



**ORDER NUMBER**  
**E-19-24**

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

and

British Columbia Hydro and Power Authority  
Electricity Purchase Agreement Renewal for the Moresby Lake Hydroelectric Project

**BEFORE:**

M. Jaccard, Commissioner

on August 23, 2024

**ORDER**

**WHEREAS:**

- A. On May 14, 2024, pursuant to section 71 of the *Utilities Commission Act* (UCA), the British Columbia Hydro and Power Authority (BC Hydro) filed with the British Columbia Utilities Commission (BCUC) for acceptance of two energy purchase agreements (EPA) between BC Hydro and Atlantic Power (Coastal Rivers) Corporation for the Moresby Lake hydroelectric generating facility near Sandspit, BC on Haida Gwaii (Filing). The agreements consist of:
1. A two-week extension to an existing electricity purchase agreement for the Moresby Lake hydroelectric generating facility (Moresby Lake EPA) covering the period of March 1, 2024 to March 14, 2024 (Moresby Lake EPA Extension), and
  2. an electricity purchase agreement covering the period March 15, 2024, to December 31, 2043, with an option for BC Hydro to extend a further ten years, effective March 15, 2024 (Moresby Lake EPA Renewal);
- B. The BCUC approved the Moresby Lake EPA with an expiry date of August 31, 2022 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 amended Moresby Lake EPA was exempted from section 71 of the UCA in accordance with Ministerial Order M-22-9801;
- D. By Orders E-24-22, E-9-23, E-23-23, E-3-24 and E-4-24, the BCUC accepted extension agreements to the Moresby Lake EPA extending the expiry date of the Moresby Lake EPA to February 29, 2024;
- E. 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;

- F. BC Hydro requested that the Moresby Lake EPA Renewal and the unredacted version of the Filing be held confidential in accordance with Part IV of the BCUC's Rules of Practice and Procedure;
- G. By Order G-161-24 dated June 14, 2024, the BCUC established a regulatory timetable for review of the Filing, which included public notice, intervener registration, one round of information requests to BC Hydro, and submissions on further process;
- H. On July 1, 2024, the BCUC received a Request to Intervene from the Council of the Haida Nation, which was accepted shortly thereafter; and
- I. The BCUC has considered the Filing, evidence, and submissions from all parties filed in the proceeding, and makes the following determinations.

**NOW THEREFORE** pursuant to section 71 of the UCA and the Rules, the BCUC orders the following.

- 1. The Moresby Lake EPA Extension and Moresby Lake EPA Renewal are accepted for filing
- 2. The BCUC will hold the unredacted Moresby Lake Renewal EPA and the unredacted version of the Filing confidential, until the BCUC determines otherwise, due to its commercially sensitive nature.

**DATED** at the City of Vancouver, in the Province of British Columbia, this        23<sup>rd</sup>        day of August 2024.

BY ORDER

*Original signed by:*

M. Jaccard  
Commissioner