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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER F-9-07**

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

and

**An Application for Participant Assistance/Cost Award
regarding the Fortis Inc. Application for Approval
of the Acquisition of the Issued and Outstanding Shares of Terasen Inc.**

BEFORE: L.A. Zaozirny, Panel Chair & Commissioner
A.W. Keith Anderson, Commissioner May 29, 2007
R.J. Milbourne, Commissioner

ORDER

WHEREAS:

- A. On March 1, 2007 Fortis Inc. ("Fortis") applied pursuant to Section 54 of the *Utilities Commission Act* (the "Act") for an Order approving the acquisition of all of the issued and outstanding shares of Terasen Inc. ("Terasen") which would cause Fortis to have indirect control of certain public utilities regulated by the British Columbia Utilities Commission (the "Commission") (the "Application"); and
- B. The public utilities are Terasen Gas Inc. ("TGI"), Terasen Gas (Vancouver Island) Inc. ("TGVI"), Terasen Gas (Whistler) Inc. ("TGW") and Terasen Energy Services Inc. ("TES") (collectively the "Terasen Utilities"); and
- C. TGI, TGVI, TGW and TES are wholly-owned subsidiaries of Terasen; and
- D. Fortis, 3211953 Nova Scotia Company and Kinder Morgan, Inc. have entered into an agreement dated February 26, 2007 under which Fortis will acquire all of the issued and outstanding shares of Terasen; and
- E. By Order No. G-22-07 the Commission established a Written Public Hearing Process, Procedural Conference and Regulatory Timetable for the review of the Fortis Application. On April 13, 2007, Submissions were received from the Ministry of Energy, Mines and Petroleum Resources, the BC Old Age Pensioners Organization *et al.*, the Vancouver Island Gas Joint Venture and Mr. Alan Wait; and
- F. On April 13, 2007 Fortis filed its Reply Submission; and
- G. On April 30, 2007 the Commission issued Order No. G-49-07 and its Reasons for Decision approving the Fortis application to acquire all of the issued and outstanding shares of Terasen Inc.; and

**BRITISH COLUMBIA
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2

- H. On May 8, 2007 the British Columbia Public Interest Advocacy Centre (“BCPIAC”), on behalf of its client the BC Old Age Pensioners Organization *et al.*, applied for a cost award with respect to its participation in the proceeding; and
- I. The Commission has reviewed the BCPIAC PACA application with regard to the criteria and rates set out in Commission Order No. G-15-04.

NOW THEREFORE the Commission orders as follows:

1. Pursuant to Section 118(1) of the Utilities Commission Act, the Commission awards funds to BCPIAC for its participation in the Fortis Application to Acquire the Issued and Outstanding Shares of Terasen Inc, in the amount of \$2,687.10.
2. Fortis is to reimburse BCPIAC for the total amount awarded in a timely fashion.

DATED at the City of Vancouver, in the Province of British Columbia, this 6th day of June 2007.

BY ORDER

Original signed by

L.A. Zaozirny
Panel Chair & Commissioner