



ORDER NUMBER
E-6-25

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

British Columbia Hydro and Power Authority
Northwest Energy Wood Waste Facility Electricity Purchase Agreement Amendment No. 2

BEFORE:

E. A. Brown, Commissioner
B. A. Magnan, Commissioner
W. E. Royle, Commissioner

on May 15, 2025

ORDER

WHEREAS:

- A. On April 25, 2025, British Columbia Hydro and Power Authority (BC Hydro) filed with the British Columbia Utilities Commission (BCUC) an application for acceptance of an amending agreement dated March 6, 2025 (NWE Williams Lake EPA Amendment No. 2), to the original Energy Purchase Agreement (Original EPA) between BC Hydro and Atlantic Power (Williams Lake) Ltd. (Atlantic Power) for its Northwest Energy Williams Lake Wood Waste Facility (Filing);
- B. On April 1, 2019, the Lieutenant Governor in Council issued Order in Council (OIC) No. 158, which contains a direction to the BCUC respecting the Biomass Energy Program (Direction). The Direction is applicable to biomass contracts in respect of a biomass facility that BC Hydro entered into between April 1, 2019 and December 31, 2021, as well as amendments to such contracts, and provides that “biomass facility” includes, among others, the Northwest Energy Williams Lake Wood Waste Facility;
- C. Section 3 of the Direction states that the BCUC may not exercise its powers under section 71(1)(b) or (3) of the *Utilities Commission Act* (UCA) respecting applicable biomass contracts;
- D. On January 13, 2020, the BCUC issued Order E-1-20 accepting the Original EPA between BC Hydro and Atlantic Power for its Northwest Energy Williams Lake Wood Waste Facility;
- E. Pursuant to section 42 of the *Administrative Tribunals Act* and Part IV of the BCUC’s Rules of Practice and Procedure (Rules), BC Hydro requests that the redacted portions of the Filing be kept confidential due to their commercially sensitive nature to BC Hydro and Atlantic Power;

- F. The BCUC has reviewed the Filing and determines that the NWE Williams Lake EPA Amendment No. 2 is a “biomass contract” within the meaning of the Direction and that acceptance of the NWE Williams Lake EPA Amendment No. 2 is warranted; and
- G. The BCUC has not reviewed the Filing from a public interest perspective as the NWE Williams Lake EPA Amendment No. 2 is a “biomass contract” within the meaning of the Direction.

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

- 1. The NWE Williams Lake EPA Amendment No. 2 is accepted for filing.
- 2. The unredacted version of the Filing will be kept confidential, unless the BCUC determines otherwise.

DATED at the City of Vancouver, in the Province of British Columbia, this 15th day of May 2025.

BY ORDER

Electronically signed by Bernard Magnan

B. A. Magnan
Commissioner