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

and

an Application by Centra Gas Fort St. John Inc.
for Approval of an Interim Operating Agreement/Franchise Agreement
with the City of Fort St. John

BEFORE: L.R Barr, Deputy Chair)
and Acting Chair) June 11, 1997
F.C. Leighton, Commissioner)

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS:

- A. On June 5, 1997 Centra Gas Fort St. John Inc. ("Centra Gas-FSJ") applied to the Commission for approval of a June 4, 1997 Interim Operating Agreement ("Operating Agreement") and approval in principle of a new Franchise Agreement with the City of Fort St. John ("the City"), pursuant to Section 45(7) of the Utilities Commission Act ("the Act"). The Application also requests approval of a 3 percent franchise fee, effective July 1, 1997, to be recorded in an interest bearing deferral account pending receipt of all required approvals; and
- B. The Operating Agreement permits Centra Gas-FSJ to continue to supply gas within the Municipality until the new Franchise Agreement, attached as Schedule "A" to the Operating Agreement, has been agreed upon and all approvals have been provided in accordance with the Utilities Commission Act and the Municipal Act; and
- C. The new Franchise Agreement is for a term of 21 years and replaces an earlier franchise agreement which expired on or about August 15, 1995; and
- D. The Commission has reviewed the Application and supporting documentation and finds that approval of the Operating Agreement and Franchise Agreement is appropriate and in the public interest.

NOW THEREFORE the Commission orders as follows:

1. Pursuant to Section 45(7) of the Act, the Commission approves the Operating Agreement dated June 4, 1997 and approves in principle the Franchise Agreement between Centra Gas-FSJ and the City provided that such determination, approval and grant shall not restrict any regulatory power of the Commission.
2. Centra Gas-FSJ will file with the Commission a fully executed copy of the Franchise Agreement and a fully-executed copy of the By-Law following its approval by the Minister.
3. The Commission approves the collection of a 3 percent franchise fee, effective July 1, 1997, with such amounts to be recorded in an interest bearing deferral account until all required approvals are obtained. Centra Gas-FSJ will pay to the City all monies recorded in the deferral account upon filing a fully executed copy of the Franchise Agreement with the Commission.
4. Centra Gas-FSJ is to file for Commission approval, Tariff Sheets reflecting the 3 percent franchise fee, pursuant to Section 61(4) of the Act.

DATED at the City of Vancouver, in the Province of British Columbia, this 17th day of June 1997.

BY ORDER

Original signed by:

Lorna R. Barr
Deputy Chair and
Acting Chair