



BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER G-47-03

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

and

An Application by Toby Creek Utilities Co. Ltd.
to Dispose of Propane Gas Distribution Assets

BEFORE: P. Ostergaard, Chair)
R.H. Hobbs, Commissioner) July 9, 2003
K.L. Hall, Commissioner)

O R D E R

WHEREAS:

- A. On June 20, 2003 Toby Creek Utilities Co. Ltd. ("Toby Creek") applied to dispose of its propane gas distribution assets at Panorama Mountain Village, British Columbia ("Panorama"), and requested to be relieved of its responsibilities under its Certificate of Public Convenience and Necessity; and
- B. On June 20, 2003 Terasen Multi-Utility Services Inc. ("TMUS") applied to the Commission for approval to own and operate the propane assets at Panorama. The Commission approved the TMUS application and, on July 9, 2003, issued Order No. C-6-03; and
- C. Toby Creek and its shareholder, Intrawest Corporation, have signed an Asset Purchase and Infrastructure Agreement dated June 6, 2003 with TMUS that transfers the propane assets at net book value; and
- D. Notice of the proposed transfer was published in the local newspaper and sent directly to customers; and
- E. The Commission has reviewed the application and finds that approval of the application is appropriate and in the public interest.

NOW THEREFORE pursuant to Sections 52, 45 and 46 of the Utilities Commission Act, the Commission approves the Toby Creek application to dispose of its propane gas distribution assets at Panorama Mountain Village, British Columbia, and to be relieved of its responsibilities under its Certificate of Public Convenience and Necessity, effective July 1, 2003.

DATED at the City of Vancouver, in the Province of British Columbia, this 11th day of July 2003.

BY ORDER

Original signed by:

R.H. Hobbs
Commissioner