

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER A-30-10**



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

and

**An Application by Access Gas Services Inc.
for renewal of its Gas Marketer Licence
under the Customer Choice Program**

BEFORE: L.F. Kelsey, Commissioner
D.A. Cote, Commissioner
October 28, 2010

O R D E R

WHEREAS:

- A. On August 31, 2010, Access Gas Services Inc. (Access Gas) applied to the British Columbia Utilities Commission (Commission) for a renewal of its Gas Marketer Licence. The Application for renewal of its Licence to Market Natural Gas (Application) included the payment of the \$1,000 Application Fee and a \$250,000 Letter of Credit, pursuant to items 2 and 3 respectively, of the Licence Requirements;
- B. The Commission notes that Access Gas did not provide an audited financial statement for the licence holder, on a stand-alone basis, pursuant to item 5 of the Licence Requirements. In lieu of the audited financial statement, Access Gas proposed to file a parent company guarantee;
- C. The Commission has reviewed Access Gas's Application and relying upon the information and representations made by Access Gas, finds that renewal of its Gas Marketer Licence, subject to conditions, is warranted.

NOW THEREFORE pursuant to section 71.1(6) of the *Utilities Commission Act* the Commission orders as follows:

- 1. The Commission issues to Access Gas a Gas Marketer Licence for the period November 1, 2010, to February 15, 2011.
- 2. The Gas Marketer Licence is subject to the following conditions:
 - a. Access Gas will carry out the undertakings as set out in the Application for a Licence to Market Natural Gas dated August 31, 2010 and the Rules for Gas Marketers.

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- b. Access Gas will comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of Terasen Gas Inc. Access Gas shall ensure that its employees, salespersons or other representatives of its products and services comply with the standards required of a Gas Marketer as set out in the Code of Conduct for Gas Marketers and Access Gas shall be responsible for any non-compliance of its employees, salespersons or other representatives of its products and services.
- c. Access Gas will maintain a \$250,000 Letter of Credit or acceptable substitute in full force and effect for the duration of the Licence.
- d. Access Gas will maintain a Working Capital position of at least \$50,000 and a Current Ratio of current assets to current liabilities of at least 1.10.
- e. The Commission may, at any time and without prior notice to Access Gas, amend or impose new terms and conditions on, suspend, or cancel the Gas Marketer Licence for reasons the Commission, in its sole discretion, deems and considers sufficient.
- f. The Gas Marketer Licence and all copies of it shall remain the property of the Commission and Access Gas will return these documents forthwith upon written request from the Commission.
- g. Access Gas must file with the Commission its audited financial statement for the recently concluded year as soon as available and no later than February 2, 2011.
- h. Access Gas must file with the Commission unaudited quarterly financial statements, on a stand-alone basis, no later than 45 days after the end of the relevant quarter.

DATED at the City of Vancouver, in the Province of British Columbia, this 29th day of October 2010.

BY ORDER

Original signed by:

L.F. Kelssey
Commissioner

Attachment



LICENCE No. A-30-10

GAS MARKETER LICENCE

Access Gas Services Inc.

is granted a licence for the purpose of providing advice to, or acting on behalf of, a low volume consumer ⁽¹⁾ purchasing gas directly in the Province of British Columbia subject to the terms and conditions contained in Commission Order A-30-10, which are set out in the reverse of the Licence.

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Original signed by:

L.F. Kelsey, Commissioner

ISSUED: November 1, 2010

EXPIRES: February 15, 2011

(1) As described in the Rules for Gas Marketers

The Gas Marketer Licence is subject to the following conditions:

- a. Access Gas will carry out the undertakings as set out in the Application for a Licence to Market Natural Gas dated August 31, 2010 and the Rules for Gas Marketers.
- b. Access Gas will comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of Terasen Gas Inc. Access Gas shall ensure that its employees, salespersons or other representatives of its products and services comply with the standards required of a Gas Marketer as set out in the Code of Conduct for Gas Marketers and Access Gas shall be responsible for any non-compliance of its employees, salespersons or other representatives of its products and services.
- c. Access Gas will maintain a \$250,000 Letter of Credit or acceptable substitute in full force and effect for the duration of the Licence.
- d. Access Gas will maintain a Working Capital position of at least \$50,000 and a Current Ratio of current assets to current liabilities of at least 1.10.
- e. The Commission may, at any time and without prior notice to Access Gas, amend or impose new terms and conditions on, suspend, or cancel the Gas Marketer Licence for reasons the Commission, in its sole discretion, deems and considers sufficient.
- f. The Gas Marketer Licence and all copies of it shall remain the property of the Commission and Access Gas will return these documents forthwith upon written request from the Commission.
- g. Access Gas must file with the Commission its audited financial statement for the recently concluded year as soon as available and no later than February 2, 2011.
- h. Access Gas must file with the Commission unaudited quarterly financial statements, on a stand-alone basis, no later than 45 days after the end of the relevant quarter.