



ROBERT J. PELLATT
COMMISSION SECRETARY

SIXTH FLOOR, 900 HOWE STREET, BOX 250
VANCOUVER, B.C. CANADA V6Z 2N3
TELEPHONE: (604) 660-4700
BC TOLL FREE: 1-800-663-1385
FACSIMILE: (604) 660-1102

VIA FACSIMILE

December 15, 1997

Mr. Dennis Fitzgerald, P.Eng.
TMP and Energy Manager
Fletcher Challenge Canada Limited
Elk Falls Mill
PO Box 2000
Campbell River, B.C.
V9W 5C9

Dear Mr. Fitzgerald:

Re: British Columbia Hydro and Power Authority
Complaint - Request for Extended Force Majeure Relief

Further to your November 3, 1997 request for extended Force Majeure relief with regard to your Electricity Supply Agreement with B.C. Hydro, and the prolonged labour strike at the three pulp mills located at Campbell River (Elk Falls), Mackenzie and Crofton, the Commission has reviewed the information filed by FCCL along with B.C. Hydro's response and advises that the issue of contract disputes is one in which the Commission does not become involved. The December 19, 1984 Decision, in which the Commission developed this policy, is attached for your reference.

We are sorry that the Commission's decision was not in favour of FCCL, but suggest the courts may be the best avenue for a decision on a contract dispute concerning an extended force majeure relief.

Yours truly,

A handwritten signature in black ink, appearing to read "Robert J. Pellatt".

Robert J. Pellatt

RJP/cms
Enclosure

cc: Ms. Darlene M. Barnett
Senior Vice President, Marketing and Customer Services
British Columbia Hydro and Power Authority

 *** ACTIVITY MANAGEMENT REPORT TX ***

ACTY#	MODE	CONNECTION TEL	CONNECTION ID	START TIME	USAGE T.	PAGES	RESULT
*5921	B' CAST	G3 99414068		12/15 08:47	02'53	5	OK
*5921	B' CAST	ECM 96915863		12/15 08:50	01'20	5	OK
*5921	B' CAST	ECM 96827896		12/15 09:05	01'51	5	OK
*5921	B' CAST	ECM 812504908761		12/15 09:11	01'56	5	OK
*5923	TX	ECM 92611964		12/15 09:18	00'57	3	OK
*5928	TX	ECM 815038334907		12/15 11:01	12'22	32	OK
*5930	TX	G3 812504932340		12/15 11:16	01'24	2	OK
*5933	TX	ECM 96915884	WEI RA & R	12/15 12:08	00'25	1	OK
*5937	TX	ECM 96234311	SR. VP M&CS	12/15 13:46	00'56	3	OK
*5938	TX	ECM 9 683 5317	BOUGHTON PETERSO	12/15 14:11	00'26	1	OK
*5942	TX	ECM 819732279742		12/15 15:27	00'24	1	OK
*5944	TX	G3 812502928692		12/15 16:01	01'51	3	OK
*5945	TX	ECM 815032303681		12/15 16:09	03'21	7	OK
*5955	TX	812504804450		12/16 08:29	00'00	0	NG
							0 STOP
*5956	TX	ECM 812504804450		12/16 08:31	04'48	14	OK
5957	B' CAST	ECM L-74+ Dec 15 96234311	SR. VP M&CS	12/16 08:50	04'54	19	OK
5957	B' CAST	ECM ✓ ✓ 812502875480	FCC-ELK FALLS	12/16 08:55	04'36	19	OK

 *** ACTIVITY MANAGEMENT REPORT RX ***

ACTY#	MODE	CONNECTION TEL	CONNECTION ID	START TIME	USAGE T.	PAGES	RESULT
*5922	AUTO RX	ECM		12/15 09:00	00'34	1	OK
*5924	AUTO RX	ECM 604 276 4177		12/15 09:37	00'27	1	OK
*5925	AUTO RX	G3 2504924081		12/15 09:41	00'41	1	OK
*5926	AUTO RX	ECM 1 250 492 0063	R.D.O.S. PENT.	12/15 10:06	00'40	1	OK
*5927	AUTO RX	ECM 403 267 8735	ANG PIPELINE	12/15 10:48	00'44	2	OK
*5929	AUTO RX	G3 1 250 762 9115		12/15 10:57	03'32	6	OK
*5931	AUTO RX	ECM 867 667 5059		12/15 11:39	02'19	2	OK
*5932	AUTO RX	ECM 6627210		12/15 11:55	01'02	3	OK
*5934	AUTO RX	ECM 14032967423		12/15 12:18	00'28	1	OK
*5935	AUTO RX	ECM		12/15 13:04	01'34	2	OK
*5939	AUTO RX	ECM 604 691 5863		12/15 14:34	00'50	3	OK
*5940	AUTO RX	ECM 604 691 5863		12/15 14:36	00'54	3	OK
*5941	AUTO RX	ECM 6043641270		12/15 15:19	00'40	2	OK
*5943	AUTO RX	ECM 250 480 4454		12/15 15:39	04'33	13	OK
*5946	AUTO RX	ECM 604 623 3606		12/15 16:35	01'38	5	OK
*5947	AUTO RX	ECM 6043641270		12/15 16:44	02'49	10	OK
*5948	AUTO RX	ECM 604 623 4407	BCH-H&RR/FOI	12/15 17:03	01'30	5	OK
*5949	AUTO RX	ECM		12/15 17:26	01'26	2	OK
*5950	AUTO RX	G3 6048748179		12/15 18:35	01'02	1	OK
*5951	AUTO RX	ECM 3871696		12/15 19:12	00'34	1	OK
*5952	AUTO RX	G3		12/16 05:51	00'35	1	OK
*5953	AUTO RX	G3 7318266		12/16 05:59	01'36	1	OK
*5954	AUTO RX	G3		12/16 07:56	00'50	1	OK