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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER G-202-10**

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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
regarding the Application of its Large General Service Two-Part Rate
to Pacific BioEnergy Prince George Limited Partnership**

BEFORE: L.F. Kelsey, Commissioner
D.A. Cote, Commissioner December 22, 2010
N.E. MacMurchy, Commissioner
D. Morton, Commissioner

O R D E R

WHEREAS:

- A. On November 24, 2010, Pacific BioEnergy Prince George Limited Partnership (PBPGLP) filed an application with the British Columbia Utilities Commission (Commission) requesting an adjustment to the calculation of the Historical Baseline (HBL) under British Columbia Hydro and Power Authority's (BC Hydro) Large General Service (LGS) rate due to an anticipated significant increase in energy consumption as a result of significant capital investments in its plant;
- B. Paragraph 13 of the LGS Negotiated Settlement Agreement (NSA), approved by Commission Order G-110-10, allows for customers who anticipate significant, permanent increases in energy consumption, as defined in paragraph 13, to apply to the Commission to seek an increase in their HBLs on a prospective basis;
- C. On November 26, 2010, the Commission sent a letter to PBPGLP requesting further information with regard to its application;
- D. By letter dated December 15, 2010, PBPGLP responded to the Commission with explanations of its difficulty in making certain projections in energy costs and requests that PBPGLP and BC Hydro be given more time to assess and resolve the HBL issues. It also requests that BC Hydro be granted the ability to assign PBPGLP an interim HBL;

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- E. On December 16, 2010, BC Hydro filed an application requesting the LGS rate as it is applicable to PBPGLP's LGS account be made interim and refundable effective January 1, 2011, in order that BC Hydro would be able to issue a refund to PBPGLP if and when the Commission approves PBPGLP's application and makes a final order regarding the rate applicable to PBPGLP;
- F. The Commission Panel has reviewed the letters from PBPGLP and the application from BC Hydro and considers that approval is warranted.

NOW THEREFORE the Commission orders as follows:

- 1. BC Hydro's LGS rate, as it is applicable solely to PBPGLP's account in Prince George, is interim and refundable effective January 1, 2011.
- 2. BC Hydro will provide a refund to PBPGLP, if required, when the Commission has issued its order on the application by PBPGLP for a Prospective Growth Adjustment pursuant to paragraph 13 of the LGS NSA.

DATED at the City of Vancouver, in the Province of British Columbia, this 22nd day of December 2010.

BY ORDER

Original signed by:

D.A. Cote
Commissioner