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**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER G-129-13**

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**IN THE MATTER OF
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473**

and

**the British Columbia Hydro and Power Authority
Application for Approval of Rates between
BC Hydro and FortisBC Inc. with regards to Rate Schedule 3808,
Tariff Supplement No. 3 – Power Purchase and Associated Agreements,
and Tariff Supplement No. 2 to Rate Schedule 3817**

BEFORE: L.A. O'Hara, Panel Chair/Commissioner
B.A. Magnan, Commissioner
R.D. Revel, Commissioner
August 22, 2013

O R D E R

WHEREAS:

- A. The British Columbia Hydro and Power Authority (BC Hydro) has supplied electricity to FortisBC Inc. (FortisBC) for 20 years to meet a portion of FortisBC's load service obligations, pursuant to a Power Purchase Agreement dated October 1, 1993 (1993 PPA), at rates established by the British Columbia Utilities Commission (Commission) and set out in BC Hydro Rate Schedule (RS) 3808;
- B. The 1993 PPA expires on September 30, 2013, pursuant to Commission Orders G-27-93 and G-85-93;
- C. On May 24, 2013, BC Hydro filed an application with the Commission requesting approval of four new agreements between BC Hydro and FortisBC to replace the expiring 1993 PPA, pursuant to sections 58 to 61 of the *Utilities Commission Act* (Application);
- D. The four new agreements, each dated May 21, 2013, include: a Power Purchase Agreement (new PPA), an Imbalance Agreement, an Energy Export Agreement and a Master Accounting Agreement;
- E. By Order G-87-13, dated May 28, 2013, the Commission established an Initial Regulatory Timetable, which included two Workshops, one round of Information Requests (IRs) and a Procedural Conference;
- F. On July 16, 2013, BC Hydro filed the Amended and Restated Wheeling Agreement and the Amended RS 3817, which was required to align with the new PPA and Associated Agreements. This was followed by the filing of the final executed version on July 26, 2013;
- G. The Procedural Conference held on July 29, 2013, was attended by BC Hydro and the following Interveners: FortisBC, British Columbia Pensioners and Seniors Organization *et al*, B.C. Sustainable Energy Association and

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Sierra Club of British Columbia (BCSEA), Commercial Energy Consumers' Association of British Columbia (CEC), British Columbia Municipal Electrical Utilities, Zellstoff Celgar Limited Partnership (Celgar), Industrial Customers Group ICG), VanPort Sterilizers Inc. (VanPort Sterilizers) and Mr. Alan Wait;

- H. By Order G-117-13, dated August 1, 2013, the Commission defined the scope of the proceeding, ordered that the Application be heard by way of a written proceeding as established in the Regulatory Timetable set out in Appendix A to the Order and outlined a process for resolution of certain outstanding unanswered IRs;
- I. By letters dated August 7, 8 and 9, 2013, BC Hydro, CEC and Celgar resolved their outstanding IRs;
- J. On August 9, 2013, Celgar requested that the Commission Panel direct FortisBC to file the record of the three proceedings (Related Proceedings) identified in outstanding IR Series 3.2;
- K. By letter dated August 12, 2013, the Commission requested comments on Celgar's request. Comments were provided by FortisBC, BCSEA, BC Hydro, Alan Wait and Vanport Sterilizers with most parties opposing the requested order;
- L. By letter dated August 12, 2013, Celgar requested a one-week extension to file its final submissions, from September 20, 2013 to September 27, 2013;
- M. By Order G-125-13, dated August 16, 2013, the Commission rejected Celgar's request regarding filing the records of the Related Proceedings but sought comments on the requested extension for the filing dates of Intervener Final Submissions;
- N. On August 21, 2013, BC Hydro stated it does not oppose Celgar's request but asked that if the request is granted, the due date for the responses to IR No.2 be also extended by one week;
- O. On August 21, 2013, FortisBC, BCSEA, ICG and Vanport Sterilizers also filed comments either supporting, not opposing, or taking no position regarding Celgar's request.

NOW THEREFORE the Commission orders as follows:

- 1. The review of the Application will be concluded in accordance with the Amended Regulatory Timetable set out in Appendix A to this Order.

DATED at the City of Vancouver, in the Province of British Columbia, this 22nd day of August, 2013

BY ORDER

Original Signed by:

L.A. O'Hara
Commissioner

Attachment

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AMENDED REGULATORY TIMETABLE

ACTION	DATES (2013)
BC Hydro and FortisBC respond to Commission and Intervener IR No.2	Tuesday, September 10
Final Submission by BC Hydro	Wednesday, September 18
Final Submission by FortisBC	Friday, September 20
Final Submissions by Interveners	Friday, September 27
FortisBC Reply Submission	Friday, October 4
BC Hydro Reply Submission	Monday, October 7