

# THE COUNTY OF VERMILION RIVER

## BYLAW 22-18

### GAS UTILITY RATE BYLAW

**BEING A BYLAW OF THE COUNTY OF VERMILION RIVER TO REGULATE AND CONTROL THE PRODUCTION, DISTRIBUTION AND USE OF NATURAL GAS IN THE SERVICE AREA OF THE COUNTY OF VERMILION RIVER GAS UTILITY.**

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**A BYLAW** To regulate and control the production, distribution, and use of natural gas in the service area of the County of Vermilion River Gas Utility.

**WHEREAS** the County of Vermilion River is carrying on the operation of a Gas Utility;

**WHEREAS** it is expedient to provide Bylaws to regulate and control the production, distribution and use of natural gas within the area serviced by The County of Vermilion River;

**NOW THEREFORE** The Council of the County of Vermilion River in the Province of Alberta, duly assembled, enacts as follows:

1. Unless the context otherwise requires:
  - (a) "Agent" shall mean the authorized representative of the Consumer.
  - (b) "Chief Administrative Officer" or "CAO" shall mean the chief administrative officer for the County.
  - (c) "County" shall mean the Municipal Corporation of The County of Vermilion River.
  - (d) "Customer" shall mean a user of a natural gas service supplied by the Gas Utility.
  - (e) "Council" shall mean the Council of The County of Vermilion River.
  - (g) "Employee" shall mean all employees employed by the County including officials, office employees, as well as Gas Utility employees and contractors.
  - (h) "Gas Distribution System" shall mean and include plant, machinery, equipment, appliances and devices of every kind and description

that are used or intended to be used in the production, transmission, distribution, delivery, use or consumption measurement of natural gas within the natural gas Service Area of The County of Vermilion River.

- (i) "Gas Inspection Authority" shall mean one or more safety codes officers authorized pursuant to the Safety Codes Act RSA 2000 Chapter S-1 to carry out the powers of safety codes officers with respect to gas systems.
  - (j) "Gas Utility" shall mean the Department of The County of Vermilion River charged with the distribution and supply of natural gas.
  - (k) "Gas Utility Bill" shall mean an invoice for Gas Service provided to a customer;
  - (l) "Person" shall include a partnership and/or corporation as well as a natural person.
  - (m) "Point of Supply" from the Gas Utility shall mean the outlet flange of the meter.
  - (n) "Property" shall mean the titled parcel of land or leased parcel licensed under the Alberta Energy Regulator;
  - (o) "Property Owner" or "Owner" shall mean the Person(s) listed as Owner on the current Alberta Land Title for the subject property, or the AER licensee for surface leases regulated by the Alberta Energy Regulator
  - (p) "Secondary" shall mean gas lines downstream of the gas meter;
  - (q) "Service" or "Gas Service" shall mean an energized gas line(s), riser and associated equipment necessary to provide natural gas to a customer;
  - (r) "Service Area" shall mean the lands contained within the corporate areas of the County of Vermilion River, as well as the lands contained within the Gas Distribution Franchise Area.
2. The Schedules attached to this Bylaw are incorporated into and form part of this Bylaw.
3. This Bylaw shall regulate the distribution and supply of all natural gas within The County of Vermilion River Natural Gas Franchise or in any other area served by the County.
4. A new Service or reconnection shall be considered an Active Service and subject to rates, charges and fees pursuant to this Bylaw or any other Bylaw or Policy pertaining to natural gas services upon:
- a) Installation of the gas meter;
  - b) Activation of the service; Or
  - c) One calendar year following installation of the Gas Service, whichever comes first.

5. All gas meters and pressure regulating equipment owned by the County shall, when installed, remain the property of the County and may be removed or replaced from time to time by the Gas Utility.
6. The service connection, meters, and regulating equipment supplied by the Gas Utility for each customer have a definite capacity. The Consumer or his Agent shall obtain the approval of the Gas Utility on any proposed change to his connected load. Failure to obtain the approval shall render the Consumer liable to the County for any damages, including consequential damages as well as direct damages suffered by the County.
7. No Person other than an Employee or Contractor of the Gas Utility shall move or otherwise disturb any gas meter, metering equipment, tag, notice or seal. No person other than an Employee of the Gas Utility shall alter, adjust or disturb the pressure setting of any gas regulating or pressure relief equipment.
8. For the purpose of installing, replacing, maintaining, reading or servicing any meter or pressure regulating equipment any Consumer upon whose property such meter or regulating equipment is located shall permit the County or its Employees free access at all reasonable times and upon reasonable notice given, and request made to all parts of such property. No obstructions or physical construction shall be placed or allowed to be placed by the Consumer around or above any natural gas apparatus, equipment, or piping owned or operated by the County which would impede free access to such apparatus, equipment or piping by the County for repair, maintenance, inspection or other purposes.
9. Any Consumer upon whose premises any gas meter or pressure regulating equipment is located, shall pay the County for any damage which may occur to the said meter or pressure regulating equipment.
10. No Person other than an employee or contractor of the County shall disturb, connect to, operate, or cause to operate any natural gas apparatus, equipment or piping owned or operated by the County for the purpose of production, transmission, distribution, or consumption measurement of natural gas.
11. The Rate Codes and applicable rates, fees and charges for Consumers are set out in Schedule "A" to this Bylaw.
12. Fees for connection to and disconnection from the County Gas System are set out in Schedule "B" to this Bylaw.
13. Any applicant who requests service at a location which is in an area which at the time of application is not adequately served by the Gas Utility Distribution System may be required by the Gas Utility to pay
  - a) a connection fee as established by the Gas Utility; or
  - b) the actual cost of the extension required for such service as



calculated by the Gas Utility.

14. Unpaid fees and charges levied against a Customer by the County, not set out in Schedules "A" and "B" to this Bylaw, but associated with the natural gas Service, including but not limited to:
  - a) Fees for sales, installation, repairs, alterations, or other billable service provided for the Service or connected Secondary equipment or appliances;
  - b) Fees, charges, or penalties as a result of another County Natural Gas Bylaw or Policy, may be added to the Gas Utility Bill for the Service.
15. A Gas Utility Bill shall be issued to the customer for an active Gas Service every month for the previous month's gas service including:
  - a) Actual or estimated volume;
  - b) Current fees and charges; and
  - c) Previous outstanding arrears.
16. The collection of all gas charges and fees on the Gas Utility Bill may be made by the County pursuant to the provisions of the Municipal Government Act including addition of the charges and fees to the Tax Roll for the property on which the Gas Service exists.
17. The County may disconnect the service to a Consumer who has failed to pay any rates or charges set out in a Gas Utility Bill.
18. When any service has been disconnected by reason of non-compliance with any provision of this Bylaw, reconnection charges as specified in Schedule "B" shall be paid to the County before the service is reconnected.
19. Complaints tests regarding Consumer's meters will be made in accordance with Measurement Canada relating to natural gas meter disputes.
20. The County reserves the right to disconnect the supply of natural gas to any Consumer violating any of the provisions of this Bylaw. Reconnection of service will only occur if all provisions of this Bylaw are complied with. The County shall not be liable for damages either direct or consequential resulting from such interruption or failure.
21. The County shall not be liable for damages either direct or consequential resulting from the use or misuse of natural gas by the Consumer or from natural gas faults on the customer's piping system, appliances, or any other apparatus connected to his natural gas service.
22. The County will use reasonable diligence to provide a regular and uninterrupted supply of service. Should the supply be interrupted or fail by any causes whatsoever, the County shall not be liable for damages either direct or consequential resulting from such interruption or failure.

23. Subject to the right of a Consumer to obtain a supply of gas from a Direct Seller pursuant to the Municipal Government Act RSA Chapter M-26, no person other than the County shall operate a gas utility within the boundaries of The County of Vermilion River without the County's written approval.
24. Bylaw 22-02 is hereby repealed.
25. This Bylaw shall take effect on January 1, 2023.

**SHOULD** any provision of this Bylaw be determined to be invalid, then such provisions shall be severed, and the remaining bylaw shall be maintained.

**THIS** Bylaw shall come into force and effect upon receiving Third and Final Reading and having been signed by the Reeve and Chief Administrative Officer.

Read this First time this 13th day of December, 2022

Read this Second time this 13th day of December, 2022

Introduced for Third and Final time this 13th day of December, 2022

Read a Third and Final time and finally passed, this 13th day of December, 2022

**SIGNED** by the Reeve and Chief Administrative Officer this 13 day of December, 2022

  
REEVE

  
CHIEF ADMINISTRATIVE OFFICER

**SCHEDULE "A" TO BYLAW #22-18**

**GENERAL SERVICE NATURAL GAS RATES (ALL CLASSES)**

**1. SALES & TRANSPORTATION - RATES CODES AND CHARGES**

The rates and charges for services provided by the Gas Utility are as follows:

Sr Code	Type	Description	Commodity Charge	\$/GJ				
				Monthly Service Charge	Delivery-Transport Charge	Penalty After	Penalty Rate	
3	Industrial	Low Volume	Yes	\$ 190.00	\$ 0.80	60 days	1.5%	
3H	Industrial	Low Volume w Meter Station	Yes	\$ 275.00	\$ 0.80	60 days	1.5%	
3T	Industrial	High Volume	Yes	\$ 275.00	\$ 0.53	60 days	1.5%	
BP	Industrial	Barcomp	Yes	\$ 190.00	\$ 0.36	60 days	1.5%	
NM	Industrial	Meter Removed	Yes	\$ 55.00	\$ -	60 days	1.5%	
R	Industrial	Temporary Service	Yes	\$ 190.00	\$ 1.33	60 days	1.5%	
U	Industrial	High Volume with RMO Station	Yes	\$ 550.00	\$ 0.53	60 days	1.5%	
Y	Industrial	Campus	Yes	\$ 190.00	\$ 0.80	60 days	1.5%	
YC	Industrial	Campus w RMO Station	Yes	\$ 935.00	\$ 0.80	60 days	1.5%	
YS	Industrial	Campus w Meter Station	Yes	\$ 275.00	\$ 0.80	60 days	1.5%	
1	Residential	Residential, Farm, Commercial Buildings, Grain Dryers	Yes	\$ 30.00	\$ 1.32	30 days	1.5%	
1S	Residential	Restricted Access - Residential, Farm, Commercial Buildings, Grain Dryers	Yes	\$ 32.00	\$ 1.32	30 days	1.5%	
8	Residential	Non Burner	Yes	\$ 30.00	\$ -	-	-	
8L	Residential	Non Burner - with Penalty	Yes	\$ 30.00	\$ -	30 days	1.5%	
NG	Residential	Natural Gas Fill Station	Yes	\$ -	\$ -	-	-	
2	Transportation	RMO Station Only	No	\$ 550.00	\$ 0.25	60 days	1.5%	
3N	Transportation	Standard Transportation Account	No	\$ 190.00	\$ 0.58	60 days	1.5%	
H1	Transportation	High Volume Transportation Account	No	\$ 190.00	\$ 0.25	60 days	1.5%	
H	Transportation	Foreign Pipeline Connections	No	\$ 190.00	\$ 0.43	60 days	1.5%	
N1	Transportation	Large Pipeline Systems	No	\$ 1,500.00	\$ 0.43	60 days	1.5%	
N2	Transportation	Multiple Pipeline Systems	No	\$ 900.00	\$ 0.43	60 days	1.5%	
N3	Transportation	Intermediate Pipeline System	No	\$ 300.00	\$ 0.58	60 days	1.5%	
TP	Transportation	Flat Fee	No	\$ 2,200.00	\$ -	60 days	1.5%	

**NOTES:**

- (1) The Commodity Charge payable for the supply of natural gas shall be a per GJ charge, adjusted monthly, that is equal to price charged by the supplier of gas.
- (2) Each year prior to December 31, the Gas Utility will determine the Rate Code that will be applicable for the following year based on the total volume of gas consumed by the Consumer from November 1 of the previous year to November 30 of the current year.

In the case of:

- (a) a new Consumer who has not consumed gas from the Gas Utility, or
- (b) a Consumer who has consumed gas from the Gas Utility for a period of time less than November 1 of the previous year to November 30 of the current year,

the Gas Utility will decide on a Rate Code based on the Gas Utility's estimate of the anticipated customer load.

- (3) Wherever applicable GST, Federal Fuel Charge and any other applicable Federal or Provincial taxes, levies or charges shall be applied.

DEFINITIONS:

"High Volume" shall mean services using over 30,000 GJ/Year;

"Low Volume" shall mean services using under 30,000 GJ/Year;

"High Volume Transportation" shall mean services transporting over 125,000 GJ/Year;

"Foreign Pipeline Connection" shall mean foreign pipelines connected to the County gas system;

"Standard Transportation Account" shall mean connected portions of the County gas pipeline network under 10 km or without on lease subtraction metering, available to the Customer for transportation of gas and billed as a single Service;

"Intermediate Transportation System" shall mean connected portions of the County gas pipeline network between 10 and 50 km with on lease subtraction metering available to the Customer for transportation of gas and billed as a single Service;

"Large Transportation System" shall mean connected portions of the County gas pipeline network over 50 km with on lease subtraction metering available to the Customer for transportation of gas and billed as a single Service;

"Multiple Transportation Systems" shall mean more than two non-contiguous portions of the County gas pipeline network available to the Customer for transportation of gas and billed as a single Service;

"RMO Station" shall mean a gas tap facility contained in a Building, containing all, or any three of, pressure control, odorant delivery, meter and line heater, and operated under the Operations & Maintenance Manual RMO guidelines;

"Meter Station" shall mean an enclosed metering station including pressure control, dedicated to the Service.

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**2. EXCESS GAS PURCHASE LOCATIONS - RATES CODES AND CHARGES**

The rates and charges for services provided by the Gas Utility are as follows:

Sr Code	Definition	Gas Purchase	Service Charge	Receipt Tariff	Delivery/Transport Charge
V	Excess Gas - Low Volume with Skid	Yes	\$ 250.00	\$ 0.50	\$ 0.50
W	Excess Gas - High Volume with Skid	Yes	\$ 250.00	\$ 0.20	\$ 0.25
T	Excess Gas - Tap 27	Yes	\$ 190.00	\$ 0.20	\$ 0.67
J	Excess Gas - Tap 50	Yes	\$ 190.00	\$ 0.20	\$ 0.45
G	Excess Gas Tap 52	Yes	\$ 275.00	\$ 0.20	\$ 0.45

NOTES:

- (1) Gas Purchase of excess gas from the Customer by the County is calculated at AECO 5A Monthly Average less the \$GJ Receipt Tariff

**3. COUNCIL APPROVED RATE ADJUSTMENTS**

Notwithstanding any other provision of this Bylaw, Council may pass resolutions from time to time to adjust the rates and charges payable pursuant to Section 2 of this Schedule, in response to changing conditions in the natural gas market.

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**SCHEDULE "B" TO BYLAW #22-18  
RECONNECTION, DISCONNECTION AND TRANSFER FEES AND METER DISPUTE CHARGES**

**1. CONNECTION/DISCONNECTION FEES**

The Customer shall pay fees to the County as follows for applicable services requested:

Service Type	Property Type	Use	Length / Size	Contract Rate	Cost Charged over Contract Rate
New Service	Rural	Residential/Agricultural	<200 Feet / <1 mmBTU	\$2,750	Actual
New Service	Rural	Residential/Agricultural	>200 Feet / <1 mmBTU	\$8,000	75% of Actual
New Service	Urban	Residential		\$2,750	Actual
New Service	Rural	Residential Multi-Lot		\$5,000/lot	Actual
Secondary Conversion		Residential/Agricultural		\$1,000	Actual
New Service	Urban	Commercial	>500 mmBTU	\$2,750	Actual
New Service	Urban	Commercial	500-1,500 mmBTU	\$5,000	Actual
New Service	Urban	Commercial	>1.5 mmBTU	\$8,000	Actual
New Service		Commercial Multi Lot		\$8,000	Actual
New Service	Rural	Grain Dryer		Project Specific	Project Specific
New Service	Rural	Commercial	> 1.5 mmBTU	Project Specific	Project Specific
All	All	Industrial		Project Specific	Project Specific
Service Removal Temporary		Residential, Agricultural, Commercial			Actual
Service Removal Permanent		Residential, Agricultural, Commercial			No Charge
Service Removal		Industrial			Actual
Reinstatement		Residential, Agricultural, Commercial			Actual
Reinstatement – Temporary Disconnect		Residential, Agricultural, Commercial			Actual less meter/regulator

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NOTES

Where "Project Specific" is noted, the County Gas Utility Director shall have the authority to approve cost estimates and billing amounts to Customers.

2. **METER DISPUTE SERVICE CHARGE**

Meter Dispute Service Charge of \$175 shall be charged to a customer who wishes to initiate a Meter Dispute pursuant to this Bylaw

If testing indicates that the Gas meter is outside the accuracy limits acceptable to the government agency having jurisdiction, the billing adjustment will include a refund of the Meter Dispute Service Charge. The service charge includes the government agency's testing fee and removal/replacement of mete

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