



**ORDER NUMBER**  
**E-1-24**

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

and

FortisBC Inc.  
2024 First Quarter Energy Supply Contracts with Powerex

**BEFORE:**

B. A. Magnan, Panel Chair  
E.A. Brown, Commissioner  
E. B. Lockhart, Commissioner  
W. E. Royle, Commissioner

on January 11, 2024

**ORDER**

**WHEREAS:**

- A. On December 7, 2023, pursuant to section 71 of the *Utilities Commission Act* (UCA), FortisBC Inc. (FBC) filed with the British Columbia Utilities Commission (BCUC) two energy supply contracts (Agreements) entered into by FBC and Powerex Corporation (Powerex) on October 19, 2023 and October 20, 2023 to purchase wholesale market energy for the first quarter of 2024 (Filing);
- B. By Order G-61-12, dated May 17, 2012, the BCUC approved the Rules for Energy Supply Contracts for Electricity (Rules). The Rules facilitate the BCUC's review of energy supply contracts for electricity, and proposed energy supply contracts for electricity under section 71 of the UCA;
- C. By Order E-10-15, dated April 27, 2015, to the extent that it is within the BCUC's jurisdiction, the BCUC accepted the Capacity and Energy Purchase and Sale Agreement (CEPSA) between FBC and Powerex. The CEPSA is a master agreement that sets out the terms and conditions for future market transactions, regarding capacity and energy, entered into between FBC and Powerex;
- D. By Order E-19-19, dated October 24, 2019, to the extent that it is within the BCUC's jurisdiction, the BCUC accepted the First Amending Agreement of the CEPSA;
- E. By Order G-380-22, dated December 21, 2022, the BCUC accepted FBC's 2021 Long-Term Electric Resource Plan including FBC's 2021 Long-Term Demand-Side Management Plan (2021 LTERP);
- F. By Letter L-24-23, dated June 1, 2023, the BCUC accepted for filing FBC's Annual Electric Contracting Plan for the period from October 1, 2023 to September 30, 2024 (2023/24 AECP);

- G. By Order E-13-23, dated August 17, 2023, to the extent that it is within the BCUC's jurisdiction, the BCUC accepted the Second Amending Agreement of the CEPSA;
- H. The Filing refers to two Agreements for the purchase of wholesale market energy for the first quarter of 2024 made pursuant to the CEPSA;
- I. FBC requests that the information in the Filing and the Agreements be kept confidential in perpetuity due to their commercially sensitive nature. FBC provided notice of this Filing and a redacted version of the Agreement to interveners to the FBC Annual Review for 2024 Rates;
- J. On December 21, 2023, BCUC staff issued confidential Staff Questions to FBC. FBC responded to confidential Staff Questions on December 22, 2023; and
- K. The BCUC has reviewed the Filing and is satisfied that the Agreements are in the public interest and consistent with FBC's 2023/24 AECP and FBC's 2021 LTERP.

**NOW THEREFORE** pursuant to section 71 of the UCA:

- 1. The BCUC accepts both Agreements between FBC and Powerex as filed.
- 2. The Filing will be kept confidential until the BCUC determines otherwise.

**DATED** at the City of Vancouver, in the Province of British Columbia, this        11<sup>th</sup>        day of January 2024.

BY ORDER

*Original signed by:*

B. A. Magnan  
Commissioner