



**THE ISLAND REGULATORY AND
APPEALS COMMISSION**

Prince Edward Island
Île-du-Prince-Édouard
CANADA

**Docket P-6-1A
Order PW08-026**

IN THE MATTER of an application by
Irving Oil Marketing Limited for an increase of
4.0 cents per litre in its propane pricing
schedule.

BEFORE THE COMMISSION

on Thursday, the 31st day of July, 2008

Maurice Rodgerson, Chair
Brian McKenna, Vice-Chair
John Broderick, Commissioner
Chester MacNeill, Commissioner

Order

Compared and Certified a True Copy

(Sgd) *Faye Weeks*

Technical and Regulatory
Services Division

IN THE MATTER of an application by
Irving Oil Marketing Limited for an increase
of 4.0 cents per litre in its propane pricing
schedule.

Order

UPON receiving the application of Irving Oil Marketing Limited ("Irving") for an increase of 4.0 cents per litre in all prices in its propane pricing schedule based on increased costs;

AND UPON reading the Declaration of Kevin Hicks, Pricing Representative for Irving, and supporting documentation filed herein on July 25, 2008;

AND UPON it appearing to the Commission that the prices resulting from an increase of 4.0 cents per litre in Irving's propane pricing schedule are just and reasonable;

NOW THEREFORE, pursuant to the *Island Regulatory and Appeals Commission Act* and the *Petroleum Products Act*,

IT IS ORDERED THAT

1. the maximum propane prices charged by Irving Oil Marketing Limited, effective 12:01 a.m. on Friday, August 1, 2008, be in accordance with Appendix "A" to this Order, and shall remain in effect until otherwise ordered by the Commission; and
2. the prices approved herein shall appear on all invoices covering sales or deliveries of propane.

DATED at Charlottetown, Prince Edward Island, this 31st day of July, 2008.

BY THE COMMISSION:

(Sgd) *Maurice Rodgerson*

Maurice Rodgerson, Chair

(Sgd) *Brian McKenna*

Brian McKenna, Vice-Chair

(Sgd) *John Broderick*

John Broderick, Commissioner

(Sgd) *Chester MacNeill*

Chester MacNeill, Commissioner

NOTICE:**Section 58 of the *Petroleum Products Act* reads as follows:**

58. Where any person has the status of a party or is an intervenor in any hearing before the Commission, he is entitled

(a to appeal the decision of the Commission to the Appeal Division; and

(b) to participate as a party in the hearing of an appeal.

and an appeal shall be on a question of law or jurisdiction only and be governed by section 13 of the Island Regulatory and Appeals Commission Act.

Sections 13.1 (1) and (2) of the *Island Regulatory and Appeals Commission Act* provide as follows:

13.(1) An appeal lies from a decision or order of the Commission to the Appeal Division of the Supreme Court upon a question of law or jurisdiction.

(2) The appeal shall be made by filing a notice of appeal in the Supreme Court within twenty days after the decision or order appealed from and the Civil Procedure Rules respecting appeals apply with the necessary changes.

APPENDIX "A"**IRVING OIL MARKETING LIMITED****EFFECTIVE: AUGUST 1, 2008 - PRINCE EDWARD ISLAND**

| <u>CATEGORY</u> | <u>CENTS PER LITRE</u> |
|--|-------------------------------|
| Carburation and Portable cylinders | 97.8 |
| Bulk Propane Delivery – Maximum Price | 93.7 |
| Dispensing Units | 87.7 |

Carburation Cylinders Handling Fee:

33 lb. portable cylinder \$3.00 per cylinder

Yearly Rental on Cylinders and Tanks:

| | |
|---------------------------|---------------------------|
| 100 lb. portable cylinder | \$36.00 |
| 200 lb. fixed cylinder | \$30.00 per installation |
| 420 lb. fixed cylinder | \$69.00 per installation |
| 334 gallon fixed tank | \$60.00 per installation |
| 500 gallon fixed tank | \$110.00 per installation |
| 1,000 gallon fixed tank | \$180.00 per installation |
| 1,750 gallon fixed tank | \$250.00 per installation |
| 2,000 gallon fixed tank | \$250.00 per installation |

Service Rates – Installation Charges:

All installations will be charged on the basis of time and materials used.
Time will be figured on the inclusion of travel time and shop time where applicable.