



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

and

An Application by British Columbia Hydro and Power Authority
to Exempt from the Provisions of B.C. Hydro's Wholesale Transmission Services Tariff
Power Flowing on B.C. Hydro's System pursuant to the Teck Cominco/B.C. Hydro Line 71 Agreement
and the Line 71 Amending Agreement

BEFORE: P. Ostergaard, Chair)
P.G. Bradley, Commissioner)
K.L. Hall, Commissioner) March 20, 2003
R.H. Hobbs, Commissioner)

O R D E R

WHEREAS:

- A. Teck Cominco Metals Ltd. ("Teck Cominco") is connecting its Line 71 to the British Columbia Hydro and Power Authority ("B.C. Hydro") system at Nelway in order to benefit the interconnected transmission system by reducing loop flows; and
- B. Teck Cominco and B.C. Hydro have entered into agreements regarding the connection of Line 71 to the B.C. Hydro system at Nelway that are referred to as the Line 71 Agreement and the Line 71 Amending Agreement; and
- C. On February 6, 2003, B.C. Hydro applied to the Commission to exempt power flowing on the B.C. Hydro system, pursuant to the Line 71 Agreement and the Line 71 Amending Agreement, from the provisions of B.C. Hydro's Wholesale Transmission Services Tariff (Tariff Supplement No. 30 and Rate Schedules 3000 to 3010); and
- D. B.C. Hydro has assured the Commission and other parties that the Line 71 Agreement and Amending Agreement do not prohibit Teck Cominco from entering into arrangements with third parties for the scheduling of power deemed to be flowing over Line 71 and that the exemption would apply to any power deemed to be flowing on Line 71; and
- E. By letters of comment dated March 6, 2003 and February 26, 2003, Aquila Networks Canada (British Columbia) Ltd. and Columbia Power Corporation, respectively, supported B.C. Hydro's application; and
- F. The Commission has reviewed the application and finds that it should be approved.

NOW THEREFORE pursuant to Section 63 of the Utilities Commission Act, the Commission approves for B.C. Hydro an exemption from the provisions of B.C. Hydro's Wholesale Transmission Services Tariff (Tariff Supplement No. 30 and Rate Schedules 3000 to 3010 inclusive), for power flowing on B.C. Hydro's system pursuant to the Teck Cominco/B.C. Hydro Line 71 Agreement and the Line 71 Amending Agreement.

DATED at the City of Vancouver, in the Province of British Columbia, this *second* day of April 2003.

BY ORDER

Original signed by:

Peter Ostergaard
Chair