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BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER G-27-94

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

and

An Application by
CPI, Canyon Power Inc.

BEFORE: M.K. Jaccard, Chairperson; and)
L.R. Barr, Deputy Chairperson) March 25, 1994

ORDER

- A. CPI, Canyon Power Inc. ("CPI") applied by letter to the Commission dated March 16, 1994 for an Order exempting CPI from the status of a public utility in the Province of British Columbia; and
- B. CPI has entered into an Agreement ("the Agreement") dated December 24, 1993, with British Columbia Hydro and Power Authority ("B.C. Hydro") for the supply of up to 6500 kilowatts of electricity to be delivered at B.C. Hydro's distribution plant at Lytton, B.C., from CPI's woodwaste and municipal solid waste steam turbine cogeneration plant; and
- C. The Minister of Energy, Mines and Petroleum Resources authorized the British Columbia Utilities Commission to make Orders pursuant to Section 27(2)(a) of the Utilities Commission Act ("the Act") with respect to Energy Supply contracts between Independent Power Producers and B.C. Hydro, designated as Ministerial Order No. 1 (M-51) dated April 10, 1989; and
- D. The Commission has reviewed and approved the Contract between B.C. Hydro and CPI, pursuant to Section 85.3 of the Act, and issued Order No. E-4-94; and
- E. The Commission has considered the Application and is satisfied that an Order exempting CPI from all or any of the provisions of Part 3 of the Act properly conserves the public convenience and interest.

NOW THEREFORE the Commission orders as follows:

In consideration of the sale of power by Agreement dated December 24, 1993, which was approved by Commission Order No. E-4-94, CPI is hereby exempt from the provisions of Part 3 of the Act except Section 27, provided that CPI does not otherwise become a public utility as defined in Section 1 of the Act.

DATED at the City of Vancouver, in the Province of British Columbia, this 6th day of April, 1994.

BY ORDER

Dr. Mark K. Jaccard