



**THE ISLAND REGULATORY AND  
APPEALS COMMISSION**

Prince Edward Island  
Île-du-Prince-Édouard  
CANADA

**Docket P-6-1A  
Order PW09-042**

**IN THE MATTER** of an application by  
Irving Energy Distribution and Marketing for an  
increase of 1.0 cent per litre in its propane  
pricing schedule.

**BEFORE THE COMMISSION**  
on Monday, the 31st day of August, 2009

Maurice Rodgerson, Chair  
Chester MacNeill, Commissioner

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# 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 1.0 cent per litre in its propane pricing schedule.

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# Order

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**UPON** receiving the application of Irving Energy Distribution and Marketing ("Irving") on August 28, 2009 for an increase of 1.0 cent 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 1.0 cent 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 Tuesday, September 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 31st day of August, 2009.

**BY THE COMMISSION:**

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(Sgd) *Maurice Rodgerson*  
Maurice Rodgerson, Chair

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(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 Court of Appeal; 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 Court of Appeal upon a question of law or jurisdiction.*

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

**APPENDIX "A"****IRVING ENERGY DISTRIBUTION AND MARKETING  
MAXIMUM PRICES EFFECTIVE SEPTEMBER 1, 2009  
PRINCE EDWARD ISLAND**

| <b>CATEGORY</b>                              | <b>CENTS PER LITRE</b> |
|--|------------------------|
| <b>Carburation and Portable cylinders</b>    | <b>70.6</b>            |
| <b>Bulk Propane Delivery – Maximum Price</b> | <b>66.5</b>            |
| <b>Dispensing Units</b>                      | <b>60.5</b>            |

**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.