



BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER G-64-94

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AN ORDER IN THE MATTER OF the Utilities Commission
Act, S.B.C. 1980, c. 60, as amended

and

An Application by BC Gas Utility Ltd.
Burrard Thermal Interruptible Gas Purchase Agreement

BEFORE: M.K. Jaccard, Chairperson)
L.R. Barr, Deputy Chairperson) August 25, 1994

O R D E R

WHEREAS:

- A. On July 29, 1994 BC Gas Utility Ltd. ("BC Gas") applied to the Commission for approval of an agreement ("the Statement of Principles") with British Columbia Hydro and Power Authority ("B.C. Hydro") concerning the interruptible gas supply to B.C. Hydro's Burrard Thermal Plant; and
- B. The Statement of Principles governs the conduct and respective rights of both parties under the Burrard Thermal Interruptible Gas Purchase Agreement which was amended and restated September 29, 1988 ("the Amended Agreement"); and
- C. The Statement of Principles waives any rights of recourse of the parties against each other until final resolution of the B.C. Court of Appeal Application No. CA017981 by B.C. Hydro regarding the Amended Agreement; and
- D. B.C. Hydro requested in a letter dated March 28, 1994 ("the Hydro letter") that the Commission suspend Order No. G-101-93 until the decision of the Court of Appeal is rendered; and
- E. The Commission has reviewed the Statement of Principles and is satisfied that approval is necessary and will address the issues raised in the Hydro letter.

NOW THEREFORE the Commission approves for BC Gas and B.C. Hydro the Statement of Principles, effective immediately.

DATED at the City of Vancouver, in the Province of British Columbia, this 1st day of September, 1994.

BY ORDER


Dr. Mark K. Jaccard
Chairperson