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**BRITISH COLUMBIA  
UTILITIES COMMISSION**

**ORDER  
NUMBER C-10-04**

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

**and**

**An Application by Terasen Gas Inc.  
for Approval of an Extension to the Gas Franchise Agreement  
with the City of Kimberley**

**BEFORE:** L.F. Kelsey, Commissioner  
K.L. Hall, Commissioner December 23, 2004

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

**WHEREAS:**

- A. On October 18 , 2004, Terasen Gas Inc. ("Terasen Gas") applied to the Commission for approval of an extension to the gas Franchise Agreement ("the Application") with the City of Kimberley ("the City"); and
- B. The Franchise Agreement has a 21-year term that expired on July 3, 2004; and
- C. The Application requests an extension with modifications of the Franchise Agreement to December 31, 2004; and
- D. The Commission has reviewed the Application and considers that approval is warranted.

**NOW THEREFORE** the Commission, pursuant to Section 45 of the Utilities Commission Act, approves the extension of the gas Franchise Agreement from July 4, 2004 to December 31, 2004. The Commission continues to note that Terasen Gas' extension requests are filed subsequent to the expiry terms of the gas Franchise Agreements. Future extension requests must be filed prior to the expiry terms with extensions that encompass a reasonable negotiating time frame.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 5<sup>th</sup> of January 2005.

**BY ORDER**

*Original signed by:*

L.F. Kelsey  
Commissioner