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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER G-1-14**

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

and

**Big White Gas Utility Ltd.
Request for Extension for filing 2013 Annual Report**

BEFORE: L.F. Kelsey, Commissioner
B.A. Magnan, Commissioner January 2, 2014
D.M. Morton, Commissioner
R.D. Revel, Commissioner
C. van Wermeskerken, Commissioner

O R D E R

WHEREAS:

- A. Under the definition of “public utility” in section 1 of the *Utilities Commission Act* (Act), Big White Gas Utility Ltd. (Big White) provides the services of a public utility and is therefore required to comply with the Act or the regulations, or an order, standard or rule of the Commission;
- B. Pursuant to section 23 of the Act, the British Columbia Utilities Commission (Commission) is responsible for general supervision of all public utilities and may make orders about reporting and other matters it considers necessary or advisable for the safety and convenience or service of the public, or for the proper carrying out of this Act;
- C. Public utilities are required to file annual reports pursuant to section 24 and 49 of the Act. Commission letters L-36-94 and L-14-95 specify the requirements for public utility annual reports to the Commission. Specifically, L-36-94 states that utility annual reports are required within 4 months of a public utility’s fiscal year-end;
- D. Big White’s fiscal year-end is May 31. Accordingly, its annual report for the period ending May 31, 2013 (2013 Annual Report) was anticipated on September 30, 2013. Big White did not file the 2013 Annual Report by September 30, 2013;
- E. By letter dated December 18, 2013, the Commission requested Big White file its 2013 Annual Report by December 27, 2013;

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- F. In an email dated December 19, 2013, from legal counsel for Big White indicated they had received all of the required information to complete the 2013 Annual Report and would prepare the report as soon as possible. In the email, legal counsel for Big White also requested an extension to file the 2013 Annual Report by January 31, 2014. No justification for why Big White was unable to meet the September 30 deadline was provided;
- G. In reviewing the request for extension for filing the 2013 Annual Report, the Commission noted history of compliance with the requirements for filing the utility's annual reports. The table below summarizes this history since 2008:

Annual Report	Due (MM/DD/YYYY)	Received (MM/DD/YYYY)	Total Days Overdue	Extension Request Filed with Commission?
2008 – Year ending May 31, 2008	09/30/2008	09/29/2008	N/A	N/A
2009 - Year ending May 31, 2009	09/30/2009	03/04/2010	155	No. Commission letter dated October 9, 2009 requested report.
2010 - Year ending May 31, 2010	09/30/2010	04/11/2011	193	No.
2011 – Year ending May 31, 2011	09/30/2011	12/14/2012	441	No. Commission followed up by letter dated November 12, 2012 and November 28, 2012.
2012 – Year ending May 31, 2012	09/30/2012	02/13/2013	136	No. Commission followed up by letter dated November 12, 2012 and November 28, 2012.
2013 – Year ending May 31, 2013	09/30/2013	N/A	Will be 123 days past September 30 due date.	Yes – Commission followed up on December 18, 2013. Extension request was made by Big White on December 19, 2013.

- H. The Commission considered Big White's annual report filing history and the email requesting an extension to file the 2013 Annual Report by January 31, 2014.

NOW THEREFORE pursuant to section 23, 24 and 49 of the *Utilities Commission Act*, the Commission orders:

- Big White Gas Utility Ltd. is granted an extension for filing its 2013 Annual Report. The report must be filed by no later than January 31, 2014 at 4:00 pm.

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2. Big White Gas Utility Ltd. must submit future annual reports to the Commission within 4 months of its May 31 fiscal year-end or by September 30 each year.
3. In the event that circumstances beyond the control of Big White Gas Utility Ltd. will cause the utility to be unable to comply with the requirement of Directive 2 of this Order, Big White Gas Utility Ltd. must make an extension request in writing to the Commission at least 14 days in advance of the September 30 due date. Such an extension request must include the new filing date requested, justification for the extension request and/or reasons why Big White Gas Utility Ltd. is unable to meet the September 30 due date.
4. Failure to comply with this Order is a contravention under section 109.1 of the *Utilities Commission Act*.

DATED at the City of Vancouver, in the Province of British Columbia, this 6th day of January 2014.

BY ORDER

Original signed by:

D.M. Morton
Commissioner