

SIXTH FLOOR, 900 HOWE STREET, BOX 250
VANCOUVER, B.C. V6Z 2N3
CANADA



BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER G-90-95

TELEPHONE: (604) 660-4700
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IN THE MATTER OF the Utilities Commission
Act, S.B.C. 1980, c. 60, as amended

and

An Application by Treminco Resources Ltd.
to Cease to Become a Public Utility

BEFORE: M.K. Jaccard, Chairperson;)
L.R. Barr, Deputy Chairperson; and) October 26, 1995
K.L. Hall, Commissioner)

O R D E R

WHEREAS:

- A. On March 24, 1995 Treminco Resources Ltd. ("Treminco") applied to the Commission for a reversal of the Commission's Decision made by Letter No. L-35-94 dated November 14, 1994, that declared the Treminco electrical power plant and distribution facilities ("the electrical plant") located at Sandon, B.C. a public utility under the Utilities Commission Act ("the Act"); and
- B. On May 18, 1995, by Order No. G-43-95, the Commission set the matter down for a Public Inquiry and appointed Commissioner Harold J. Page as Inquiry Officer. The Inquiry was held in the Sandon Museum on May 31, 1995 and summary arguments were received in written form by June 9, 1995. The Inquiry Officer submitted his Inquiry Report to the Commission on July 7, 1995; and
- C. On July 7, 1995 the Commission accepted the Inquiry Report and issued Order No. G-57-95 and Reasons for Decision affirming the public utility status of Treminco; and
- D. On October 25, 1995 Treminco applied to the Commission for a discontinuance of utility operations pursuant to Section 47 of the Act; and
- E. The Commission has reviewed the matter and finds that a written hearing is required in order to make a decision.

NOW THEREFORE the Commission orders as follows:

1. The Commission sets down Treminco's application for discontinuance as a public utility for a written hearing in accordance with the timing deadlines attached as Appendix A to this Order.
2. The Commission will publish the Notice of Written Hearing in the local community newspapers and will arrange for delivery of a copy of this Order to all participants in the Treminco Public Inquiry that was set down by Order No. G-43-95.

DATED at the City of Vancouver, in the Province of British Columbia, this 30th day of October, 1995.

BY ORDER



Dr. Mark K. Jaccard
Chairperson

Attachment

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NOTICE OF WRITTEN HEARING

Into the Application by Treminco Resources Ltd. to Discontinue Public Utility Service at Sandon, B.C.

THE APPLICATION AND COMMISSION ACTION

On October 25, 1995 Treminco Resources Ltd. ("Treminco") applied to the Commission pursuant to Section 47 of the Utilities Commission Act, to discontinue public utility service with respect to its power plant and electrical distribution facilities at Sandon, B.C. The Commission reviewed the application and decided that a hearing in written form was the appropriate means to receive public views on the application. A public inquiry involving the Sandon power system took place at the Sandon Museum on May 31, 1995 with an Inquiry Report issued on July 7, 1995.

INTERVENTIONS

Interested parties wishing to make an intervention in Treminco's application must make their submissions to the Commission Secretary by November 24, 1995. The Commission will mail Order No. G-90-95 and Treminco's application to all intervenors in the May 31, 1995 Treminco public inquiry in order to provide for adequate notice.

TIMING DEADLINES

- Submissions on Treminco's application must be filed with the Commission by November 24, 1995. The Commission will send copies of all submissions to those parties who have intervened.
- Information Requests of Treminco or other parties must be filed by November 10, 1995.

- Responses to Information Requests must be filed by November 17, 1995.
 - Submissions by interested parties must be filed by November 24, 1995.
 - Comments on submissions made by other parties and final arguments are to be filed by December 1, 1995.
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Following this procedure the Commission will review the evidence and make its decision and issue an Order.

CLARIFICATION

Persons intending to participate in the written hearing and who are uncertain as to the manner in which to proceed may contact Mr. Robert Pellatt, Commission Secretary or Mr. Neptune Smith, Manager, Electrical Engineering by telephone: (604) 660-4700 or B.C. Toll-Free 1-800-663-1385, in writing at the above address or by facsimile to (604) 660-1102 or on the Internet: bcuc@pop.bcinet.gov.bc.ca.

BY ORDER



Robert J. Pellatt
Commission Secretary