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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER G-9-15**

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

and

FortisBC Energy Inc.

**Application for an Order Setting the Letter Agreement between
British Columbia Hydro and Power Authority and FortisBC Energy Inc. and
FortisBC Energy (Vancouver Island) Inc. as a Rate for FortisBC Energy Inc. pursuant to
Province of British Columbia Order of the Lieutenant Governor in Council, Order in Council No. 749,
Approved and Ordered December 19, 2014, Amendments to Direction No. 5 to the
British Columbia Utilities Commission, B.C. Regulation 265/2014, Deposited December 22, 2014**

BEFORE: L. F. Kelsey, Commissioner
H. G. Harowitz, Commissioner
K. A. Keilty, Commissioner
N. E. MacMurchy, Commissioner
I. F. MacPhail, Commissioner January 29, 2015
B. A. Magnan, Commissioner
D. M. Morton, Commissioner
R. D. Revel, Commissioner

O R D E R

WHEREAS:

- A. On November 20, 2014, an agreement between British Columbia Hydro and Power Authority (BC Hydro) and FortisBC Energy Inc. (FEI) and FortisBC Energy (Vancouver Island) Inc. (FEVI) (Letter Agreement) was entered into;
- B. On December 22, 2014, the Province of British Columbia deposited Order in Council (OIC) No. 749, dated December 19, 2014, as B.C. Regulation 265/2014, Special Direction No. 5 to the British Columbia Utilities Commission (Special Direction No. 5);
- C. Section 9(1) of OIC 749 states as follows:

“9(1) Within 60 days of the date this section comes into force, the commission must issue an order setting the letter agreement as a rate for FortisBC Energy Inc. and FortisBC Energy (Vancouver Island) Inc., effective, subject to section 2.1 of the letter agreement, on the date the order is issued”;

- D. On December 31, 2014, FortisBC Energy (Vancouver Island) Inc. was amalgamated with FEI, and the amalgamated entity continued under the name FortisBC Energy Inc.;
- E. The Letter Agreement appended to OIC 749 omitted the final signature page (page 10), and contained a typographical error on page 6, section 2.2.4, which the parties have subsequently rectified by a written acknowledgement and confirmation, dated January 19, 2015 as a revised Letter Agreement;
- F. On January 23, 2015, FEI applied (the Application), pursuant to Section 9 (1) of OIC 749 for an order from the Commission setting the revised Letter Agreement as a rate for FEI under FEI Tariff Supplement No. 4, to be effective, subject to section 2.1 of the Letter Agreement, on the date the Order is issued;
- G. FEI requests endorsement of the original FEI Tariff Supplement No. 4 pages; and
- H. The Commission reviewed FEI's Application and finds that approval is warranted based on the requirements of OIC 749.

NOW THEREFORE the British Columbia Utilities Commission orders as follows:

- 1. Pursuant to Order in Council 749, the revised Letter Agreement is approved as a rate for FortisBC Energy Inc. (FEI) under FEI Tariff Supplement No. 4 effective, subject to section 2.1 of the Letter Agreement, the date of this order.
- 2. The approved revised Letter Agreement contains both signature pages and reflects the rectification of a typographical error on page 6, section 2.2.4 of the Letter Agreement pursuant to the written acknowledgement and confirmation by FEI and British Columbia Hydro and Power Authority.

DATED at the City of Vancouver, in the Province of British Columbia, this 30th day of January 2015.

BY ORDER

Original signed by:

D.M. Morton
Commissioner