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Utilities Commission

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ORDER NUMBER
G-99-19

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

and

FortisBC Energy Inc.
Application for Approval of an Operating Agreement
between the City of Kelowna and FortisBC Energy Inc.

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

on May 3, 2019

ORDER

WHEREAS:

A. On April 30, 2019, FortisBC Energy Inc. (FEI) filed its compliance filing to Order G-81-19 with the British Columbia Utilities Commission (BCUC) requesting approval, pursuant to section 23(1)(g) of the *Utilities Commission Act* (UCA), of a revised operating agreement between FEI and the City of Kelowna, dated April 26, 2019, on a permanent basis;

B. On January 21, 1957, the City of Kelowna and FEI (through its predecessor company Inland Natural Gas Co. Ltd.) entered into a franchise agreement (Franchise Agreement) when natural gas was made available to the Okanagan region of British Columbia;

C. By Order C-2-02 dated February 21, 2002, the BCUC approved an amending agreement, dated November 1, 2001, between the City and FEI (through its predecessor company BC Gas Utility Ltd.), which extended the term of the Franchise Agreement to October 31, 2018;

D. By Order G-206-18 dated October 31, 2018, the BCUC approved the operating agreement dated September 27, 2019 between FEI and the City on an interim basis;

E. By Order G-81-19 dated April 15, 2019, the BCUC directed FEI to submit a compliance filing with a revised operating agreement in accordance with the Reasons for Decision appended to Order G-81-19; and

F. The BCUC has reviewed the compliance filing and considers that approval is warranted.

NOW THEREFORE the BCUC orders the operating agreement, dated April 26, 2019 between FEI and the City of Kelowna, is approved on a permanent basis.

DATED at the City of Vancouver, in the Province of British Columbia, this 3rd day of May 2019.

BY ORDER

Original signed by:

R. I. Mason
Commissioner