



LETTER NO. L-61-08

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VIA E-MAIL

December 19, 2008

**BC HYDRO POWER PURCHASE AGREEMENT TO
AMEND SECTION 2.1 OF RATE SCHEDULE 3808 EXHIBIT A-16**

TO: British Columbia Hydro and Power Authority
Registered Intervenor

Re: British Columbia Hydro and Power Authority ("BC Hydro")
Application to Amend Section 2.1 of Rate Schedule 3808
Power Purchase Agreement

On December 8, 2008, Sangra Moller LLP, on behalf of Zellstoff Celgar, and Lang Michener LLP, on behalf of the City of Nelson, filed letters identified as Exhibits C2-7 and C8-4, respectively, requesting, *inter alia*, extensions of the Regulatory Timetable on the basis of BC Hydro's refusal to answer certain Information Requests ("IRs") and its late submission of answers to other IRs.

On December 10, 2008 by Letter L-57-08, the British Columbia Utilities Commission ("the Commission") issued an Amended Regulatory Timetable postponing, *inter alia*, the deadline for the submission of Intervenor evidence (Exhibit A-15).

On December 10, 2008, Sangra Moller filed a further letter (Exhibit C2-8), seeking an order compelling BC Hydro to respond to certain IRs pursuant to section 34(3) (b) of the Administrative Tribunals Act. Sangra Moller also sought a further amendment to the Regulatory Timetable.

On December 10, 2008, Lawson Lundell LLP, on behalf of BC Hydro filed a letter (Exhibit B-10), opposing any further amendments to the Regulatory Timetable and opposing Zellstoff Celgar's application for production of additional information on the basis of relevance and citing confidentiality concerns.

On December 11, 2008, Sangra Moller filed a letter (Exhibit C2-9) that made further submissions in support of its request in Exhibit C2-8.

By letter dated December 11, 2008 Lang Michener made further submissions (Exhibit C8-5) regarding extensions of the Regulatory Timetable that were the subject of Letter L-52-08 (Exhibit A-11).

On December 12, 2008, Lang Michener filed a letter (Exhibit C8-6) that supports the Sangra Moller request in Exhibit C2-8, and requests that all Intervenor be invited to make submissions addressing procedural issues raised by the Sangra Moller letter before the Commission reaches a decision in the matter.

On December 12, 2008 the Joint Industry Electricity Steering Committee ("JIESC") filed a letter supporting BC Hydro's position that it ought not to be required to disclose confidential information concerning its pulp and paper customers (Exhibit C9-2).

The Commission has considered the submissions of the parties as set out in the correspondence referred to above and denies the request to invite further submissions on the request to compel BC Hydro to respond to certain IRs and denies Zellstoff Celgar's request to compel BC Hydro to provide the additional information sought. The Commission also declines to further amend the Amended Regulatory Timetable established in its December 10, 2008 letter (L-57-08).

Yours truly,

Original signed by:

Erica M. Hamilton

JBW/dlf