



ORDER NUMBER
E-4-24

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

and

British Columbia Hydro and Power Authority
Electricity Purchase Agreements Fifth and Sixth Extension for Moresby Lake

BEFORE:

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

on February 22, 2024

ORDER

WHEREAS:

- A. On February 6, 2024, pursuant to section 71 of the *Utilities Commission Act* (UCA), British Columbia Hydro and Power Authority (BC Hydro) filed for acceptance with the British Columbia Utilities Commission (BCUC) two consecutive one-month extension agreements (Fifth and Sixth Extension Agreements) 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 January 31, 2024 and February 29, 2024 respectively (altogether, the 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. By Order E-24-22 dated December 15, 2022, the BCUC approved a six-month extension to the Moresby Lake EPA ending on February 28, 2023;
- F. By Order E-9-23 dated June 1, 2023, the BCUC approved a further six-month extension to the Moresby Lake EPA to August 31, 2023;
- G. By Order E-23-23 dated November 23, 2023, the BCUC granted BC Hydro's request to further extend the expiry date of the Moresby Lake EPA to November 30, 2023;

- H. By Order E-3-24, dated January 25, 2024, the BCUC granted BC Hydro's request to further extend the expiry date of the Moresby Lake EPA to December 31, 2023; and
- I. The Panel has reviewed the Filing and considers acceptance of the Fifth and Sixth Extension Agreements is warranted.

NOW THEREFORE pursuant to section 71 of the UCA and the Rules, the BCUC accepts for filing the Moresby Lake EPA Fifth and Sixth Extension Agreements ending January 31, 2024 and February 29, 2024 respectively.

DATED at the City of Vancouver, in the Province of British Columbia, this 22nd day of February 2024.

BY ORDER

Original signed by:

B. A. Magnan
Commissioner