

**BRITISH COLUMBIA  
UTILITIES COMMISSION**

**ORDER  
NUMBER C-8-11**



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

**and**

**An Application by FortisBC Energy Inc.  
for Approval of an Operating Agreement  
with the Corporation of the District of Peachland**

**BEFORE:** L.F. Kelsey, Commissioner  
C.A. Brown, Commissioner  
D. Morton, Commissioner

June 9, 2011

**CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY**

**WHEREAS:**

- A. On November 10, 2010, Terasen Gas Inc. [(TGI) as FortisBC Energy Inc. (FEI) was formerly known] applied to the British Columbia Utilities Commission (Commission) for approval of an extension of the Franchise Agreement (Amending Agreement) with the Corporation of the District of Peachland (Municipality) and TGI;
- B. The Franchise Agreement expired October 8, 2010;
- C. Commission Order C-10-10 approved the Amending Agreement which extended the terms and conditions of the Franchise Agreement to December 31, 2010;
- D. TGI and the Municipality entered into an agreement which extended the terms and conditions of the Amending Agreement to March 31, 2011 (Extension Agreement);
- E. On February 22, 2011, TGI applied to the Commission for approval of the Extension Agreement between TGI and the Municipality;
- F. The Commission was unable to consider approval of the Extension Agreement and issued a letter on March 22, 2011 requesting additional information from TGI. FEI responded to the Commission's letter on March 25, 2011;

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G. On May 9, 2011, FEI applied to the Commission for approval of an Operating Agreement between FEI and the Municipality;

H. The Commission has reviewed the Application and considers that approval is warranted.

**NOW THEREFORE** the Commission, pursuant to section 45 of the *Utilities Commission Act*, approves the Extension Agreement as filed.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 9<sup>th</sup> of June 2011.

BY ORDER

*Original signed by:*

D. Morton  
Commissioner