

Chris Sandve

Chief Regulatory Officer

Phone: 604-623-3726

Fax: 604-623-4407

bchydroregulatorygroup@bchydro.com

May 9, 2022

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

Dear Patrick 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 January 2022 to March 2022 (**Q4 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 Q4 Fiscal 2022.

EPA Amendments (Non-Exempt EPAs)

During the Q4 Fiscal 2022 period, BC Hydro confirms that no EPA amendments relating to Non-Exempt EPAs occurred.

Contractual Developments (Non-Exempt EPAs)

During the Q4 Fiscal 2022 period, there was one document that relates to Non-Exempt EPAs and that BC Hydro considers to be a Contractual Development under the Rules.

BC Hydro is providing a description of the Contractual Development to the Commission for information purposes in accordance with the Rules. A description and a brief summary of the Contractual Development that occurred during the Q4 Fiscal 2022 period is provided in Attachment 1.

As noted above, in addition to considering the Rules, BC Hydro has considered whether the Contractual Development for Non-Exempt EPAs should be filed with the Commission for information in compliance with the Directive. During Q4 Fiscal 2022,

BC Hydro confirms that the Contractual Development identified in Attachment 1 for Non-exempt EPAs does not materially affect an EPA and therefore would not need to be filed in accordance with the Directive.

Accordingly, in consideration of the Directive, BC Hydro confirms there are no other agreements relating to Non-exempt EPAs that are associated with and materially affect existing Non-Exempt EPAs for Q4 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, BC Hydro confirms there are no agreements relating to Exempt EPAs that are associated with and materially affect existing Exempt EPAs for Q4 Fiscal 2022.

We also note that in the interest of transparency, although there are no agreements for reporting purposes, we are identifying two EPAs that had material development in Q4 Fiscal 2022. 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 these developments in Attachment 2.

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 1 and Attachment 2, 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 1 and Attachment 2 in their entirety, as confidential; whereas the redacted forms are for public review.

For further information, please contact Alicia Henderson at 604-623-4381 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 4
January 1, 2022 to March 31, 2022

Attachment 1

Summary of Non-Exempt EPA Amendments

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ATTACHMENT

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Energy Supply Contract Filing Requirements

Fiscal 2022 Quarter 4
January 1, 2022 to March 31, 2022

Attachment 2

Agreements Materially Affecting Exempt EPAs

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