



LETTER NO. L-52-08

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VIA E-MAIL

kgustafson@lmls.com

November 7, 2008

**BC HYDRO POWER PURCHASE AGREEMENT TO
AMEND SECTION 2.1 OF RATE SCHEDULE 3808 EXHIBIT A-11**

Mr. Karl E. Gustafson
Lang Michener LLP
Barristers & Solicitors
1500 Three Bentall Centre
PO Box 11117
1055 West Georgia Street
Vancouver, BC V6E 4N7

Dear Mr. Gustafson:

Re: British Columbia Hydro and Power Authority ("BC Hydro")
Project No. 3698531/Order No. G-148-08
Application to Amend Section 2.1 of Rate Schedule 3808
Power Purchase Agreement ("PPA")

On November 4, 2008 the City of Nelson, through its solicitors Lang Michener LLP, filed a letter (Exhibit C8-2) with the British Columbia Utilities Commission (the "Commission") asking that the Commission:

1. either extend the time for filing of Information Requests or confirm that Intervenor will have the latitude to ask questions in the second round of Information Requests that are not strictly limited to new information filed in response to the first round of Information Requests, and
2. regardless of the Commission's decision with respect to item #1, allow not less than seven business days from the date on which BC Hydro must respond to all Information Requests for the filing by Intervenor of their evidence, with appropriate consequential adjustments to the remainder of the Timetable.

As the original regulatory timetable contemplated 3 business days for Intervenor to prepare and file their initial Information Requests, the City of Nelson suggested that the original regulatory timetable does not allow Intervenor sufficient time to prepare and file their evidence once the Application is finally completed following the Information Request process.

On November 4, 2008, as BC Hydro was late filing its response to Commission Information Request No. 1, the Commission posted Exhibit A-10 extending the original timetable by two business days. The City of Nelson did not indicate that it was aware of Exhibit A-10.

By letter dated November 6, 2008, BC Hydro submitted that the City of Nelson and FortisBC have already had about three months to consider their positions and the evidence they may need to support their positions, and that the requested time extension will likely further delay a Commission determination on the matter. Meanwhile, FortisBC continues to be able to supply increased PPA energy to the City of Nelson, and so BC Hydro opposes any further extension to the Regulatory Timetable.

In response to the first request from the City of Nelson, which BC Hydro does not oppose, the Commission confirms that Intervenor may ask questions in the second round of Information Requests that are not strictly limited to new information filed in response to the first round of Information Requests but advises that the questions must remain relevant to the Application.

In response to the second request from the City of Nelson, the Commission recognizes the concerns of BC Hydro but concludes that a modest increase to the current three business days between when BC Hydro is to respond to Information Requests and when Intervenor Evidence is to be filed is warranted in the circumstances. The Commission therefore extends the time for Intervenor to file Evidence to December 12, 2008, seven calendar days after BC Hydro is to respond to all Information Requests. Corresponding changes are made to subsequent filing dates, and the Revised Regulatory Timetable is Attachment A to this Letter.

Yours truly,

Original signed by:

Constance M. Smith

for: Erica M. Hamilton

JBW/yl

Enclosure

cc: Registered Intervenor
(BCH-PPA-RI)

An Application by British Columbia Hydro and Power Authority ("BC Hydro")
to Amend Section 2.1 of Rate Schedule 3808 ("RS 3808")
Power Purchase Agreement ("PPA")

REVISED REGULATORY TIMETABLE

ACTION	DATE (2008)
Publication of the Notice of Application by BC Hydro	Friday, October 10
Commission Information Request No. 1 to BC Hydro	Wednesday, October 22
BC Hydro Responses to Commission Information Request No. 1	Wednesday, October 29
Registration of Intervenor and Interested Parties with the Commission	Friday, October 31
Intervenor Participant Assistance Budgets	Monday, November 3
Intervenor Information Requests No. 1 to BC Hydro	Friday, November 7
BC Hydro Responses to Intervenor Information Requests No. 1	Friday, November 21
Commission and Intervenor Information Requests No. 2 to BC Hydro	Friday, November 28
BC Hydro Responses to Commission and Intervenor Information Requests No. 2	Friday, December 5
Submission of Intervenor Evidence	Friday, December 12
Commission, Applicant and Intervenor Information Requests No. 3 on Intervenor Evidence	Friday, December 19
Intervenor Response to Commission, Applicant and Intervenor Information Requests No. 3	Tuesday, December 30
DATE (2009)	
BC Hydro Final Submissions	Friday, January 9
Intervenor Final Submissions	Friday, January 16
BC Hydro Reply Submission	Friday, January 23