



**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER** G-175-08

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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 Transmission Corporation
to Amend its Open Access Transmission Tariff**

and

**A Complaint by TransCanada Energy Ltd.
regarding Firm Transmission Sales to Alberta**

BEFORE: L.F. Kelsey, Commissioner
P.E. Vivian, Commissioner
D.A. Cote, Commissioner

November 27, 2008

O R D E R

WHEREAS:

- A. The British Columbia Transmission Corporation ("BCTC") submitted an application (the "Suspension Application"), dated June 3, 2008, to the British Columbia Utilities Commission (the "Commission") to suspend the release for sale of additional Firm Available Transfer Capacity ("ATC") on the British Columbia to Alberta path ("BC>AB Path") and to suspend the Facilities Study relating to requests for additional service on the BC>AB Path; and
- B. On July 3, 2008, the Commission issued Order G-110-08 (the "Suspension Order"), approving the Suspension Application; and
- C. As part of the Suspension Order, the Commission directed BCTC to include, in its next Rate Design review and/or Federal Energy Regulatory Commission ("FERC")-890 compliance filing, a Tariff section which formally establishes, consistent with general Open Access Transmission Tariff ("OATT") principles, and the FERC-890 guidelines, how BCTC will address the issues raised in the Suspension Application; and
- D. On October 9, 2008, TransCanada Energy Ltd. ("TransCanada") filed a complaint (the "Complaint") with the Commission with respect to the release for sale of Firm ATC on the BC>AB Path; and

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- E. On November 21, 2008, BCTC filed, pursuant to sections 58, 59 and 60 of the *Utilities Commission Act* (the “Act”), an application to amend the OATT (the “Application”) for the purposes of: maintaining consistency with revisions to the FERC pro forma OATT pursuant to FERC Orders 890, 890-A and 890-B; addressing issues that have arisen in the course of BCTC’s administration of the OATT; changing its Short-Term Point-to-Point rate design; and, limiting the sale of Firm transmission service on the BC>AB Path to 785 MW; and
- F. BCTC indicates that the Application also constitutes its response to the TransCanada Energy Complaint; and
- G. In the Application, BCTC seeks an interim order, pursuant to Section 89 of the Act, and Section 15 of the Administrative Tribunals Act, that BCTC be required to indicate on new Service Agreements, for specified transmission service rollover requests by British Columbia Hydro and Power Authority (“BC Hydro”) on the BC>AB Path and any queued requests for Firm Available Transfer Capacity (“Firm ATC”) coming available on the BC>AB Path on January 1, 2009, that the Service Agreements are subject to a further Commission Order regarding the Application; and
- H. The Commission has considered the request for an Interim Order as described in the Application.

NOW THEREFORE the Commission orders that in processing the rollover requests on BC Hydro Service Agreements dated May 24, 2007 (OASIS Transmission Request No. 71361957 for 50 MW) and October 17, 2007 (OASIS Transmission Request No. 71630197 for 120 MW), and also the queued requests for Firm Available Transfer Capacity coming available on the BC>AB Path on January 1, 2009, BCTC will indicate on the new Service Agreements that:

“This Service Agreement is subject to a further order of the British Columbia Utilities Commission in the matter of the ‘British Columbia Transmission Corporation Application to Amend the Open Access Transmission Tariff’ filed on November 21, 2008.”

DATED at the City of Vancouver, in the Province of British Columbia, this 1st day of December 2008.

BY ORDER

Original signed by

L.F. Kelsey
Commissioner