

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER A-16-09**



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

and

**An Application by Shell Energy North America (Canada) Inc.
for Approval of its Gas Marketer Licence**

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

O R D E R

WHEREAS:

- A. On September 28, 2009 Shell Energy North America (Canada) Inc. ("Shell Energy") applied to the British Columbia Utilities Commission ("Commission") for approval of a Gas Marketer Licence ("Application"). The Application included the payment of the \$1,000 Application fee and a \$250,000 Letter of Credit, pursuant to items 2 and 3 respectively, of the Licence Requirements; and
- B. The Application included consolidated financial statements for Shell Energy North America (US) L.P. It did not include financial statements for the licence holder, Shell Energy North America (Canada) Inc., pursuant to item 5 of the Licence Requirements; and
- C. The Application notes that Shell Energy has not and is currently not marketing to residential and commercial low volume customers; and
- D. The Commission has reviewed Shell Energy's Application and notes that it is incomplete.

NOW THEREFORE, pursuant to section 71.1(6) of the *Utilities Commission Act* the Commission orders as follows:

- 1. The Commission issues Shell Energy an interim Gas Marketer Licence for the period November 1, 2009, to December 31, 2009.

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2. The Interim Gas Marketer Licence is subject to the following conditions:

- 2.1 Shell Energy will carry out the undertakings as set out in the Application for a Gas Licence to Market Natural Gas dated September 28, 2009 and the Rules for Gas Marketers.
- 2.2 Shell Energy will comply with the Code of Conduct for Gas Marketers and Rate Schedule 36 of Terasen Gas Inc.
- 2.3 Shell Energy will maintain a Letter of Credit or acceptable substitute in full force and effect for the duration of the Licence.
- 2.4 Shell Energy will maintain a Working Capital position of at least \$50,000 and a Current Ratio of current assets to current liabilities of at least 1.10.
- 2.5 Shell Energy must file with the Commission its audited financial statement from the most recently ended fiscal year and copies of all subsequent unaudited quarterly statements for each concluded financial quarter following the most recently ended fiscal year as soon as available and no later than the expiration of this interim licence, pursuant to item 5 of the Licence Requirements.
- 2.6 The Commission may, at any time and without prior notice to Shell Energy, amend or impose new terms and conditions on, suspend, or cancel the Gas Marketer Licence for reasons the Commission, in its sole discretion, deems and considers sufficient.
- 2.7 The Gas Marketer Licence and all copies of it shall remain the property of the Commission and Shell Energy will return these documents forthwith upon written request from the Commission.

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

BY ORDER

Original signed by:

L.F. Kelsey
Commissioner

Attachment



LICENCE No. A-16-09

GAS MARKETER LICENCE

Shell Energy North America (Canada) Inc.

is granted a licence for the purpose of providing advice to, or acting on behalf of, a low volume consumer ⁽¹⁾ purchasing gas directly in the Province of British Columbia subject to the terms and conditions contained in Commission Order A-16-09, which are set out in the reverse of the Licence.

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L.F. Kelsey, Commissioner

ISSUED: October 8, 2009

EFFECTIVE: November 1, 2009 to December 31, 2009

(1) As described in the Rules for Gas Marketers

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