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BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER G-140-01

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IN THE MATTER OF
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473

and

British Columbia Hydro and Power Authority

and

an Application for Approval of Rate Schedule 1268
Distribution Access Rate for Independent Power Producers and Customers with Self-Generation

BEFORE: P. Ostergaard, Chair)
P.G. Bradley, Commissioner)
K.L. Hall, Commissioner) December 19, 2001
N.F. Nicholls, Commissioner)

O R D E R

WHEREAS:

- A. British Columbia Hydro and Power Authority ("B.C. Hydro") applied to the Commission for approval of Rate Schedule 1268 Distribution Transportation Access for Independent Power Producers ("RS 1268") and changes to its Electric Tariff Index by way of a letter dated September 14, 2001; and
- B. In a letter dated September 21, 2001, the Commission circulated B.C. Hydro's application to registered intervenors from the Hothouse/Distribution Access Hearing and requested comments on the proposed RS 1268; and
- C. In a letter dated October 8, 2001, the Joint Industry Electricity Steering Committee ("JIESC") supported B.C. Hydro's proposal to remove the separate connection requirement from RS 1268 and replace it with anti-arbitrage conditions similar to those utilized with respect to Rate Schedule 1821 customers. The JIESC also supported fixing the tariff rate for the duration of the contract between the IPP and B.C. Hydro; and
- D. By way of Letter No. L-35-01, the Commission asked B.C. Hydro to propose specific wording that would, in its view, obviate the need for the separate connection requirement. The Commission also asked B.C. Hydro to propose changes to RS 1268 such that the current rate could be fixed for the duration of contracts between B.C. Hydro and IPPs; and
- E. In its response dated November 5, 2001, B.C. Hydro proposed specific wording that allows B.C. Hydro to eliminate the separate connection requirement, but requested that it be relieved of the requirement to fix the rate at the current level for the duration of contracts between B.C. Hydro and IPPs; and
- F. The Commission circulated B.C. Hydro's November 5, 2001 response to registered intervenors from the Hothouse/Distribution Access Hearing for their comment; and
- G. CBT Energy Inc. ("CBTE") wrote to the Commission in a letter dated November 21, 2001 indicating that the title for RS 1268 should be broadened to include customers with self-generation and that the Special Conditions should be clarified; and

- H. Commission staff forwarded a copy of CBTE's letter and sent an information request to B.C. Hydro on November 29, 2001; and
- I. B.C. Hydro's response was received on December 7, 2001 and included a revised RS 1268; and
- J. The Commission has considered the submissions of B.C. Hydro, the JIESC and CBTE, and finds that approval of the proposed changes to B.C. Hydro's Electric Tariff Index and the proposed RS 1268 is in the public interest subject to certain minor amendments.

NOW THEREFORE the Commission orders as follows:

- 1. The changes to B.C. Hydro's Electric Tariff Index, as filed on December 7, 2001, are approved effective the date of this Order.
- 2. RS 1268 as submitted in B.C. Hydro's letter dated December 7, 2001, is approved effective the date of this Order subject to the following adjustments to Special Condition 2:
 - i) "It may not be used by self-generating customers who have, in the opinion of BC Hydro, varied..." is to be replaced by "It may not be used by self-generating customers who appear to have varied..."
 - ii) "Where, in the opinion of BC Hydro, the Customer has transported..." is to be replaced by "Where it appears that the Customer has transported..."
- 3. B.C. Hydro is to re-file RS 1268 with the above changes on a timely basis.

DATED at the City of Vancouver, in the Province of British Columbia, this 19th day of December 2001.

BY ORDER

Original signed by:

Peter Ostergaard
Chair