



**ORDER NUMBER
E-25-20**

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

and

British Columbia Hydro and Power Authority
Section 71 Filing of Electricity Purchase Agreement
Hluey Lake Hydro

BEFORE:

R. I. Mason, Panel Chair
C. Brewer, Commissioner
B. A. Magnan, Commissioner

on October 22, 2020

ORDER

WHEREAS:

- A. On September 21, 2020, pursuant to section 71 of the *Utilities Commission Act* (UCA), British Columbia Hydro and Power Authority (BC Hydro) filed with the British Columbia Utilities Commission (BCUC) a three-month extension agreement, dated July 31, 2020, (Hluey Lake EPA Extension), extending the expiry date for an electricity purchase agreement (EPA) between BC Hydro and MPT Hydro LP for the Hluey Lake Hydroelectric Facility (Hluey Lake EPA) from July 31, 2020 to October 31, 2020 (altogether the Filing);
- B. By Ministerial Order M-22-9801, dated August 28, 1998, any EPA agreed upon by BC Hydro or any persons selling electricity to BC Hydro on or before March 31, 2000, are exempt from section 71 of the UCA. The threshold date for this exemption was subsequently updated to September 30, 2001, by Amending Ministerial Order M-22-9801-A1;
- C. By Order E-10-94, dated June 22, 1994, the BCUC approved the Hluey Lake EPA between BC Hydro and Tahltan Nation Development Corporation (TNDC). Since that time, ownership of the Hluey Lake Hydroelectric Facility was transferred to MPT Hydro LP, a wholly owned subsidiary of Capstone Infrastructure Corporation;
- D. By Order G-61-12, dated May 17, 2012, the BCUC approved the Rules for Energy Supply Contracts for Electricity (Rules). Appendix A of Order G-61-12 contains the Rules, which are intended to facilitate the BCUC's review of energy supply contracts for electricity, pursuant to section 71 of the UCA;
- E. By Order G-119-20 dated May 20, 2020, the BCUC granted BC Hydro's request to extend the expiry date of the Hluey Lake EPA to July 31, 2020;

F. The Panel has reviewed the Filing and determines that acceptance of the Hluey Lake EPA Extension is warranted.

NOW THEREFORE pursuant to section 71 of the UCA and the Rules, the Hluey Lake EPA Extension is accepted for filing.

DATED at the City of Vancouver, in the Province of British Columbia, this 22nd day of October 2020.

BY ORDER

Original signed by:

R. I. Mason
Commissioner