



**ORDER NUMBER
F-18-21**

IN THE MATTER OF
the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

Pacific Northern Gas (N.E.) Ltd.
Application for Approval of the 2019 Franchise Agreement between
Pacific Northern Gas (N.E.) Ltd. and the City of Fort St. John

BEFORE:

R. I. Mason, Panel Chair
W. M. Everett, QC, Commissioner
B. A. Magnan, Commissioner

on May 26, 2021

ORDER

WHEREAS:

- A. On December 10, 2019, Pacific Northern Gas (N.E.) Ltd. (PNG (N.E.)) applied to the British Columbia Utilities Commission (BCUC) for approval of a new franchise agreement (2019 Franchise Agreement) between the City of Fort St. John and PNG (N.E.) pursuant to section 45(7) of the *Utilities Commission Act* (UCA) (Application);
- B. PNG (N.E.) (through its predecessor company Centra Gas Fort St. John Inc.) and the City of Fort St. John entered into a franchise agreement (1997 Franchise Agreement) dated December 8, 1997, approved by BCUC Order C-4-98, dated May 26, 1998. The 1997 Franchise Agreement expired on December 7, 2018;
- C. PNG (N.E.) submits that on December 3, 2018, PNG (N.E.) and the City of Fort St. John entered into interim operating arrangements to provide for the continued service to customers in the franchise area while the negotiation and approval of new franchise terms were conducted;
- D. By Order G-36-20, dated February 28, 2020, amended by letter dated March 26, 2020, the BCUC established a public hearing process and regulatory timetable for review of the Application, which consisted of BCUC information requests (IRs), PNG (N.E.) responses to IRs and intervener registration;
- E. On April 2, 2020, British Columbia Old Age Pensioners' Organization et al. (BCOAPO) registered as an intervener;
- F. Following PNG (N.E.)'s response to BCUC IRs on April 2, 2020, by Orders G-84-20, G-118-20, G-141-20, and G-208-20, the BCUC amended the regulatory timetable for the review of the application, which included BCUC and intervener IRs, PNG (N.E.) responses to IRs and submissions on further process, and final arguments;

- G. On October 6, 2020, BCOAPO filed a Participant Assistance/Cost Award (PACA) application with the BCUC with respect to their participation in the proceeding:

Date	Participant	Application
October 6, 2020	British Columbia Old Age Pensioner's Organization et al. (BCOAPO)	\$7,595.70

- H. By email dated Monday December 14, 2020, PNG (N.E.) provided its comments on the PACA application, stating that it finds the BCOAPO PACA billing for legal counsel and consultant fees and expenses to be reasonable; and
- I. By Order G-307-20, dated December 1, 2020, the BCUC did not approve the Proposed 2019 Franchise Agreement, and adjourned the proceeding for 90 days to allow PNG (N.E.) and the City of Fort St. John the opportunity to renegotiate the Proposed 2019 Franchise Agreement in response to concerns identified in the Decision accompanying Order G-307-20
- J. On February 23, 2021, PNG (N.E.) submitted a revised Proposed 2019 Franchise Agreement in response to the Decision accompanying Order G-307-20;
- K. By Order G-109-21, dated April 9, 2021, the BCUC established a further regulatory timetable, seeking submissions from parties on whether the revised agreement should be approved or not;
- L. By letter dated 27 April, 2021, PNG (N.E.) reiterated its view that the revised Proposed 2019 Franchise Agreement can be considered to be in the public interest and should be approved, noting that BCOAPO did not make any further submissions on the matter;
- M. By Order G-145-21, dated May 10, 2021, the BCUC approved PNG (N.E.)'s revised Proposed 2019 Franchise Agreement in principle; and
- N. The BCUC has reviewed the PACA application in accordance with the criteria and rates set out in the PACA Guidelines, attached to Commission Order G-97-17, and concludes that the BCOAPO's PACA application should be approved.

NOW THEREFORE pursuant to section 118(1) of the *Utilities Commission Act*, the BCUC orders as follows:

1. Funding is awarded to the following intervener in the listed amount for their participation in the proceeding:

Participant	Award
BCOAPO	\$7,595.70

2. PNG (N.E.) is directed to reimburse BCOAPO for the awarded amount in a timely manner.

DATED at the City of Vancouver, in the Province of British Columbia, this 26th day of May 2021.

BY ORDER

Original signed by:

R. I. Mason
Commissioner