



ORDER NUMBER

E-4-17

IN THE MATTER OF

the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

British Columbia Hydro and Power Authority

Filing for Approval of Electricity Purchase Amendment Agreements for
East Toba and Montrose, Kwalsa, Upper Stave and Tyson Creek Hydro Projects

BEFORE:

D. M. Morton, Commissioner

D. J. Enns, Commissioner

W. M. Everett, Commissioner

H. G. Harowitz, Commissioner

M. Kresivo, Commissioner

R. I. Mason, Commissioner

R. D. Revel, Commissioner

on February 16, 2017

ORDER

WHEREAS:

- A. Pursuant to section 71 of the *Utilities Commission Act* (UCA), on November 10, 2016, British Columbia Hydro and Power Authority (BC Hydro) filed with the British Columbia Utilities Commission (Commission) a quarterly energy supply contract filing for the period ending September 30, 2016, which includes four separate amending agreements (Amendment Agreements) to those electricity purchase agreements (EPA) for each of following projects: (i) East Toba and Montrose, (ii) Kwalsa, (iii) Upper Stave, and (iv) Tyson Creek Hydro (Filing). The Amendment Agreements, with each project's respective owner(s), are listed in Appendix A to this order;
- B. Under Commission Order G-61-12 dated May 17, 2012, the Commission established "Rules for Energy Supply Contracts for Electricity" (ESC Rules) which set out rules for review of energy supply contracts for electricity (ESCs), amendments to ESCs and contractual developments in regard to ESCs accepted for filing by the Commission;
- C. BC Hydro files with the Commission from time to time descriptions of contractual developments in its quarterly ESC filings and included a contractual development update in the Filing. The Commission acknowledges receipt of Attachment 7 to the Filing, which sets out certain contractual developments related to a number of EPAs previously accepted for section 71 filing by the Commission. These contractual developments do not constitute EPA amendments and are provided to the Commission for information purposes only;
- D. The Commission also acknowledges receipt of the descriptions of contractual developments included in the BC Hydro quarterly energy supply contract filings dated July 31, 2015, October 30, 2015, January 28, 2016, May 4, 2016 and July 20, 2016 for the respective quarterly periods; each of which is a quarterly period for which there were no EPA amendments requiring Commission acceptance under section 71;

- E. In the Filing, BC Hydro has requested that the Commission keep the un-redacted version of the Tyson Creek Hydro Amendment Agreement confidential because the document discloses commercially sensitive information;
- F. In the quarterly energy supply contract filing dated May 4, 2016 BC Hydro requested that the Commission keep the un-redacted version of that filing confidential as it includes commercially sensitive third-party information; and
- G. The Commission reviewed the Filing by BC Hydro, and finds the Amendment Agreements are in the public interest and that the un-redacted Tyson Creek Hydro Amendment Agreement and the un-redacted version of the May 4, 2016 quarterly energy supply contract filing should be kept confidential.

NOW THEREFORE pursuant to section 71 of the *Utilities Commission Act* the British Columbia Utilities Commission orders as follows:

- 1. The following amending agreements (Amendment Agreements) to electricity purchase agreements previously accepted by the Commission are accepted for filing as being in the public interest:
 - a. between British Columbia Hydro and Power Authority and the Toba Montrose General Partnership dated July 22, 2016 (East Toba and Montrose Amendment Agreement),
 - b. between British Columbia Hydro and Power Authority and Douglas Creek Limited Partnership, Fire Creek Project Limited Partnership, Tipella Creek Project Limited Partnership, and Stokke Creek Project Limited Partnership dated July 26, 2016 (Kwalsa Amendment Agreement);
 - c. between British Columbia Hydro and Power Authority and Upper Stave Project Limited Partnership and Lamont Creek Project Limited Partnership dated July 26, 2016 (Upper Stave Amendment Agreement), and
 - d. between British Columbia Hydro and Power Authority and Tyson Creek Hydro Corp. dated September 30, 2016 (Tyson Creek Hydro Amendment Agreement).
- 2. The Commission will hold the un-redacted version of the Tyson Creek Hydro Amendment Agreement confidential as it contains commercially sensitive material.
- 3. Tables summarizing contractual developments related to electricity purchase agreements that have been previously accepted for section 71 filing and which were included in the Filing and the five previous BC Hydro quarterly energy supply contract filings with the Commission are listed in Appendix B.
- 4. The Commission will hold the un-redacted version of the May 4, 2015 quarterly energy supply contract filing confidential as it contains commercially sensitive material.

DATED at the City of Vancouver, in the Province of British Columbia, this 16th day of February 2017.

BY ORDER

Original signed by:

D. M. Morton
Commissioner

Attachments

British Columbia Hydro and Power Authority

Electricity Purchase Amendment Agreements for section 71 Acceptance

Project Name	Seller Company Name	Effective Date
1. East Toba and Montrose	Toba Montrose General Partnership	July 22, 2016
2. Kwalsa (included as part of the "Kwalsa I Projects")	Douglas Creek Project Limited Partnership Fire Creek Project Limited Partnership Tipella Creek Project Limited Partnership Stokke Creek Project Limited Partnership	July 26, 2016
3. Upper Stave (included as part of the "Kwalsa I Projects")	Upper Stave Project Limited Partnership Lamont Creek Project Limited Partnership	July 26, 2016
4. Tyson Creek Hydro	Tyson Creek Hydro Corp.	September 30, 2016

**British Columbia Hydro and Power Authority
Electricity Purchase Agreement (EPA)
Contractual Developments for Information Only**

Table 1 – EPA Contractual Amendments included in November 10, 2016 Filing

Project Name	Seller Company Name	Effective Date
Tyson Creek Hydro	Tyson Creek Hydro Corp	September 29, 2016

Table 2 – EPA Contractual Amendments included in July 20, 2016 Filing

Project Name	Seller Company Name	Effective Date
Raging River 2	Raging River Power & Mining Inc.	May 11, 2016

Table 3 – EPA Contractual Amendments included in May 4, 2016 Filing

Project Name	Seller Company Name	Effective Date
Alcan – Kemano	Rio Tinto Alcan Inc.	December 31, 2015

Table 4 – EPA Contractual Amendments included in January 28, 2016 Filing

Project Name	Seller Company Name	Effective Date
McNair Creek Hydro	McNair Creek Hydro Limited Partnership	December 23, 2015

Table 5 – EPA Contractual Amendments included in July 31, 2016 Filing

Project Name	Seller Company Name	Effective Date
Alcan - Kemano	Rio Tinto Alcan Inc.	May 28, 2015
Tyson Creek Hydro	Tyson Creek Hydro Corp.	June 26, 2015