



**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER C-9-11**

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

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

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

and

**An Application by FortisBC Energy Inc.
for Approval of an Extension to the Operating Agreement
with the Village of Clinton**

BEFORE: L.F. Kelsey, Commissioner
C.A. Brown, Commissioner August 18, 2011
N.E. MacMurchy, Commissioner
D. Morton, Commissioner

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS:

- A. On March 13, 1990, FortisBC Energy Inc. (FEI) (formerly BC Gas Inc. and Terasen Gas Inc.) entered into a Franchise Agreement with the Village of Clinton (the Municipality) that expired on March 12, 2011 (the Existing Agreement);
- B. On March 1, 2011, FEI and the Municipality entered into an Amending Agreement which extends the terms and conditions of the Existing Agreement to June 30, 2011 (Extension Agreement I);
- C. On June 16, 2011, FEI applied for approval of an extension agreement, pursuant to section 45 of the *Utilities Commission Act*, to extend the term of the Existing Agreement for an additional period from March 13, 2011 to June 30, 2011;
- D. On June 30, 2011, FEI and the Municipality entered into a subsequent Amending Agreement which extends the terms and conditions of the Extension Agreement I to March 31, 2012 (Extension Agreement II);
- E. On July 20, 2011, prior to the Commission approving the June 30, 2011 Extension Agreement I Application, FEI requested approval for an additional Extension Agreement expiring on March 31, 2012 with all other terms of the agreement unchanged other than the expiration date;
- F. The Commission has reviewed the two Extension Agreement requests and considers that approval is warranted.

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER** C-9-11

2

NOW THEREFORE pursuant to section 45 of the *Utilities Commission Act*, the Commission approves the Extension Agreement I and the Extension Agreement II as filed.

DATED at the City of Vancouver, in the Province of British Columbia, this 18th of August 2011.

BY ORDER

Original signed by:

D. Morton
Commissioner