



ORDER NUMBER
E-5-26

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

and

British Columbia Hydro and Power Authority
Ulkatcho Solar Project 2025 Electricity Purchase Agreement Amendments

BEFORE:

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

on February 19, 2026

ORDER

WHEREAS:

- A. On January 29, 2026, British Columbia Hydro and Power Authority (BC Hydro) filed with the British Columbia Utilities Commission (BCUC), pursuant to section 71(1)(a) of the *Utilities Commission Act* (UCA) and the BCUC Rules for Energy Supply Contracts for Electricity (Rules), an electricity purchase agreement (EPA) amendment agreement (Amendment Agreement), dated December 1, 2025, between BC Hydro and Ulkatcho Energy Limited Partnership in respect of the Ulkatcho Solar Project EPA (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 [BCUC] must not exercise a power under the *Utilities Commission Act* (UCA) in a way that would directly or indirectly prevent a public utility...from carrying out a prescribed undertaking”;
- D. Pursuant to section 3.1 of the Greenhouse Gas Reduction (Clean Energy) Regulation (GGRR), certain electricity purchases for non-integrated areas by a public utility are a prescribed undertaking, subject to certain criteria set out in the GGRR;
- E. By Order G-185-24 dated July 11, 2024, the BCUC accepted for filing the Ulkatcho Solar EPA and determined that the Ulkatcho Solar EPA meets the requirements for a prescribed undertaking as defined by the GGRR;

- F. In the Filing, BC Hydro states that the Ulkatcho Solar EPA requires amendments by way of the Amendment Agreement to: (i) add the specific technical details, that have now been determined, related to how payment for available generation will be calculated for billing purposes; and (ii) update the requirements that must be met to determine operational readiness of the plant and for payments to commence;
- G. BC Hydro requests the Amendment Agreement be kept confidential on an ongoing basis, as it contains commercially sensitive information, unless otherwise determined by the BCUC;
- H. BC Hydro submits that the Ulkatcho Solar EPA, as amended by the Amendment Agreement, meets the requirements for a prescribed undertaking as defined by the GGRR; and
- I. The BCUC has not reviewed the Filing from a public interest perspective as the Ulkatcho Solar EPA, as amended by the Amendment Agreement, is a prescribed undertaking under section 18(1) of the CEA.

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

1. The Amendment Agreement is accepted as filed.
2. The Amendment Agreement will be held confidential unless the BCUC determines otherwise.

DATED at the City of Vancouver, in the Province of British Columbia, this 19th day of February 2026.

BY ORDER

Electronically signed by Bernard Magnan

B. A. Magnan
Commissioner