



ORDER NUMBER
E-24-22

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

and

British Columbia Hydro and Power Authority
Electricity Purchase Agreement Extension for Moresby Lake Hydro Project

BEFORE:

B. A. Magnan, Panel Chair
C. M. Brewer, Commissioner
E. B. Lockhart, Commissioner
T. A. Loski, Commissioner

on December 15, 2022

ORDER

WHEREAS:

- A. On October 28, 2022, 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 six-month extension agreement (Moresby Lake Extension Agreement) extending the electricity purchase agreement (EPA) between BC Hydro and Atlantic Power Preferred Equity Ltd. (as assignee) for the Moresby Lake Hydro Project (Moresby Lake EPA) to February 28, 2023 (Filing);
- B. The BCUC approved the original EPA for the Moresby Lake Hydro Project by Order E-1-89 dated March 23, 1989, and approved a subsequent amended EPA by Order E-16-93 dated September 10, 1993;
- C. The further amended Moresby Lake EPA was exempted from section 71 of the UCA in accordance with Ministerial Order M-22-9801 and was to expire on August 31, 2022;
- 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. On December 7, 2022, BC Hydro submitted its response to BCUC staff questions, clarifying energy costs contained in the Filing and stating that the filing intends to allow for continued use of an existing, clean or renewable resource at cost effective pricing;
- F. BC Hydro requests the unredacted version of the Filing, including the entirety of the Moresby Lake EPA, be held confidential as it contains information that is commercially sensitive, and the public disclosure of such information will harm BC Hydro's negotiating position with respect to further EPAs; and

G. The Panel has reviewed the Filing and considers acceptance of the Moresby Lake Extension Agreement is warranted.

NOW THEREFORE pursuant to section 71 of the UCA and the Rules, the BCUC orders as follows:

1. The Moresby Lake Extension Agreement is accepted for filing.
2. The BCUC will hold the un-redacted version of the Filing, including the entirety of the Moresby Lake EPA, confidential as it contains commercially sensitive information.

DATED at the City of Vancouver, in the Province of British Columbia, this 15th day of December 2022.

BY ORDER

Original signed by:

B. A. Magnan
Commissioner