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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER C-3-13**

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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 (Vancouver Island) Inc.
for Approval of an Operating Agreement
with the Sechelt Indian Band

BEFORE: D.M. Morton, Commissioner
C.A. Brown, Commissioner
N.E. MacMurchy, Commissioner February 28, 2013
B.A. Magnan, Commissioner
C. van Wermeskerken, Commissioner

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

WHEREAS:

- A. Centra Gas British Columbia Inc. [now FortisBC Energy (Vancouver Island) Inc. (FEVI)] was issued a Disposition Order by the British Columbia Minister of Energy, Mines and Petroleum Resources approving its energy project certificate application to construct and operate natural gas facilities in various areas of Vancouver Island and the Sunshine Coast, including Sechelt. As holder of the energy project certificate, FEVI is deemed to have a Certificate of Public Convenience and Necessity;
- B. FEVI and the Sechelt Indian Band entered into an operating agreement dated September 27, 1991 (Franchise Agreement);
- C. The Franchise Agreement expired on September 26, 2012;
- D. On December 5, 2012, FEVI applied to the British Columbia Utilities Commission (Commission) for approval of an operating agreement (Operating Agreement) between FEVI and the Sechelt Indian Band, effective June 12, 2012 and amended on November 13, 2012 (Application);
- E. The Commission has reviewed the Application and considers that the Operating Agreement is necessary for the public convenience and properly conserves the public interest.

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

DATED at the City of Vancouver, in the Province of British Columbia, this 28th of February 2013.

BY ORDER

Original signed by:

D.M. Morton
Commissioner