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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER E-3-15**

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

and

**Creative Energy Vancouver Platforms Inc.
Compliance Filing Regarding Commission Order E-23-11**

BEFORE: L. F. Kelsey, Commissioner
C. A. Brown, Commissioner
H. G. Harowitz, Commissioner
K. A. Keilty, Commissioner
N. E. MacMurchy, Commissioner
I. F. MacPhail, Commissioner
D. M. Morton, Commissioner

February 26, 2015

ORDER

WHEREAS:

- A. On November 10, 2011, by Order E-23-11 pursuant to section 71 of the *Utilities Commission Act* (UCA), the British Columbia Utilities Commission (Commission) accepted the Central Heat Distribution Limited (CHDL) filing of a Gas Sales and Purchase Agreement between CHDL and Cascadia Energy Ltd. (Cascadia) dated July 15, 2009 (Original Agreement);
- B. On November 21, 2013, via Order G-190-13 pursuant to section 54 of the UCA, the Commission approved the application from Creative Energy Canada Platforms Corp. to acquire all of the issued and outstanding common shares of CHDL, which would result in CHDL becoming a direct, wholly owned subsidiary of Creative Energy Canada Platforms Corp., operating as Creative Energy Vancouver Platforms Inc. (Creative Energy);
- C. On November 19, 2014, in compliance with Order E-23-11, Creative Energy filed with the Commission the following gas supply contracts between Creative Energy and Cascadia (collectively the Contracts) for section 71 acceptance:
 - a) Letter dated August 19, 2014 between Creative Energy and Cascadia adjusting the terms of the Original Agreement and extending the Original Agreement for one additional year terminating November 1, 2015;
 - b) Schedule A dated August 21, 2014 with special conditions to the August 19, 2014 renewal of the Original Agreement for the period November 1, 2014 to October 31, 2015; and
 - c) Schedule A dated October 29, 2014 regarding purchases for the winter period November 1, 2014 to March 31, 2015;

- D. Order G-130-06 Appendix A, Rules for Natural Gas Energy Supply Contracts, states that “all energy supply contracts for the sale of natural gas to a public utility, other than those for purchases from another public utility, and all subsequent amendments, must be filed with the Commission.” It further states that “Public utilities must submit and obtain Commission acceptance of annual gas contracting plans prior to entering into significant gas supply arrangements for each gas contract year”;
- E. In Order E-23-11, the Commission directed CHDL to file energy supply contract extensions, amendments or new contracts prior to the start of gas deliveries under those agreements pursuant to the Rules for Natural Gas Energy Supply Contracts;
- F. Creative Energy requests the filed Contracts and Original Agreement be kept confidential as the contract terms are commercially sensitive; and
- G. The Commission reviewed the Creative Energy filing and is satisfied that the Contracts between Creative Energy and Cascadia should be accepted as being in the public interest and that the Contracts and documents associated with the filing should be kept confidential.

NOW THEREFORE pursuant to section 71 of the *Utilities Commission Act* and the British Columbia Utilities Commission’s Rules for Natural Gas Energy Supply Contracts the Commission orders as follows:

1. The Contracts between Creative Energy Vancouver Platforms Inc. and Cascadia Energy Ltd. filed with the Commission by Creative Energy on November 19, 2014, are accepted for filing.
2. Creative Energy must file an annual contracting plan with the Commission prior to entering into gas supply contracts for the period commencing November 1, 2015, but no later than June 30, 2015. The annual contracting plan must include an outline of Creative Energy’s process and criteria for reviewing the gas supply contracting alternatives available to Creative Energy upon the expiry of the current gas supply contracts with Cascadia.
3. The Commission will keep confidential the Contracts and associated documents identified in this order due to their commercially sensitive nature.

DATED at the City of Vancouver, in the Province of British Columbia, this 5th day of March 2015.

BY ORDER

Original signed by:

D. M. Morton
Commissioner