



ORDER NUMBER
E-5-16

IN THE MATTER OF
the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

British Columbia Hydro and Power Authority
Filing of an Energy Purchase Agreement with the Kwadacha Nation

BEFORE:

D. M. Morton, Commissioner
D. J. Enns, Commissioner
W. M. Everett, Commissioner
H. G. Harowitz, Commissioner
R. D. Revel, Commissioner

on April 7, 2016

ORDER

WHEREAS:

- A. On March 18, 2016, pursuant to section 71 of the *Utilities Commission Act*, British Columbia Hydro and Power Authority (BC Hydro) filed with the British Columbia Utilities Commission (Commission) an Electricity Purchase Agreement (EPA) executed on January 31, 2016 between BC Hydro and the Kwadacha Nation for the purchase of electricity generated from the Kwadacha Biomass Energy System Project (the Filing). The energy will be used by BC Hydro as part of the energy supply for the community of Fort Ware ;
- B. On February 21, 2011, the Commission issued Order C-4-11 granting BC Hydro a Certificate of Public Convenience and Necessity to serve the community of Fort Ware , conditional on BC Hydro taking over and owning the distribution system in Fort Ware ;
- C. By Order G-61-12 dated May 25, 2012, the Commission approved the Rules for Energy Supply Contracts for Electricity (Rules). The Rules are intended to facilitate the Commission's review of energy supply contracts for electricity and proposed energy supply contracts for electricity under section 71 of the *Utilities Commission Act*;
- D. BC Hydro requests that the information in the un-redacted Filing be kept confidential due to its commercially sensitive nature. BC Hydro provided notice of its Filing and a redacted version of the Filing to interveners in its most recent revenue requirements application; and
- E. The Commission reviewed the Filing and is satisfied that the EPA is in the public interest, and that the information in the un-redacted version of the Filing should be kept confidential.

NOW THEREFORE pursuant to section 71 of the *Utilities Commission Act* the British Columbia Utilities Commission accepts the Electricity Purchase Agreement executed on January 31, 2016 between British Columbia Hydro Power and Authority and the Kwadacha Nation. The Commission will keep the un-redacted version of the Filing confidential due to its commercially sensitive nature.

DATED at the City of Vancouver, in the Province of British Columbia, this 7th day of April 2016.

BY ORDER

Original signed by:

D. M. Morton
Commissioner