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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER P-9-08**

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**IN THE MATTER OF
the Pipeline Act, R.S.B.C. 1996, Chapter 364**

and

**Trans Mountain (Jet Fuel) Inc.
for 2009 Interim Tolls**

BEFORE: L.F. Kelsey, Commissioner
P. E. Vivian, Commissioner
D.A. Cote, Commissioner
December 18, 2008

O R D E R

WHEREAS:

- A. On December 17, 2008, Trans Mountain (Jet Fuel) Inc. ("TMJ", the "Company") applied to the British Columbia Utilities Commission ("Commission") for approval of interim tolls, in particular Interim Tariff No. 37, to be effective January 1, 2009, pursuant to section 44 of the Pipeline Act (the "Act") (the "Application"); and
- B. The proposed Interim Tariff No. 37 consists of the following interim tolls:
- \$1.0289/m³ toll for deliveries from Connected Refineries, Storage Facilities or Marketing Terminals in the Greater Vancouver Refinery Area to the Carrier's Burnaby Terminal;
 - \$2.9419/m³ toll for deliveries from the Carrier's Burnaby Terminal to the Vancouver International Airport; and
- C. The Company provided a copy of the TMJ Application and the proposed Interim Tariff No. 37 simultaneously to all shippers; and
- D. On December 18, 2008, TMJ advised Commission staff that the final tariff filing and the supporting documentation shall be provided to the Commission before the end of the calendar year (the "Supporting Materials"); and
- E. On December 16, 2008, Chevron Canada Limited filed a letter to the Commission supporting TMJ's proposed 2009 tolls. On December 17, 2008, Vancouver Airport Fuel Facilities Corporation and Air Canada collectively filed a letter to the Commission that also expressed their support of TMJ's request for interim tolls; and
- F. The Commission requires that interim tolls be approved.

NOW THEREFORE pursuant to section 44 of the Act, the Commission orders as follows:

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1. The Commission approves TMJ's Application for a toll increase on an interim basis, effective January 1, 2009.
2. The Commission will establish permanent tolls for 2009 following the filing by TMJ of the Supporting Materials by December 31, 2008.

DATED at the City of Vancouver, in the Province of British Columbia, this 19th day of December 2008.

BY ORDER

Original signed by:

L.F. Kelsey
Commissioner