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CANADA



BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER G-90-97

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IN THE MATTER OF
the Utilities Commission Act, RSBC 1996, c. 473

and

Applications by Westcoast Gas Services Inc.
for an Exemption Covering the Transportation and Processing of Natural Gas

BEFORE: L.R. Barr, Deputy Chair)
and Acting Chair) July 31, 1997
K.L. Hall, Commissioner)

O R D E R

WHEREAS:

- A. On January 31, 1997 Westcoast Gas Services Inc. ("WGSI") applied to the Commission under Section 88(3) of the Utilities Commission Act ("the Act"), for an exemption of the facilities (the "facilities") in British Columbia which it uses to transport or process natural gas for others, from Part 3 of the Act; and
- B. WGSI has entered into service contracts with several customers who it proposes to serve through the use of pipelines, gas plants and related facilities which it owns or will own, and intends to enter into additional similar contracts in the future; and
- C. The Boundary Lake Plant, which is owned by WGSI and Petro-Canada Inc., will be dealt with in a separate Commission Order; and
- D. Facilities which have been exempted from Part 3 of the Act continue to be regulated under the Act on a complaint basis, with a complaint taking the form of an application by an interested party under the Common Carrier and Common Processor sections of Part 4 of the Act; and
- E. The Commission has considered the Application and is satisfied that an Order, under Section 88(3) of the Act, exempting the WGSI transportation or processing facilities listed in Appendix I from the requirements under Part 3 of the Act, other than Sections 24 and 25, properly conserves the public interest; and
- F. On July 24, 1997 the approval of the Lieutenant Governor in Council was given to the said exemption by Order in Council No. 0832, which is attached as Appendix II; and

G. Order in Council No. 0832 provides that the approval to exempt a facility applies to a transportation or processing facility not listed in Schedule A of the Order in Council after WGSi advises the Commission in writing that WGSi will begin to use the facility to transport or process natural gas for others; and

H. Section 99 of the Act provides that the Commission may reconsider, vary or rescind an Order made by it.

NOW THEREFORE the Commission orders as follows:

1. Pursuant to Section 88(3) of the Act, the Commission approves for WGSi the exemption from Part 3, other than Sections 24 and 25, of the facilities listed in Appendix I which WGSi uses to transport or process natural gas for others, effective July 31, 1997.
2. WGSi is directed to advise the Commission in writing of any facility which is not listed in Appendix I and which WGSi intends to use to transport and process natural gas for others, so that the Commission, on finding that the exemption of such facility is in the public interest, can by Order issue a revised Appendix I.
3. WGSi is responsible for the safe and proper operation of its facilities consistent with the requirement of the Pipeline Act and other regulatory requirements.
4. WGSi is directed to file an annual report regarding each exempted facility in the form set out in Appendix III, or as the Commission may otherwise require, and to distribute copies to the shippers using the facility.
5. WGSi is directed to pay fees to the Commission in the amounts that the Commission determines are required to defray costs associated with the regulation of WGSi facilities.

DATED at the City of Vancouver, in the Province of British Columbia, this 6th day of August, 1997.

BY ORDER

Original signed by:

Lorna R. Barr
Deputy Chair
and Acting Chair

Attachments

WESTCOAST GAS SERVICES INC.

**Transportation and Processing Facilities in British Columbia
Exempted from Part 3 Regulation**

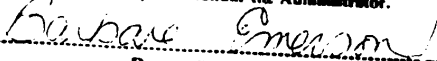
1. Jedney I area - all pipelines, plant and related facilities.
2. Buckinghorse area - all pipelines, plant and related facilities.

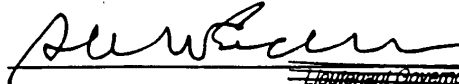
PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 0832, Approved and Ordered JUL 24 1997

I hereby certify that the following is a true copy of a Minute of the Honourable the Executive Council of the Province of British Columbia approved by His Honour the Administrator.

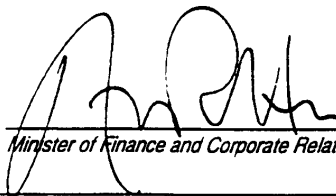

Deputy Order-in-Council Custodian

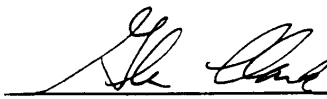

Administrator

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the ~~Lieutenant Governor~~ ^{Administrator}, by and with the advice and consent of the Executive Council, orders that

- 1 In this order:
 - "commission" means the British Columbia Utilities Commission;
 - "company" means Westcoast Gas Services Inc;
 - "facility" means a facility that the company uses to transport or process natural gas for others.
- 2 Approval is given to the commission to
 - (a) subject to section 3, exempt the company from the application of Part 3 of the *Utilities Commission Act*, except sections 24 and 25, in respect of facilities, or
 - (b) rescind an exemption granted under paragraph (a) for a facility if the commission considers that the exemption is not in the public interest.
- 3 Section 2 (a) applies
 - (a) to a facility listed in Schedule A, and
 - (b) to a facility not listed in Schedule A beginning after the company advises the commission in writing that the company will begin to use the facility to transport or process natural gas for others.


Minister of Finance and Corporate Relations


Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Utilities Commission Act*, R.S.B.C. 1996, c. 473, section 88 (3)

SCHEDULE A
WESTCOAST GAS SERVICES INC.

**Natural Gas Transportation and Processing Facilities in
British Columbia Exempted from Part 3 Regulation**

- 1 Jedney I Area – all pipelines, plant and related facilities.
- 2 Buckinghorse Area – all pipelines, plant and related facilities.

ANNUAL REPORTING REQUIREMENTS

Part 4 Complaint Regulation of Companies that Transport or Process Gas for Others

A Report is required for each Separate, Significant Pipeline System or Processing Facility

(Companies are to file Reports within 90 days after fiscal year end)

1.0 Previous Year Actuals

- Facility name, location, function, capacity.
- Any significant changes in capacity during the year.
- Throughput during the year.
- Names, address, contact name and telephone number for each shipper.