



**ORDER NUMBER**  
**E-15-20**

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

and

British Columbia Hydro and Power Authority  
Biomass Energy Program Energy Supply Contracts for  
Skookumchuck

**BEFORE:**

B. A. Magnan, Panel Chair  
T. A. Loski, Commissioner  
R. I. Mason, Commissioner  
E. B. Lockhart, Commissioner

May 8, 2020

**ORDER**

**WHEREAS:**

- A. On April 23, 2020, British Columbia Hydro and Power Authority (BC Hydro or the Authority) filed with the British Columbia Utilities Commission (BCUC), pursuant to section 71 of the *Utilities Commission Act* (UCA) and Order in Council No. 158, BC Reg. 71/2019 (OIC 158), two separate electricity purchase agreements (Biomass EPAs) as follows (collectively, the Application):
  - I. An agreement dated February 28, 2020, between BC Hydro and Skookumchuck Pulp Inc. for its Skookumchuck Power Facility (Skookumchuck February EPA); and
  - II. An agreement dated March 30, 2019, between BC Hydro and Skookumchuck Pulp Inc. for its Skookumchuck Power Facility (Skookumchuck March EPA);
- B. On April 1, 2019, the Province of British Columbia issued OIC 158, which contains a Direction to the BCUC Respecting the Biomass Energy Program (Direction). The Direction is applicable to biomass contracts in respect to a biomass facility that the Authority enters into between April 1, 2019 and December 31, 2021, and that “biomass facility” includes, among others, the Skookumchuck Power facility;
- C. Section 3 of the Direction states that the BCUC may not exercise its powers under section 71(1)(b) or (3) of the UCA respecting applicable biomass contracts, and may not disallow for any reason the recovery in rates of the Authority’s costs with respect to a biomass contract;

- D. The BCUC has not reviewed the Application from a public interest perspective as the Skookumchuck February EPA and the Skookumchuck March EPA is a “biomass contract” within the meaning of the Direction;
- E. BC Hydro requests, pursuant to section 42 of the Administrative Tribunals Act (ATA) and Part IV of the BCUC’s Rules of Practice and Procedure (Rules), that the redacted portions of the Application and certain appendices be kept confidential due to their commercially sensitive nature to BC Hydro and the counter-parties; and
- F. The BCUC has reviewed the Application and considers the following orders to be warranted.

**NOW THEREFORE** pursuant to the Direction, section 71 of the *Utilities Commission Act*, and the Rules, the BCUC orders as follows:

- 1. The BCUC accepts for filing the following biomass contracts:
  - a. the Skookumchuck February EPA; and
  - b. the Skookumchuck March EPA.
- 2. The BCUC will keep the un-redacted version of the Application, including each of the Biomass EPAs in their entirety, confidential.

**DATED** at the City of Vancouver, in the Province of British Columbia, this 8<sup>th</sup> day of May 2020.

BY ORDER

*Original signed by:*

B. A. Magnan  
Commissioner