

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER** G-37-09

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

and

**An Application by Dockside Green Energy LLP
for Approval of the Transfer of Units in Dockside Green Energy LLP
from Windmill West Properties LLP to Vancity Capital Corporation**

BEFORE: P.E. Vivian, Commissioner April 16, 2009
D.A. Cote, Commissioner

O R D E R

WHEREAS:

- A. On March 6, 2009, Dockside Green Energy LLP ("Dockside") applied to the British Columbia Utilities Commission (the "Commission") pursuant to section 54 of the *Utilities Commission Act* (the "Act") for approval to transfer a 17 percent unit interest in Dockside from Windmill West Properties LLP ("Windmill") to Vancity Capital Corporation ("Vancity") (the "Application"); and
- B. Dockside is a limited liability partnership incorporated under the laws of the Province of British Columbia and the current ownership interests are set out in the table below:

PARTNERS	UNITS	INTEREST
Corix Utilities Inc. ("Corix")	17,000	17 %
Windmill	17,000	17 %
Vancity	49,000	49 %
Terasen Energy Services Inc. ("TES")	17,000	17 %

- C. Windmill proposed to transfer its 17 percent unit interest in Dockside to Vancity for fair market value (the "Transaction"). If the proposed Transaction is approved, Vancity will have a 66 percent unit interest in Dockside; and
- D. Dockside submits that Corix and TES support the Transaction; and
- E. Dockside responded to Commission Information Request No. 1 on March 17, 2009 and Commission Information Request No. 2 on April 2, 2009; and

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F. Regarding the issue of First Nations Consultation and Accommodation, Dockside submits that the transfer of Dockside partnership units does not involve any action by the Crown that would trigger the Crown's duty to consult; and

G. Section 54(9) of the Act states:

"The commission may give its approval under this section subject to conditions and requirements it considers necessary or desirable in the public interest, but the commission must not give its approval under this section unless it considers that the public utility and the users of the service of the public utility will not be detrimentally affected."

H. The Commission has reviewed the Application, the responses to the information requests and has determined that the public utility and the users of the service will not be detrimentally affected.

NOW THEREFORE pursuant to section 54 of the Act, the Commission approves for Dockside the transfer of a 17 percent unit interest in Dockside from Windmill to Vancity.

DATED at the City of Vancouver, in the Province of British Columbia, this 16th day of April 2009.

BY ORDER

Original signed by:

P.E. Vivian
Commissioner