



**THE ISLAND REGULATORY AND
APPEALS COMMISSION**

Prince Edward Island
Île-du-Prince-Édouard
CANADA

**Docket P-6-1A
Order PW10-005**

IN THE MATTER of an application by
Irving Energy Distribution and Marketing for an
increase of 6.0 cents per litre in its propane
pricing schedule.

BEFORE THE COMMISSION

on Friday, the 29th day of January, 2010

Maurice Rodgerson, Chair
Allan Rankin, Vice-Chair
John Broderick, Commissioner
Chester MacNeill, Commissioner

Order

IN THE MATTER of an application by Irving Energy Distribution and Marketing for an increase of 6.0 cents per litre in its propane pricing schedule.

Order

UPON receiving the application of Irving Energy Distribution and Marketing ("Irving") on January 28, 2010 for an increase of 6.0 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 6.0 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 Energy Distribution and Marketing, effective 12:01 a.m. on Monday, February 1, 2010, 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 29th day of January, 2010.

BY THE COMMISSION:

(Sgd) *Maurice Rodgerson*

Maurice Rodgerson, Chair

(Sgd) *Allan Rankin*

Allan Rankin, 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 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.

The information in this Order is confidential until the price changes take effect. Any unauthorized use or communication of this information by licensees or their employees, and in particular, any disclosure of the contents of this Order to the public, or to the media, prior to 12:01 a.m. on the date in which these price changes come into effect, is strictly prohibited, and may result in license suspension or monetary penalty.

APPENDIX "A"**IRVING ENERGY DISTRIBUTION AND MARKETING****MAXIMUM PRICES EFFECTIVE FEBRUARY 1, 2010****PRINCE EDWARD ISLAND**

| CATEGORY | CENTS PER LITRE |
|--|------------------------|
| Carburation and Portable Cylinders | 89.0 |
| Bulk Propane Delivery – Maximum Price | 84.9 |
| Dispensing Units | 78.9 |

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.