



LETTER NO. L-35-94

ROBERT J. PELLATT
COMMISSION SECRETARY

SIXTH FLOOR, 900 HOWE STREET, BOX 250
VANCOUVER, B.C. CANADA V6Z 2N3
TELEPHONE: (604) 680-4700
BC TOLL FREE: 1-800-663-1385
FACSIMILE: (604) 680-1102

VIA FACSIMILE

November 14, 1994

Mr. Hal Wright
Wrightway Charter Co. Ltd.
Box 369
New Denver, B.C.
V0G 1S0

Dear Mr. Wright:

Re: Treminco Resources Ltd. ("Treminco")
Customer Complaints Simonson and Robichaud - Supply of Power, Sandon, B.C.

The Commission has reviewed the above-noted complaint from Mr. Robert Fleming, regarding the supply of power to the complainants residence from Treminco's hydro generating plant located at Sandon, B.C. The Commission has reviewed all the information you provided along with submissions from Mr. Robert Fleming, Barrister for Ms'. Simonson and Robichaud, plus information received from B.C. Hydro and Power Authority.

In consideration of all of the above information, the Commission has concluded as follows:

The system under which power is supplied to customers by Treminco is deemed to be a public utility as defined by the Utilities Commission Act ("the Act") and is therefore subject to regulation under this Act.

However, exemption from certain sections of the Act will be considered if the following criteria are met and submitted to the Commission for approval:

1. The conditions of service are to be formalized between the utility and its customers. This is to include all charges to customers as well as the obligations of both the supplier and the customer, including a definition of how violations of these conditions will be handled.
2. The Commission must be provided with assurances that the distribution system is operated in a safe manner.
3. The supplier of the electrical service must obtain the commitment of each customer that his/her home is wired in accordance with the Provincial Electrical Code standards.
4. The arrangements between yourself and Treminco for the operation and management of the utility must also be formalized.

The amount owing to yourself by Ms'. Simonson and Robichaud is a civil debt, and the Commission has no jurisdiction to mediate this dispute. The Commission also orders that you do not disconnect the power supply to the complainants residence until you have made an application to the Commission for permission to do so, and have received the necessary approval.

Following completion of items 1 to 4 above, the Commission will consider your application for exemption from certain sections of the Act.

Yours truly,



Robert J. Pellatt

RJP/ssc

cc: Mr. Robert Fleming
Barrister
702 - 999 Gilford Street
Vancouver, B.C. V6G 2N8

Mr. David A. Harrison
Senior Vice President and
Chief Financial Officer
British Columbia Hydro and Power Authority

Mr. Roland T. Trenaman (Via Fax @ 687-5100)
President
Tremenco Resources Ltd.
1110 - 625 Howe Street
Vancouver, B.C. V6C 2T6