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**BRITISH COLUMBIA  
UTILITIES COMMISSION**

**ORDER  
NUMBER** E-2-04

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**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  
for Approval of  
Electricity Purchase Agreements and Amending Agreements**

**BEFORE:** R.H. Hobbs, Chair )  
L.A. Boychuk, Commissioner ) May 10, 2004

**O R D E R**

**WHEREAS:**

A. Pursuant to Section 71 of the Utilities Commission Act, British Columbia Hydro and Power Authority ("BC Hydro") filed Electricity Purchase Agreements and Amending Agreements with the Commission on April 8, 2004, for the supply of electricity with the following companies:

- Ledcor Power Inc. (Ashlu Creek)
- Regional Power Inc. (Bear Hydro)
- Princeton Energy Inc. (Berkey Creek)
- Hupacasath Indian Band (China Creek)
- Synex Energy Resources Ltd. (Cypress Creek)
- Coast Mountain Hydro Corp. (Forrest Kerr)
- Stothert Power Corp and Global Renewable Energy Partners Inc. (Holberg Wind Energy)
- Princeton Energy Inc. (Hunter Creek)
- Cloudworks Energy Limited Partnership (Mkw'alts)
- Larson Farms Inc. (Pierce Creek)
- Advanced Energy Systems 1 Limited Partnership (South Cranberry Creek)
- Interpac Resources Ltd. (Spuzzum Creek)
- Regional Power Inc. and Ucona River Power Inc. (Ucona River)
- Maxim Power (B.C.) Inc. (Vancouver Landfill Gas Utilization – Phase 2)
- Pacific Rim Power Corp. (Zeballos Lake)
- Enterprise Hydro Inc. (Enterprise Creek)
- Fitzsimmons Hydro Electric Project Inc. (Fitzsimmons Creek) -- plus Amendment
- Klitsa Creek Hydro Inc. (Klitsa Creek)
- Premier Power Corp. and Regional Power Inc. (Long Lake)
- Marion Creek Hydro Inc. (Marion 3 Creek)-- plus Amendment
- Morehead Valley Hydro Inc. (Siwash Creek)

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- South Sutton Creek Hydro Inc. (South Sutton Creek) -- plus Amendment
  - Lorenz Holdings (Tete Creek project -- Phase 2 Hauer Creek site)
  - Innergex Limited Partnership (Tsable River) – plus Amendment
  - MC Hydro Holding Corp. (McNair Creek)-- Amendments #4 ,5, and 6
- B. The Agreements have been negotiated with the companies pursuant to BC Hydro’s August 24, 2001 Call for Tenders, a September 2002 Call for Tenders and a March 31, 2003 Call for Tenders; and
- C. BC Hydro advises that, with this filing, it has now filed all the electricity purchase agreements to which it is a party, except those exempted from filing pursuant to an order under Section 22 of the Act; and
- D. All of the contracts were in progress before May 29, 2003 when, as BC Hydro has noted previously, the definition of “energy supply contract” in the Act was amended; and
- E. BC Hydro has requested pursuant to Section 1.9 of the Rules that for competitive reasons the Agreements and Appendix A be kept confidential; and
- F. The Commission has considered the Agreements and the three additional amendments to the McNair Creek Agreement (item “1” in BC Hydro’s January 13, 2003, filing) and has considered the call for tender dates of the Agreements in the context of the changes to the Utilities Commission Act and BC Hydro’s advice that it has now filed all of the electricity purchase agreements to which it is a party.

**NOW THEREFORE** the Commission orders as follows:

1. The Agreements are accepted as filed as energy supply contracts pursuant to Section 71 of the Utilities Commission Act.
2. The Commission will hold the Agreements confidential at this time.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 14<sup>th</sup> day of July 2004.

BY ORDER

*Original signed by:*

Robert H. Hobbs  
Chair