



ORDER NUMBER
G-185-24

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

and

British Columbia Hydro and Power Authority
Electricity Purchase Agreement for Ulkatcho Solar Project

BEFORE:

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

on July 11, 2024

ORDER

WHEREAS:

- A. On June 18, 2024, pursuant to section 71(1)(a) of the *Utilities Commission Act* (UCA) and the BCUC Rules for Energy Supply Contracts for Electricity (Rules), British Columbia Hydro and Power Authority (BC Hydro) filed with the British Columbia Utilities Commission (BCUC) an electricity purchase agreement dated April 19, 2024, between BC Hydro and Ulkatcho Energy Limited Partnership for the Ulkatcho Solar project (Ulkatcho Solar EPA) (Filing);
- B. Section 18(1) of the *Clean Energy Act* (CEA) defines a prescribed undertaking as “...a project, program, contract or expenditure that is in a class of projects, programs, contracts or expenditures prescribed for the purpose of reducing greenhouse gas emissions in British Columbia”;
- C. Section 18(3) of the CEA states that “the commission must not exercise a power under the [UCA] in a way that would directly or indirectly prevent a public utility...from carrying out a prescribed undertaking”;
- D. On June 10, 2024, the Lieutenant Governor in Council, by Order in Council No. 301, approved an amendment to the Greenhouse Gas Reduction (Clean Energy) Regulation (GGRR) that, among other things, added section 3.1 “Prescribed undertaking — electricity purchases for non-integrated areas” which provides at section 3.1(2):

3.1(2) A public utility's undertaking that is in the class defined as follows is a prescribed undertaking for the purposes of section 18 of the Act:

(a) the public utility, on or before December 31, 2029, enters into a contract to purchase electricity;

(b) the electricity referred to in paragraph (a) is

(i) produced, at a facility that begins operating on or after January 1, 2024, using a clean or renewable resource as defined in the Act, and

(ii) used to provide service to a non-integrated area;

(c) if the public utility reasonably expects that upgrades are necessary to enable distribution of the electricity referred to in paragraph (a) in a microgrid, the public utility constructs and operates those upgrades;

- E. Under the Ulkatcho Solar EPA, the Ulkatcho Solar project is to be interconnected to the BC Hydro microgrid near Anahim Lake, BC, commencing operation after January 1, 2024, for the purpose of generating clean and renewable electricity to service the Anahim Lake non-integrated area;
- F. BC Hydro requests that the Ulkatcho Solar EPA be kept confidential on an ongoing basis, until otherwise determined by the BCUC;
- G. The BCUC has reviewed the Filing and determines that the Ulkatcho Solar EPA meets the requirements for a prescribed undertaking as defined by the GGRR and that acceptance of the Ulkatcho Solar EPA is warranted; and
- H. The BCUC has not reviewed the Filing from a public interest perspective as the Ulkatcho Solar EPA is a prescribed undertaking under section 18(1) of the CEA.

NOW THEREFORE the BCUC orders as follows:

- 1. The BCUC accepts for filing the Ulkatcho Solar EPA.
- 2. The BCUC will hold the Ulkatcho Solar EPA confidential, as it contains commercially sensitive information, until otherwise determined by the BCUC.

DATED at the City of Vancouver, in the Province of British Columbia, this 11th day of July 2024.

BY ORDER

Original signed by:

B. A. Magnan
Commissioner