



**THE ISLAND REGULATORY AND
APPEALS COMMISSION**

Prince Edward Island
Île-du-Prince-Édouard
CANADA

**Docket P-6-1A
Order PW09-005**

IN THE MATTER of an application by
Irving Energy Distribution and Marketing for an
increase of 3.2 cents per litre in its propane
pricing schedule.

BEFORE THE COMMISSION

on Friday, the 30th day of January, 2009

Maurice Rodgerson, 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 Energy Distribution and Marketing for an increase of 3.2 cents per litre in its propane pricing schedule.

Order

UPON receiving the application of Irving Energy Distribution and Marketing ("Irving") on January 28, 2009 for an increase of 3.2 cents per litre in all prices in its propane pricing schedule based on increased costs;

AND UPON it appearing to the Commission that the prices resulting from an increase of 3.2 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 Energy Distribution and Marketing, effective 12:01 a.m. on Sunday, February 1, 2009, 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 30th day of January, 2009.

BY THE COMMISSION:

(Sgd) *Maurice Rodgerson*
Maurice Rodgerson, 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 ENERGY DISTRIBUTION AND MARKETING****MAXIMUM PRICES EFFECTIVE FEBRUARY 1, 2009****PRINCE EDWARD ISLAND**

CATEGORY	CENTS PER LITRE
Carburation and Portable cylinders	77.2
Bulk Propane Delivery – Maximum Price	73.1
Dispensing Units	67.1

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.