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**BRITISH COLUMBIA  
UTILITIES COMMISSION**

**ORDER  
NUMBER E-21-15**

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

**and**

**Creative Energy Vancouver Platforms Inc.  
Section 71 Filing of 2015-16 Natural Gas Energy Supply Contracts**

**BEFORE:** L. F. Kelsey, Commissioner  
C. A. Brown, Commissioner  
H. G. Harowitz, Commissioner  
D. M. Morton, Commissioner

November 5, 2015

**ORDER**

**WHEREAS:**

- A. On November 10, 2011, by Order E-23-11 pursuant to section 71 of the *Utilities Commission Act*, the British Columbia Utilities Commission (Commission) accepted Central Heat Distribution Limited's, now Creative Energy Vancouver Platforms Inc. (Creative Energy), filing of a Gas Sales and Purchase Agreement between Central Heat Distribution Limited and Cascadia Energy Ltd. (Cascadia) dated July 15, 2009 (Original Contract);
- B. On February 26, 2015, by Order E-3-15, the Commission accepted three amending agreements to the Original Contract for the 2014/15 contract year (together the Current Contract). In Order E-3-15 the Commission also directed Creative Energy to file an annual contracting plan for the 2015/16 contract year;
- C. On August 27, 2015, by Letter L-33-15, the Commission accepted Creative Energy's annual contracting plan for the period November 1, 2015 through October 31, 2016 (2015/16 ACP). In the 2015/16 ACP Creative Energy set out its process and criteria for reviewing the gas supply contracting alternatives available to Creative Energy at the end of the term of the Current Contract including Creative Energy's strategy to enter into a fixed forward price contract for approximately 25 percent of its winter natural gas supply requirement for the 2015/16 contract year;
- D. On October 2, 2015, Creative Energy filed the 2015-16 Natural Gas Energy Supply Contract, a fixed forward price contract with Cascadia for the delivery period November 1, 2015 to March 31, 2016 (2015-16 Fixed Price Contract), which the Commission accepted by Order E-20-15 on October 22, 2015;
- E. On October 28, 2015, Creative Energy filed the following two respective amending agreements to the Original Contract (collectively referred to as the Amending Agreements):

**BRITISH COLUMBIA  
UTILITIES COMMISSION**

**ORDER  
NUMBER** E-21-15

2

- (i) an amending agreement executed on October 26, 2015 setting out certain conditions that apply to the Original Contract for the period from November 1, 2015 to October 31, 2016, and
- (ii) an amending agreement executed on October 26, 2015 replacing the 2015-16 Fixed Price Contract with a fixed price agreement for the period from November 1, 2015 to March 31, 2016 setting out certain conditions;

F. Creative Energy requests that the Amending Agreements be kept confidential as the contract terms are commercially sensitive; and

G. The Commission reviewed the Creative Energy filings and is satisfied that the Amending Agreements between Creative Energy and Cascadia are consistent with the 2016/16 ACP and should be accepted.

**NOW THEREFORE** pursuant to section 71 of the *Utilities Commission Act* and the British Columbia Utilities Commission's Rules for Natural Gas Energy Supply Contracts, the Commission accepts the following two amending agreements to the Original Contract between Creative Energy Vancouver Platforms Inc. and Cascadia Energy Ltd. filed by Creative Energy Vancouver Platforms Inc. on October 28, 2015, as being in the public interest:

- (i) the amending agreement executed October 26, 2015 setting out certain conditions that apply to the Original Contract for the period from November 1, 2015 to October 31, 2016.
- (ii) the amending agreement executed October 26, 2015 replacing the 2015-16 Fixed Price Contract with a fixed price agreement for the period from November 1, 2015 to March 31, 2016 setting out certain conditions.

The Commission will keep the aforementioned agreements confidential due to their commercially sensitive nature.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 9<sup>th</sup> day of November 2015.

BY ORDER

*Original signed by:*

D. M. Morton  
Commissioner