



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

and

An Application by Central Heat Distribution Limited
for Approval of an Operating Agreement with the City of Vancouver

BEFORE: P. Ostergaard, Chair)
L.R. Barr, Deputy Chair)
P.G. Bradley, Commissioner) June 3, 1999
B.L. Clemenhagen, Commissioner)
K.L. Hall, Commissioner)
F.C. Leighton, Commissioner)

O R D E R

WHEREAS:

- A. On May 21, 1999, Central Heat Distribution Limited ("CHDL") applied to the Commission for approval of the proposed Terms and Conditions of a Permanent Operating Agreement ("the Agreement") with the City of Vancouver ("the City") pursuant to Section 32 of the Utilities Commission Act ("the Act"), ("the Application"); and
- B. CHDL holds a Certificate of Public Convenience and Necessity dated June 11, 1968 issued by the Public Utilities Commission (a predecessor Commission) to construct and operate a steam generating and attendant distribution system for the purpose of supplying steam for heating and cooling uses in the City; and
- C. The proposed Agreement replaces a thirty-year Franchise Agreement between CHDL and the City that expired on June 29, 1996, and by agreement with the City, was subsequently extended on an interim basis; and
- D. On March 19, 1998, CHDL and the City informed the Commission about the unresolved issues in reaching a new agreement and agreed to continue negotiations; and
- E. On April 1, 1999, the City informed CHDL that a new operating agreement could not be concluded; and

BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER G-62-99

2

F. The Commission has reviewed the Application and established a timetable and process for dealing with the issues.

NOW THEREFORE the Commission orders as follows:

1. The Commission will hold a Pre-hearing Conference on the Application on July 9, 1999 at 9:00 a.m. in the Commission's Hearing Room, 6th Floor, 900 Howe Street, Vancouver, B.C.
2. A Public Hearing is scheduled to commence on September 28, 1999 at 9:00 a.m. in the Commission's Hearing Room, 6th Floor, 900 Howe Street, Vancouver, B.C.
3. CHDL is to provide a copy of the Notice of Pre-hearing Conference and Public Hearing to all its customers as soon as possible. CHDL is to publish the Notice, attached as Appendix A to this Order, in the Sun and Province newspapers by June 25, 1999.

DATED at the City of Vancouver, in the Province of British Columbia, this 15th day of June 1999.

BY ORDER

Original signed by:

Lorna R. Barr
Deputy Chair

Attachment



**NOTICE OF PRE-HEARING CONFERENCE
AND PUBLIC HEARING**

**CENTRAL HEAT DISTRIBUTION LIMITED
Application for Approval of an
Operating Agreement with the City of Vancouver**

	<u>Pre-hearing Conference</u>		<u>Public Hearing</u>
Date:	July 9, 1999	Date:	September 28, 1999
Time:	9:00 a.m.	Time:	9:00 a.m.
Location:	BCUC Hearing Room 6 th Floor 900 Howe Street Vancouver, B.C. V6Z 2N3	Location:	BCUC Hearing Room 6 th Floor 900 Howe Street Vancouver, B.C. V6Z 2N3

THE APPLICATION

On May 21, 1999, Central Heat Distribution Limited ("CHDL") applied to the Commission for approval of Terms and Conditions of a Permanent Operating Agreement ("the Agreement") with the City of Vancouver ("the City"), ("the Application"). The Agreement will allow CHDL to use the streets and other public places owned by the City for the purpose of continuing to construct, operate and maintain its steam heat distribution system to provide heating service to customers located in the City. The City has not executed the Agreement and CHDL has applied to the Commission for approval pursuant to Section 32 of the Utilities Commission Act.

THE REGULATORY PROCESS

The Commission will hold a Pre-hearing Conference on July 9, 1999 to discuss procedural matters which will include, but not be limited to, the following:

- scheduling,
- completeness of the Application,
- identification of principal issues,
- process (workshops, information requests, settlement negotiations); and
- other matters that will enable the proceeding to efficiently cover and review all aspects of the Application.

PUBLIC INSPECTION OF THE APPLICATION

The Application is available for inspection at the following location:

CHDL Head Office: 720 Beatty Street, Vancouver, B.C. V6B 2M1

Copies of the Application and supporting material are also available for inspection at the office of the Commission, 6th Floor, 900 Howe Street, Vancouver, B.C. V6Z 2N3.

INTERVENTIONS

Those customers or persons wishing to participate in the Pre-hearing Conference are to advise the Commission Secretary of their intention to do so, in writing, as soon as possible. Intervenors and Interested Parties should inform the Commission in writing, by July 16, 1999, of their intention to become Intervenors or Interested Parties.

Registered Intervenors who actively participate in the review process will receive copies of the Application, all correspondence and filed documentation. Interested Parties who register with the Commission will receive a copy of the Application's Executive Summary, all Orders issued, as well as the Commission's Decision.

FURTHER INFORMATION

For further information, please contact Mr. Robert J. Pellatt, Commission Secretary, or Mr. Philip Nakoneshny, Senior Financial Analyst as follows:

Telephone: (604) 660-4700
Facsimile: (604) 660-1102

E-Mail: Commission.Secretary@bcuc.com
B.C. Toll Free: 1-800-663-1385

BY ORDER

Original signed by:

Robert J. Pellatt
Commission Secretary