

**BRITISH COLUMBIA  
UTILITIES COMMISSION**

**ORDER  
NUMBER E-13-09**

TELEPHONE: (604) 660-4700  
BC TOLL FREE: 1-800-663-1385  
FACSIMILE: (604) 660-1102

SIXTH FLOOR, 900 HOWE STREET, BOX 250  
VANCOUVER, B.C. V6Z 2N3 CANADA  
web site: <http://www.bcuc.com>



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

**and**

**A Filing by Stargas Utility Ltd.  
of a Gas Supply Contract  
(as part of an Application to Alter Rates, Refinance and  
Acceptance of Gas Supply Contract)**

**BEFORE:** L.F. Kelsey, Commissioner  
D.A. Cote, Commissioner  
P.E. Vivian, Commissioner

**October 22, 2009**

**O R D E R**

**WHEREAS:**

- A. The British Columbia Utilities Commission (the "Commission"), by Order C-4-00, approved a Certificate of Public Convenience and Necessity for Stargas Utility Ltd. ("Stargas") to operate a natural gas distribution system at the resort community of Silver Star; and
- B. On July 10, 2009 Stargas filed an application for acceptance of a Price Mitigation Strategy locking in gas commodity prices for 2009/10 and 2010/11; and
- C. On July 23, 2009 the Commission issued Letter L-52-09 accepting Stargas' application for acceptance of Price Mitigation Strategy locking in gas commodity prices for 2009/10 and 2010/11; and
- D. Letter L-52-09 required (amongst other things) Stargas to file any new physical supply contract(s) pursuant to section 71 of the Utilities Commission Act and to the extent Stargas locks in a gas price(s) the filing must include justification that the fixed price(s) is(are) competitive relative to current forward prices when the arrangement(s) was(were) entered into; and
- E. On July 29, 2009 Stargas applied for Commission approval to decrease delivery and commodity rates, effective November 1, 2009. Stargas also requested approval of a new term loan (the "Refinancing Application"), the amortization of various deferral accounts, the establishment of an income tax deferral account and a new gas supply contract (the "Application").

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**NOW THEREFORE** following review of the Gas Supply Contract filed by Stargas as part of its revenue requirements application, the Commission orders as follows:

1. The Gas Supply Contract filed with the revenue requirements application is accepted.
2. Schedule A.001 (Schedule A – Transaction Confirmation) filed as part of the Gas Supply Contract is accepted.
3. Stargas will file any additional transaction confirmation “Schedules” to the Gas Supply Contract with the Commission for acceptance complying with the requirements of Letter L-52-09.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 22<sup>nd</sup> day of October 2009.

BY ORDER

*Original signed by:*

D.A. Cote  
Commissioner