



ORDER NUMBER
G-51-26

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

and

British Columbia Hydro and Power Authority
2024 Call for Power Energy Purchase Agreements
K'ómoks First Nation Request for Access to Confidential Information

BEFORE:

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

on March 12, 2026

ORDER

WHEREAS:

- A. By Order G-313-25 dated December 22, 2025, the British Columbia Hydro and Power Authority (BC Hydro) was directed to provide Mr. Gratl, counsel for K'ómoks First Nation (K'ómoks), access to certain confidential information filed in the BC Hydro 2024 Call for Power Electricity Purchase Agreements proceeding within 14 days of Mr. Gratl filing an executed copy of a confidentiality undertaking (Undertaking);
- B. By letter dated March 3, 2026, Mr. Gratl requests that the British Columbia Utilities Commission (BCUC) review and remove the redactions made by BC Hydro to the confidential documents released to him as Exhibit B-4-1 on January 15, 2026 (Request);
- C. By email dated March 5, 2026, BC Hydro requests that the BCUC require K'ómoks to provide a copy of the Request to Yayus Energy Inc. (formerly known as Brewster Wind Inc.), and/or Wei Wai Kum First Nation;
- D. By email dated March 5, 2026, Mr. Gratl states that the terms of the Undertaking restrict K'ómoks from providing the Request to others as requested by BC Hydro; and
- E. The BCUC has reviewed the submissions from Mr. Gratl and BC Hydro and determines that the establishment of a proceeding to review the Request is warranted.

NOW THEREFORE for the reasons outlined in the decision accompanying this order, the BCUC orders as follows:

- 1. A regulatory timetable is established as set out in Appendix A to this order.
- 2. K'ómoks is directed to file the supplemental information set out in Appendix B to this order by Tuesday, March 17, 2026.

3. BC Hydro is directed to provide notice of the Request and this order to Yayus Energy Inc., Wei Wai Kum First Nation, and any other potentially affected parties by Thursday, March 19, 2026.
4. BC Hydro is directed to provide written confirmation to the BCUC of compliance with Directive 3 and a list of the specific parties notified by Monday, March 23, 2026.
5. In accordance with BCUC's Rules of Practice and Procedure, any party wishing to comment on the Request is invited to submit a Letter of Comment by the date established in the regulatory timetable. Letters of comment must be in the Letter of Comment Form available on the BCUC's website at <https://www.bcuc.com/Forms/LetterOfComment>.

DATED at the City of Vancouver, in the Province of British Columbia, this 12th day of March 2026.

BY ORDER

Electronically signed by Bernard Magnan

B. A. Magnan
Commissioner

British Columbia Hydro and Power Authority
2024 Call for Power Energy Purchase Agreements
K'ómoks First Nation Request for Access to Confidential Information

REGULATORY TIMETABLE

Action	Date (2026)
K'ómoks to file Supplemental Information	Tuesday, March 17
BC Hydro to provide public notice	Thursday, March 19
BC Hydro confirmation of compliance with public notice requirements	Monday, March 23
Letters of comment deadline	Thursday, March 26
BC Hydro submission	Thursday, April 2
K'ómoks reply submission	Wednesday, April 8

British Columbia Hydro and Power Authority
2024 Call for Power Energy Purchase Agreements
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SUPPLEMENTAL INFORMATION

1. In accordance with Part IV of the BCUC's Rules of Practice and Procedure, please provide a redacted version of the Gratl & Company letter dated March 3, 2026 (Request) that the BCUC may make publicly available.
2. Please confirm, or explain otherwise, that the file named "01_Exhibit B-4-1 CONF.pdf" attached to the Request (the Attachment) is an unaltered copy of the confidential information provided to Mr. Gratl by BC Hydro on January 15, 2026, pursuant to Order G-313-25.
3. Please confirm, or explain otherwise, that in the Request K'ómoks is seeking a version of the Attachment with all redactions removed.

DECISION

Public Notice

On December 22, 2025, the British Columbia Utilities Commission (BCUC) directed the British Columbia Hydro and Power Authority (BC Hydro) to provide Mr. Gratl, counsel for K'ómoks First Nation (K'ómoks), access to certain confidential information (Confidential Information) filed in the BC Hydro 2024 Call for Power Electricity Purchase Agreements proceeding within 14 days of Mr. Gratl filing an executed copy of a confidentiality undertaking (Undertaking).¹

By letter dated March 3, 2026, Mr. Gratl requested that the BCUC review and remove redactions made by BC Hydro to the confidential documents released to him as Exhibit B-4-1 on January 15, 2026.²

BC Hydro submits that K'ómoks' March 3, 2026 request concerns the 2024 Call for Power project proponent, Yayus Energy Inc. (formerly known as Brewster Wind Inc.), and/or Wei Wai Kum First Nation, and that these parties should have an opportunity to respond. BC Hydro requests that K'ómoks be required to provide a copy of its March 3, 2026, request to Yayus Energy Inc. and Wei Wai Kum First Nation for comment.³

In response, Mr. Gratl indicates he is unable to provide the March 3, 2026 request to other parties as the Undertaking restricts the distribution of the underlying documents.⁴

Panel Determination

The Panel considers public notice to be an important and necessary step for ensuring parties whose interests may be affected by the BCUC's review of K'ómoks March 3, 2026 request are aware of the BCUC proceeding and have an opportunity to participate through the submission of a letter of comment.

In the Panel's view, BC Hydro's access to the entirety of the Confidential Information means that BC Hydro is better positioned to identify the specific parties that may be affected by the BCUC's decision. As such, the Panel finds that requiring BC Hydro to provide public notice of the BCUC's proceeding to review K'ómoks' March 3, 2026 request is appropriate in this instance. The Panel notes that it has directed K'ómoks to file a redacted version of its request by Tuesday, March 17, 2026, that the BCUC may make publicly available, and which BC Hydro will in turn be able to provide to the necessary parties.

BC Hydro is accordingly directed to provide notice of the K'ómoks' March 3, 2026 request and the order accompanying this decision to Yayus Energy Inc., Wei Wai Kum First Nation, and any other potentially affected parties by Thursday, March 19, 2026.

¹ Order G-313-25 dated January 22, 2026.

² Exhibit B-1.

³ Exhibit A2-1.

⁴ Exhibit A2-2.

DATED at the City of Vancouver, in the Province of British Columbia, this 12th day of March 2026.

Electronically signed by Bernard Magnan

B. A. Magnan
Panel Chair/Commissioner

Electronically signed by Wendy Royle

W. E. Royle
Commissioner