



UTILITIES COMMISSION

ORDER  
NUMBER G-58-91

IN THE MATTER OF the Utilities Commission  
Act, S.B.C. 1980, c. 60, as amended

and

IN THE MATTER OF an Application by  
Westcoast Power Inc. and CU Power Canada Limited

BEFORE: J.G. McIntyre, )  
Chairman; )  
N. Martin, )  
Commissioner; and ) July 10, 1991  
W.M. Swanson, Q.C., )  
Commissioner )

### O R D E R

#### WHEREAS:

- A. On May 10, 1991 Westcoast Power Inc. ("WPI") and CU Power Canada Limited, ("CU Power"), a wholly-owned subsidiary of CU Power International Limited and collectively referred to as ("Wescup") filed with the Commission an Application for their exemption from the provisions of Part 3 of the Utilities Commission Act ("the Act") to the extent those provisions would apply by virtue of their ownership and operation of the McMahon Cogeneration Project ("the Project") located at Taylor, B.C.; and
- B. By Order No. E-1-91 dated February 14, 1991 the Commission approved the Electricity Purchase Agreement between B.C. Hydro and Wescup for the supply of power from the Project to B.C. Hydro at Taylor, B.C.; and
- C. By Order No. E-7-91 dated May 16, 1991 the Commission approved the Gas Purchase/Supply Contracts covering the purchase of natural gas for the Project; and
- D. On May 27, 1991 the Minister of Energy, Mines and Petroleum Resources with the concurrence of the Minister of Environment, issued an Order pursuant to Section 19 (1)(c) of the Act allowing the construction and operation of the Project at Taylor, B.C.; and
- E. The Commission has considered the Application and is satisfied that an Order exempting Wescup from certain sections of the Act properly conserves the public interest; and
- F. On July 5, 1991 the approval of the Lieutenant Governor in Council was given to the said exemption by Order in Council No. 975, 1991 and is attached as Appendix A; and
- G. The Commission may, pursuant to Section 114 of the Act, reconsider, vary or rescind an Order made by it.

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**NOW THEREFORE** pursuant to its powers under Section 103(3) of the Act the Commission orders that:

WPI and CU Power are exempted from the application of provisions of Part 3 of the Act to the extent that those provisions would apply by reason of their ownership and operation of the Project.

**DATED** at the City of Vancouver, in the Province of British Columbia, this <sup>07</sup>// day of July, 1991.

BY ORDER



Norris Martin  
Commissioner

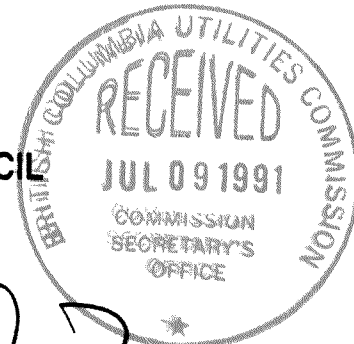
Attch.



APPENDIX "A"

PROVINCE OF BRITISH COLUMBIA  
ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. **975**, Approved and Ordered JUL -5.1991



Lieutenant Governor

Executive Council Chambers, Victoria JUL -3.1991

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that approval is given to the B.C. Utilities Commission making an Order substantially in the form as set out in the schedule.

Minister of Energy, Mines  
and Petroleum Resources

Presiding Member of  
Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Utilities Commission Act, section 103(3).

Other (specify):

(QP 4033)

IN THE MATTER OF the Utilities Commission  
Act, S.B.C. 1980, c. 60, as amended

and

IN THE MATTER OF an Application by  
Westcoast Power Inc. and Canadian Utilities Limited

BEFORE:

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)  
)  
)  
) \_\_\_\_\_, 1991

O R D E R

**WHEREAS:**

- A. On May 10, 1991 Westcoast Power Inc. ("WPI") and CU Power Canada Limited, ("CU Power"), a wholly-owned subsidiary of Canadian Utilities Limited ("CU Power") and collectively referred to as ("Wescup") filed with the Commission an Application for exemption from the provisions of Part 3 of the Utilities Commission Act ("the Act") for the McMahon Cogeneration Project ("the Project") located at Taylor, B.C.; and
- B. By Order No. E-1-91 dated February 14, 1991 the Commission approved the Electricity Purchase Agreement between B.C. Hydro and Wescup for the supply of power from the Project to B.C. Hydro at Taylor, B.C.; and
- C. By Order No. E-7-91 dated May 16, 1991 the Commission approved the Gas Purchase/Supply Contracts covering the purchase of natural gas for the Project; and
- D. On \_\_\_\_\_ the Minister of Energy, Mines and Petroleum Resources with the concurrence of the Minister of Environment, issued an Order pursuant to 19.(1)(c) of the Act allowing the construction and operation of the McMahon Cogeneration Project at Taylor, B.C.; and
- E. The Commission has considered the Application and is satisfied that an Order exempting Wescup from certain sections of the Act properly conserves the public interest; and
- F. On \_\_\_\_\_, 1991 the approval of the Lieutenant Governor in Council was given to the said exemption by Order-in-Council No. \_\_\_\_\_, 1991 and is attached as Appendix A; and
- G. The Commission may, pursuant to Section 114 of the Act, reconsider, vary or rescind an Order made by it.

**NOW THEREFORE** pursuant to its powers under Section 103(3) of the Act the Commission orders that:

- 1. WPI and CU Power are exempted from the Application of provisions of Part 3 of the Act to the extent that those provisions would otherwise apply by reason of their ownership and operation of the McMahon Cogeneration Project.



2. The Exemption Order shall not have force and effect until after the date upon which it is approved by the Lieutenant Governor in Council, pursuant to Section 103(3) of the Act.

**DATED** at the City of Vancouver, in the Province of British Columbia, this                      day  
of \_\_\_\_\_, 1991.

BY ORDER