

This Act is current to 30 November 2016.

VANCOUVER ISLAND NATURAL GAS PIPELINE ACT
[RSBC 1996] CHAPTER 474

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Definitions

1 In this Act:

"local distribution utility" means a public utility, as defined by section 1 of the Utilities Commission Act, that operates a system, connected directly to the pipeline, for the transmission, sale or delivery of natural gas;

"natural gas" means all fluid hydrocarbons, both before and after processing, which are not defined as petroleum, and includes hydrogen sulphide contained in them;

"petroleum" means crude petroleum and all other hydrocarbons, regardless of gravity, that are or can be recovered in liquid form from underground through a well by ordinary production methods;

"pipeline" means the Vancouver Island Natural Gas Pipeline as defined by section 2;

"proponent" means the Pacific Coast Energy Corporation.

Pipeline

2 The natural gas pipeline facilities on the mainland of British Columbia, in the Strait of Georgia and on Vancouver Island, including connected works and undertakings owned by the proponent, all as described in the proponent's application for an energy project certificate under the Utilities Commission Act, are to be known as the Vancouver Island Natural Gas Pipeline.

Agreements with Canada, etc.

3 The minister may enter into one or more agreements with

- (a) Canada,
 - (b) the proponent,
 - (c) one or more local distribution utilities,
 - (d) Westcoast Energy Inc.,
 - (e) Alberta Energy Company Ltd.,
 - (f) BC Gas Inc.,
 - (g) Centra Gas British Columbia Inc.,
 - (h) Westcoast Power Holdings Inc.,
 - (i) CGBC Holdings Inc., or
 - (j) any other person approved by the Lieutenant Governor in Council
- with respect to the funding, construction and operation of the pipeline, the granting of service areas and any other matter relating to this Act.

Provincial financial assistance

4 (1) The minister may, to facilitate construction of the pipeline, make grants or loans to the proponent not exceeding \$25 million in the aggregate on terms and conditions that may be specified in an agreement under section 3 (a).

(2) Amounts, not exceeding \$25 million in the aggregate, may be paid out of the consolidated revenue fund for the purposes of grants or loans under this section.

Repealed

5 [Repealed 2014-31-13.]

Conversions assistance program

6 (1) Subject to the regulations, the minister must establish a program to grant financial assistance to persons to assist in the conversion of oil, propane or other fuel fired appliances to the use of natural gas as a fuel.

(2) A cumulative total, not exceeding \$55 million, may be paid out of the consolidated revenue fund for the purposes of the program established under this section.

Application of utility statutes

7 (1) The Utilities Commission Act and the Gas Utility Act apply to the proponent and a local distribution utility except to the extent otherwise provided in this section or in a regulation under this section.

(2) The Lieutenant Governor in Council may make regulations as follows:

(a) ordering that prescribed provisions of the Utilities Commission Act or of the Gas Utility Act do not apply in respect of

(i) the proponent,

(ii) the local distribution utilities, or

(iii) a particular local distribution utility;

(b) prescribing limitations and conditions for the purposes of a regulation under paragraph (a).

(3) Despite Parts 3 and 6 of the Utilities Commission Act, the Lieutenant Governor in Council may issue directions to the British Columbia Utilities Commission, specifying one or more of the following:

(a) the factors, criteria and guidelines that the commission must or must not use in regulating and fixing rates for the proponent or a local distribution utility;

(b) classes of customers of the proponent or of a local distribution utility, according to volume of natural gas taken, location, date of application for natural gas service, type of premises or on any other basis the Lieutenant Governor in Council considers appropriate;

(c) the rates that may be permitted to be charged under the Utilities Commission Act by the proponent to its customers or by a local distribution utility to its customers, and, in specifying rates under this paragraph, the Lieutenant Governor in Council may differentiate among the classes of customers specified under paragraph (b);

(d) limitations or principles that must be applied by the commission in fixing or varying the rates charged by the proponent to its customers or by a local distribution utility to its customers, and, for any specification of limitations or principles under this paragraph, differentiating, or requiring or empowering the commission to differentiate, among the classes of customers specified under paragraph (b);

(e) for all or part of any year since the commencement of operation of the pipeline, one or more of the following:

(i) the cost of service of the proponent or a local distribution utility;

(ii) the manner of determining the proponent's or a local distribution utility's cost of service;

(iii) the components, factors and considerations that must or must not be taken into account in making a determination under subparagraph (ii);

(f) an order that has been made by the British Columbia Utilities Commission and is or may be relevant to the proponent, one or more local distribution utilities, or both, and doing either or both of the following:

(i) requiring the commission to apply or to refrain from applying that order or a specified portion or aspect of that order to the proponent, one or more local distribution utilities, or both;

(ii) directing the commission as to the extent or manner in which it must or must not apply that order or a specified portion or aspect of that order to the proponent, one or more local distribution utilities, or both.

(4) Despite the Utilities Commission Act and the Gas Utility Act,

(a) the British Columbia Utilities Commission must comply with a direction issued under subsection (3) of this section, and

(b) if a direction issued under subsection (3) of this section is inconsistent or in conflict with the Utilities Commission Act or the Gas Utility Act, the direction prevails.

(5) [Repealed 2014-31-14.]

Power to make regulations

8 The Lieutenant Governor in Council may make regulations respecting the implementation of the conversion assistance program under section 6, including regulations respecting eligibility for assistance under that program.

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