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October 28, 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**

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 July 2021 to September 2021 (**Q2 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 Q2 Fiscal 2022.

EPA Amendments (Non-Exempt EPAs)

During the Q2 Fiscal 2022 period, BC Hydro confirms that no EPA amendments relating to non-exempt EPAs occurred.

Contractual Developments (Non-Exempt EPAs)

During the Q2 Fiscal 2022 period, there were no documents that relate to Non-exempt EPAs and that BC Hydro considers to be Contractual Developments under the Rules.

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 one agreement 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 Q2 Fiscal 2022. BC Hydro has included a description and brief summary of the agreement, attached to this filing, that may materially affect its associated EPA in Attachment 1.

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 1 for consistency.

Confidentiality

BC Hydro is filing 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 Agreements Materially Affecting Exempt EPAs, and confidential un-redacted versions of these attachments, are provided in Attachment 1.

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 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

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is requesting that the Commission hold the un-redacted form of Attachment 1 in its entirety, as confidential; whereas the redacted form is for public review.

For further information, please contact Anthea Jubb at 604-623-3545 or by email at bchydroregulatorygroup@bchydro.com.

Yours sincerely,



Chris Sandve
Chief Regulatory Officer

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Enclosure

Energy Supply Contract Filing Requirements

Fiscal 2022 Quarter 2
July 1, 2021 to September 30, 2021

Attachment 1

Agreements Materially Affecting Exempt EPAs

PUBLIC

**CONFIDENTIAL
ATTACHMENT**

**FILED WITH BCUC
ONLY**