



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

and

An Application by Toby Creek Utilities Co. Ltd.  
for Approval of a Certificate of Public Convenience and Necessity  
for a Propane Gas Distribution Utility

**BEFORE:** P. Ostergaard, Chair )  
R.D. Deane Commissioner )  
K.L. Hall, Commissioner ) June 13, 2002  
N.F. Nicholls, Commissioner )

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

**WHEREAS:**

- A. On May 31, 2002, Toby Creek Utilities Co. Ltd. ("TCU") applied, pursuant to Sections 45 and 46 of the Utilities Commission Act ("the Act"), for a Certificate of Public Convenience and Necessity ("CPCN") to operate a propane gas distribution system at the resort community of Panorama Mountain Village British Columbia ("the Resort"), and requested approval of rates for gas service effective June 1, 2002 and a Gas Tariff, General Terms and Conditions of Service; and
- B. The nearest natural gas pipeline terminates 80 km away and it is not currently economic to extend natural gas service to the Resort; and
- C. On August 18, 2000, TCU entered into a 10-year agreement with BCG Services Inc. ("BCGS"), a subsidiary of BC Gas Inc., to supply the services to operate the propane grid and storage system. BCGS will also negotiate for the bulk propane supply, design and operate the grid system, train TCU staff, respond to emergencies, and otherwise provide normal utility support services for TCU; and
- D. The Application states that the propane system proposals were outlined and scrutinized in the Panorama Mountain Village Comprehensive Development Plan and Official Community Plan. TCU indicates that there were no public concerns raised over the centralized propane storage and distribution system; and

E. The Commission has reviewed the application and supporting documentation and has determined that construction and operation of a propane grid system by TCU is necessary and properly conserves the public interest.

**NOW THEREFORE** pursuant to Section 45 of the Act the Commission directs as follows:

1. The Commission approves the issuance of a Certificate of Public Convenience and Necessity for TCU for the construction and operation of a propane gas distribution grid system at Panorama Mountain Village.
2. TCU will file Annual Reports, which summarize the results of the Utility's operations, in a form to be developed in consultation with Commission staff.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 20<sup>th</sup> day of June 2002.

BY ORDER

*Original signed by:*

Peter Ostergaard  
Chair