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July 30, 2021

Mr. Patrick Wruck  
Commission Secretary and Manager  
Regulatory Support  
British Columbia Utilities Commission  
Suite 410, 900 Howe Street  
Vancouver, BC V6Z 2N3

Dear Mr. Wruck:

**RE: British Columbia Utilities Commission (BCUC or Commission)  
British Columbia Hydro and Power Authority (BC Hydro)  
Energy Supply Contract Filing Requirements**

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BC Hydro writes in respect of its Amendments and Contractual Developments relating to its energy supply contracts (**Electricity Purchase Agreements** or **EPAs**) for the period April 2021 to June 2021 (**Q1 Fiscal 2022**).

BC Hydro files these reports and makes determinations about whether agreements it enters into, or other developments under an energy supply contract, are “amendments” or “contractual developments” in accordance with the Rules for Energy Supply Contracts for Electricity (**Rules**).

We have also considered Commission Order No. G-148-20, the subsequent clarification to the Order provided in the letter dated August 28, 2020, and Commission Order No. G-279-20 with respect to the reconsideration and variance of Order No. G-148-20. We have particularly considered the directive in Order No. G-148-20, as varied by Order No. G-279-20, that “BC Hydro file all future agreements that are associated with and materially affect existing EPAs” (**Directive**).

As with past practice, we are reporting EPA amendments and EPA contractual developments for Non-Exempt EPAs. In addition, we are reporting and filing for information those agreements that are associated with and materially affect existing EPAs (for both Non-Exempt and Exempt EPAs) to the extent there are any agreements to report for Q1 Fiscal 2022.

**EPA Amendments (Non-Exempt EPAs)**

During the Q1 Fiscal 2022 period, BC Hydro filed with the BCUC one EPA amending agreement relating to a Non-exempt EPA. A description and a brief summary of the EPA amendment that occurred during the Q1 Fiscal 2022 period is provided in Attachment 1.

## **Contractual Developments (Non-Exempt EPAs)**

During the Q1 Fiscal 2022 period, there were four documents that relate to Non-exempt EPAs and that BC Hydro considers to be Contractual Developments under the Rules.

BC Hydro is providing a description of the Contractual Developments to the Commission for information purposes in accordance with the Rules. A description and a brief summary of each of the Contractual Developments that occurred during the Q1 Fiscal 2022 period is provided in Attachment 2.

As noted above, in addition to considering the Rules, BC Hydro has considered whether any of the Contractual Developments for Non-Exempt EPAs should be filed with the Commission for information in compliance with the Directive. During Q1 Fiscal 2022, BC Hydro confirms that of the four Contractual Developments identified in Attachment 2 for Non-exempt EPAs, there were two Contractual Developments which may materially affect an EPA.

Accordingly, in consideration of the Directive, we are filing two Contractual Developments for information and BC Hydro confirms there are no other agreements (other than the EPA amendment noted above) relating to Non-exempt EPAs that are associated with and materially affect existing Non-Exempt EPAs for Q1 Fiscal 2022.

## **Agreements Materially Affecting Exempt EPAs**

For the purpose of compliance with the Directive for Exempt EPAs, BC Hydro notes we are only identifying agreements (e.g., notices and waivers are generally not agreements), and we are not identifying assignments and consents as agreements that materially affect an Exempt EPA.

Accordingly, in consideration of the Directive, we are filing five agreements for information, and BC Hydro confirms there are no other agreements relating to Exempt EPAs that are associated with and materially affect existing Exempt EPAs for Q1 Fiscal 2022. We also note that in the interest of transparency we are identifying one EPA amendment that we do not believe materially affects the EPA. Similar documents for non-exempt EPAs have been reported to the Commission as Contractual Developments such that the Commission would have notice. However, since BC Hydro does not report on Contractual Developments for Exempt EPAs, we have included a description and a brief summary of this development in Attachment 3 for consistency. BC Hydro has also included a description and brief summary of the five agreements, attached to this filing, that may materially affect their respective EPAs in Attachment 3.

We also note that in the interest of transparency we are reporting on two Contractual Developments, which do not materially affect their respective EPAs, but that we are not filing these Contractual Developments. A description and a brief summary of the five agreements and the two Contractual Developments is provided in Attachment 3.

## Confidentiality

BC Hydro is filing its Summary of Non-Exempt EPA Contractual Developments and its Summary of Agreements Materially Affecting Exempt EPAs, including any attachments related to each of these summaries, in their entirety, on a confidential basis. A redacted public version of the Summary of Non-Exempt EPA Contractual Developments and a redacted public version of the Summary of Agreements Materially Affecting Exempt EPAs, and confidential un-redacted versions of these attachments, are provided in Attachment 2 and Attachment 3, respectively.

As the Commission may be aware, BC Hydro posts all of its regulatory filings with the BCUC on BC Hydro's website. BC Hydro believes that summaries of Contractual Developments, summaries of agreements materially affecting Exempt EPAs and those documents filed pursuant to the Directive may be disclosing certain information which is commercially sensitive to BC Hydro and/or the Seller Company. This information, if publicly disclosed, may be harmful to the Seller Company and/or BC Hydro (e.g., if such information is publicly available, it may impact the financial position of the Seller or may potentially negatively impact BC Hydro's management of its IPP portfolio). Accordingly, as provided by the General Rules 1.10 of the Rules for Energy Supply Contracts for Electricity, Part IV of the Commission's Rules of Practice and Procedure, and section 42 of the *Administrative Tribunals Act*, BC Hydro is requesting that the Commission hold the un-redacted forms of Attachment 2 and Attachment 3 in their entirety, as confidential; whereas the redacted forms are for public review.

For further information, please contact Anthea Jubb at 604-623-3545 or by email at [bchydroregulatorygroup@bchydro.com](mailto:bchydroregulatorygroup@bchydro.com).

Yours sincerely,



Chris Sandve  
Chief Regulatory Officer

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Enclosure

# **Energy Supply Contract Filing Requirements**

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**Fiscal 2022 Quarter 1**  
**April 1, 2021 to June 30, 2021**

**Attachment 1**

**Summary of Non-Exempt**  
**EPA Amendments**

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## Summary of Non-Exempt EPA Amendments

(For the three-month period ending June 30, 2021 – Quarter 1)

	Project Name	Seller Company Name	Effective Date of Document	Document Type	Description
1	Conifex Green Energy	Conifex Power Limited Partnership ( <b>Conifex</b> )	April 14, 2021	EPA Amending Agreement	EPA amended with respect to BC Hydro's dispatch rights under the Conifex EPA. This agreement was filed with the BCUC on June 4, 2021 and accepted for filing under BCUC Order No. E-18-21.

# **Energy Supply Contract Filing Requirements**

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**Fiscal 2022 Quarter 1**  
**April 1, 2021 to June 30, 2021**

## **Attachment 2**

**Summary of Non-Exempt  
Contractual Developments**

**PUBLIC**

**CONFIDENTIAL  
ATTACHMENT**

**FILED WITH BCUC  
ONLY**

# **Energy Supply Contract Filing Requirements**

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**Fiscal 2022 Quarter 1**  
**April 1, 2021 to June 30, 2021**

**Attachment 3**

**Agreements Materially Affecting Exempt EPAs**

**PUBLIC**



**CONFIDENTIAL  
ATTACHMENT**

**FILED WITH BCUC  
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