

BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER

NUMBER C-12-11

TELEPHONE: (604) 660-4700 BC TOLL FREE: 1-800-663-1385 FACSIMILE: (604) 660-1102

SIXTH FLOOR, 900 HOWE STREET, BOX 250 VANCOUVER, B.C. V6Z 2N3 CANADA web site: http://www.bcuc.com

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 Village of Lumby

BEFORE: L.F. Kelsey, Commissioner

N.E. MacMurchy, Commissioner

D. Morton, Commissioner

November 17, 2011

R. Revel, Commissioner

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS:

- A. BC Gas Utility Ltd. [(BC Gas) as FortisBC Energy Inc. (FEI) was formerly known] and the Village of Lumby (Municipality) entered into a Franchise Agreement dated January 28, 1991 (Franchise Agreement);
- B. The Franchise Agreement expired on August 10, 2011;
- C. On October 28, 2011, FEI applied to the British Columbia Utilities Commission (Commission) for approval of an Operating Agreement (Agreement) between FEI and the Municipality, effective August 24, 2011 (Application);
- D. 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 Operating Agreement as filed.

DATED at the City of Vancouver, in the Province of British Columbia, this 17th of November 2011.

BY ORDER

Original signed by:

D. Morton Commissioner