.
3. Cal-Gas must file a copy of the final agreement between Cal-Gas and KHMRLP.
4. The Commission approves the proposed Terms and Conditions of Service and Rate Schedules, subject to timely filing of signed Tariff pages.
5. Cal-Gas must maintain separate accounts, and must file Annual Reports which summarize the results of utility operations, in a form to be developed in consultation with Commission staff.
6. Cal-Gas must provide a copy of this Order, and the 24-hour emergency contact number to each new customer, and must maintain a copy of its approved Terms and Conditions of Service and Rate Schedules available for inspection by customers.

DATED at the City of Vancouver, in the Province of British Columbia, this 13th day of November, 2001.

BY ORDER

Original signed by:

Peter Ostergaard
Chair