

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER G-121-09**

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

and

Stargas Utility Ltd.
F2010 Application to Alter Rates, Refinance and
Acceptance of Gas Supply Contract

BEFORE: L.F. Kelsey, Commissioner
D.A. Cote, Commissioner October 8, 2009

O R D E R

WHEREAS:

- A. The British Columbia Utilities Commission (the "Commission"), by Order C-4-00, approved a Certificate of Public Convenience and Necessity for Stargas Utility Ltd. ("Stargas") to operate a natural gas distribution system at the resort community of Silver Star; and
- B. On July 29, 2009 Stargas applied for Commission approval to decrease delivery and commodity rates, effective November 1, 2009. Stargas also requested approval of a new term loan (the "Refinancing Application"), the amortization of various deferral accounts, the establishment of income tax deferral account and a new gas supply contract (the "Application"); and
- C. On September 23, 2009 Stargas requested that the Commission fast track the Refinancing Application due to the October 1, 2009 closing date with its bank. Commission Order G-116-09, dated September 29, 2009, approved the Refinancing Application; and
- D. On October 1, 2009 Stargas amended the Application and requested Commission approval to decrease residential and commercial delivery rates by \$0.90 per Gigajoule("GJ"), residential commodity rates by \$4.05 per GJ and commercial commodity rates by \$4.26 per GJ effective November 1, 2009 (the "Amended Application").

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NOW THEREFORE, following review of the Amended Application filed by Stargas, the Commission orders as follows:

1. The Stargas Amended Application will be examined in a written public hearing process.
2. The Amended Application and supporting material will be made available for inspection at various Silver Star Resort centres and at the British Columbia Utilities Commission, Sixth Floor, 900 Howe Street, Vancouver, BC, V6Z 2N3.
3. Stargas will provide a copy of the amended customer notice to all customers no later than Friday, October 16, 2009. Stargas shall also post a copy of this Order in various Silver Star Resort centres.
4. Intervenors and Interested Parties should inform the Commission in writing or register on-line via the Commission's website at <http://www.bcuc.com> by Friday, October 23, 2009 of their intention to actively intervene in the proceeding, or become Interested Parties. Registered Intervenors will receive from Stargas copies of the Amended Application, all correspondence and filed documentation. Interested Parties will receive copies of all Orders issued.
5. A Regulatory Timetable for this proceeding will be established following the deadline for registration of Intervenors.
6. The Commission approves for Stargas on an interim and refundable basis the \$0.90 GJ decrease in residential and commercial delivery rates, the \$4.05 per GJ decrease in residential commodity rates and the \$4.26 per GJ decrease in commercial commodity rates, effective November 1, 2009.
7. Any difference between the interim rates and permanent rates that are determined by the Commission following consideration of the Amended Application will be subject to refund with interest calculated for the refund period at the average prime rate of the principal bank with which Stargas conducts its business.

DATED at the City of Vancouver, in the Province of British Columbia, this 8th day of October 2009.

BY ORDER

Original signed by:

D.A. Cote
Commissioner