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**BRITISH COLUMBIA  
UTILITIES COMMISSION**

**ORDER  
NUMBER** G-134-06

TELEPHONE: (604) 660-4700  
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**IN THE MATTER OF  
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473**

**and**

**An Application by Unocal Canada Limited ("Unocal")  
for an Exemption from all Provisions of the Utilities Commission Act  
for the Aitken Creek Storage Facility**

**BEFORE:** R.H. Hobbs, Chair October 31, 2006

**O R D E R**

**WHEREAS:**

- A. The Commission, by Letter No. L-47-06 dated August 25, 2006, advised Unocal Canada Limited ("Unocal") that it had concluded that Unocal, as owner and/or operator of the Aitken Creek Storage Facility, falls within the definition of a public utility under the Utilities Commission Act (the "Act"); and
- B. By Order No. G-107-06 dated September 8, 2006, pursuant to Sections 45, 46, 90 and 91 of the Act the Commission granted Unocal a Certificate of Public Convenience and Necessity on an interim basis for the operation of the Aitken Creek Storage Facility as it currently exists, and accepted for filing pursuant to Sections 59, 61, 90 and 91 of the Act, five Gas Storage Agreements and the General Terms and Conditions for Firm Natural Gas Storage; and
- C. By Order No. G-128-06 dated October 27, 2006, the Commission accepted for filing on an interim basis, effective November 1, 2006 a Firm Natural Gas Storage Agreement between Unocal and Westcoast Energy Inc., subject to the filing of the fully executed agreement in a timely fashion; and
- D. By a submission dated October 24, 2006, Unocal applied to the Commission, pursuant to Section 88(3) of the Act, for an order exempting it from all provisions of the Act (the "Application"); and

- E. Section 88(3) of the Act provides that the Commission may, on conditions it considers advisable, with the advance approval of the Lieutenant Governor in Council, exempt a person, equipment or facilities from the application of all or any of the provisions of the Act; and
- F. The Commission considers that it should establish a Regulatory Timetable for review of the Application.

**NOW THEREFORE** the Commission orders as follows:

1. Parties having an interest in the Application may make written submissions to the Commission, with a copy to Unocal, by Wednesday, November 22, 2006, addressing procedural matters that include, but may not be limited to the following:
  - identification of the interest of the party in the Application,
  - identification of the principal issues arising from or related to the Application,
  - whether the review should proceed by a written or oral public hearing, or some other process,
  - steps and timetable associated with the regulatory review process, and
  - other matters that will assist the Commission to efficiently review the Application.
2. Unocal may submit a written reply to the submissions of other parties by Thursday, November 30, 2006.
3. After receiving the written submissions, the Commission will issue a further procedural Order and Regulatory Timetable for review of the Application.
4. Unocal will publish, as soon as possible, in display-ad format, the Notice of Written Submission Process attached as Appendix A to this Order, in the Vancouver Sun and Province, the Victoria Times Colonist, the Calgary Herald and the Alaska Highway News.
5. The Application, together with any supporting materials, will be made available for inspection at the Unocal office at 500-5<sup>th</sup> Avenue S.W. in Calgary, and at the Commission's office and on the Commission's website at [www.bcuc.com](http://www.bcuc.com).

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6. Intervenors and Interested Parties should register with the Commission, in writing, by Monday, November 20, 2006. Intervenors should specifically state the nature of their interest in the Application and identify generally the nature of the issues that they intend to pursue during the proceeding and the nature and extent of their anticipated involvement in the review process.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 31<sup>st</sup> day of October 2006.

BY ORDER

*Original signed by:*

Robert H. Hobbs  
Chair

Attachment



An Application by Unocal Canada Limited ("Unocal")  
for an Exemption from all Provisions of the Utilities Commission Act  
for the Aitken Creek Storage Facility

**NOTICE OF APPLICATION AND SUBMISSION PROCESS**

**THE APPLICATION**

In Letter No. L-47-06 the Commission concluded that Unocal, as owner and/or operator of the natural gas storage facility located at Aitken Creek in British Columbia, falls within the definition of a public utility in the Utilities Commission Act (the "Act"). By Application dated October 24, 2006, Unocal requests an order from the Commission exempting it from all provisions of the Act (the "Application").

**REQUEST FOR SUBMISSIONS**

The Act provides that the Commission may with the advance approval of the Lieutenant Governor in Council, exempt a person, equipment or facility from all or any of the provisions of the Act.

As set out in Order No. G-134-06, parties with an interest in the Application may make written submissions to the Commission, with a copy to Unocal, by Wednesday, November 22, 2006 regarding the appropriate process for review of the Application. Unocal may submit a written reply by Thursday, November 30, 2006.

**PUBLIC INSPECTION OF THE DOCUMENTS**

The Application and supporting material will be made available for inspection at the Unocal office at 500-5<sup>th</sup> Avenue S.W. in Calgary, Alberta, and at the British Columbia Utilities Commission office, Sixth Floor, 900 Howe Street, Vancouver, B.C., V6Z 2N3.

The Application will be available for viewing on the Commission's website at <http://www.bcuc.com> > *Proceedings & Agendas* > *Current Applications*.

All submissions and/or correspondence received from active participants or the general public relating to the Application will be placed on the public record and posted to the Commission's web site.

**INTERVENTIONS**

Persons who expect to actively participate in the proceeding for the review of the Application should register as Intervenor with the Commission, and should identify the issues that they intend to pursue and the nature and extent of their anticipated involvement in the review process. Persons not expecting to actively participate, but who have an interest in the proceeding should register as Interested Parties. Intervenor and Interested Parties are to register in writing, by Monday, November 20, 2006, identifying their interest in the Application.

Intervenors will each receive a copy of the Application and all correspondence and filed documentation, and should provide an e-mail address if available. Interested Parties will receive a copy of the Application excluding the Appendices, and all Orders and Decisions issued.

All submissions and/or correspondence received from active participants or the public relating to the Application will be placed on the public record and posted to the Commission's web site.

### **FURTHER INFORMATION**

For further information, please contact Mr. Robert J. Pellatt, Commission Secretary, or Mr. Brian Williston, Director, Engineering and Commodity Markets, as follows:

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