



ORDER NUMBER
G-153-23

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

and

British Columbia Hydro and Power Authority
Electricity Purchase Agreement Renewals for Sechelt Creek and Brown Lake

BEFORE:

D. M. Morton, Chair
E. B. Lockhart, Commissioner
B. A. Magnan, Commissioner

on June 16, 2023

ORDER

WHEREAS:

- A. On May 1, 2023, British Columbia Hydro and Power Authority (BC Hydro) filed with the British Columbia Utilities Commission (BCUC) an application, pursuant to section 71 of the *Utilities Commission Act* (UCA), to accept for filing the following electricity purchase agreements (EPA) (Filing):
 1. An EPA effective February 1, 2023, between BC Hydro and MPT Hydro LP for the Sechelt Creek run-of-river hydroelectric project for a term of 20 years (Sechelt Creek 2023 EPA); and
 2. An EPA effective March 3, 2023, between BC Hydro and Brown Miller Power Limited Partnership for the Brown Lake storage hydroelectric project for a term of 20 years (Brown Lake 2023 EPA);
- B. 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;
- C. On March 30, 2023, BC Hydro requested an extension to the BCUC filing guideline deadline for the Sechelt Creek 2023 EPA to May 1, 2023, so that a consolidated application could be submitted to the BCUC for the Sechelt Creek and Brown Lake EPA renewals contained in this Filing;
- D. By Order E-7-23 dated April 27, 2023, the BCUC accepted this request;
- E. On December 21, 2021, BC Hydro filed its 2021 Integrated Resource Plan (IRP) with the BCUC which provides BC Hydro's long-term energy needs and supply alternatives to meet future demand and includes a near-term action to renew clean or renewable Independent Power Producer (IPP) projects with EPAs that expire prior to April 2026 at market-based prices;
- F. In accordance with the 2021 IRP, BC Hydro developed an EPA Renewal Program for IPPs that have EPAs for clean or renewable projects set to expire before April 1, 2026;

- G. BC Hydro submits that both the Sechelt Creek and the Brown Lake hydroelectric projects are eligible under the EPA Renewal Program and have executed renewal agreements with BC Hydro that are consistent with the terms of the EPA Renewal Program;
- H. BC Hydro requests the unredacted version of the Filing, including the entirety of the Sechelt Creek 2023 EPA and Brown Lake 2023 EPA, be held confidential as it contains information that is commercially sensitive, that the public disclosure of such information will harm BC Hydro's negotiating position with respect to further electricity purchase agreements and that the material should be held confidential in perpetuity; and
- I. The BCUC has commenced review of the Filing and considers that a public hearing is warranted.

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

- 1. A public hearing process is established for the review of the Filing in accordance with the regulatory timetable as set out in Appendix A to this order.
- 2. The BCUC will hold the Sechelt Creek 2023 EPA and the Brown Lake 2023 EPA, and the unredacted version of the Filing, in its entirety, confidential due to their commercially sensitive nature, pending final determination, in this proceeding, on the status of the confidential information.
- 3. On or before Friday, June 23, 2023, BC Hydro must publish the Filing, this order, and the regulatory timetable on its website and provide a copy of this order and the Filing, electronically where possible, to the following:
 - a. Registered interveners in the BC Hydro 2021 Integrated Resource Plan proceeding; and
 - b. All First Nations within the consultative boundaries of the Sechelt Creek and Brown Lake hydroelectric facilities, and
 - c. Any person who participated in a previous BCUC hearings related to these facilities.
- 4. BC Hydro is directed to publish the public notice attached as Appendix B to this order, on all of its current social media platforms, on or before Friday, June 23, 2023.
- 5. BC Hydro is directed to provide to the BCUC, by Friday, June 30, 2023, written confirmation of compliance with Directives 3 and 4, including a list of all parties notified as directed in Directive 2 of this order.
- 6. In accordance with the BCUC's Rules of Practice and Procedure, parties who wish to actively participate in this proceeding must submit a Request to Intervene Form, available on the BCUC's website at www.bcuc.com/get-involved, by Wednesday, July 5, 2023, as established in the regulatory timetable. Parties may also submit letters of comment by completing a Letter of Comment Form, available on the BCUC's website.

DATED at the City of Vancouver, in the Province of British Columbia, this 16th day of June 2023.

BY ORDER

Original signed by:

D. M. Morton
Commissioner

Attachment

British Columbia Hydro and Power Authority
Electricity Purchase Agreement Renewals for Sechelt Creek and Brown Lake

REGULATORY TIMETABLE

Action	Date (2023)
BC Hydro to provide Public Notice	Friday, June 23
BC Hydro to provide to BCUC a list of all parties notified	Friday, June 30
Intervener registration deadline	Wednesday, July 5
BCUC Information Request (IR) No. 1 to BC Hydro	Wednesday, July 12
Intervener IR No. 1 to BC Hydro	Wednesday, July 19
BC Hydro responses to BCUC and intervener IR No. 1	Wednesday, August 9
Further regulatory process	To be determined



We want to hear from you

BC HYDRO ELECTRICITY PURCHASE AGREEMENT RENEWALS FOR SECHELT CREEK AND BROWN LAKE

On May 1, 2023, BC Hydro filed an application with the British Columbia Utilities Commission (BCUC) seeking acceptance of energy purchase agreements between BC Hydro and MPT Hydro LP for the Sechelt Creek run-of-river hydroelectric project and BC Hydro and Brown Miller Power Limited Partnership for the Brown Lake storage hydroelectric project. The BCUC is currently reviewing the application and welcomes public participation in the process.

HOW TO PARTICIPATE

- **Submit a letter of comment**
- **Register for email notifications**
- **Request intervener status**

IMPORTANT DATES

1. **Wednesday, July 5, 2023** – Deadline to register as an intervener with the BCUC
2. **Wednesday, July 19, 2023** – Deadline to submit Information Requests

For more information about the Application, please visit the [Proceeding Webpage](https://www.bcuc.com/proceedings) on bcuc.com under “Our Work – Proceedings”. To learn more about getting involved, please visit our website at www.bcuc.com/get-involved or contact us at the information below.

GET MORE INFORMATION

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