

Fred James

Chief Regulatory Officer

Phone: 604-623-4046

Fax: 604-623-4407

bchydroregulatorygroup@bchydro.com

April 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**

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 2021 to March 2021 (**Q4 Fiscal 2021**).

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 F2021.

EPA Amendments (Non-Exempt EPAs)

During the Q4 Fiscal 2021 period, BC Hydro filed with the BCUC one EPA amending agreement relating to a Non-exempt EPA. A description and brief summary of the EPA amendment that occurred during the Q4 Fiscal 2021 period is provided in Attachment 1.

Contractual Developments (Non-Exempt EPAs)

During the Q4 Fiscal 2021 period, there were three 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 brief summary of each of the Contractual Developments that occurred during the Q4 Fiscal 2021 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 Q4 F2021, BC Hydro confirms that of the Contractual Developments identified in Table 2 for Non-exempt EPAs, there was:

- (i) One Contractual Development which may materially affect an EPA; however, this agreement does not alter or revise, by modification, addition or deletion, any term or condition of the EPA which is why it is not being filed as an amendment, and
- (ii) Two other Contractual Developments which either are not agreements or, in BC Hydro's view, do not materially affect the EPA.

Accordingly, in consideration of the Directive, we are filing one Contractual Development for information and BC Hydro confirms there are no other agreements (other than the EPA amendments noted above) relating to Non-exempt EPAs that are associated with and materially affect existing Non-Exempt EPAs for Q4 Fiscal 2021.

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, BC Hydro confirms there are no agreements that are associated with and materially affect existing Exempt EPAs, for Q4 Fiscal 2021.

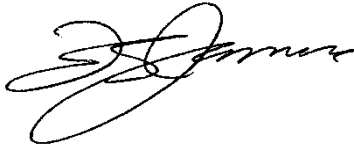
Confidentiality

BC Hydro is filing its Summary of Non-Exempt EPA Contractual Developments, in its entirety, on a confidential basis. A redacted public version of the Summary of Non-Exempt EPA Contractual Developments and a confidential un-redacted version of this attachment are provided in Attachment 2.

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 Contractual Developments summaries 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 form of Attachment 2 as confidential; whereas the redacted forms are for public review.

For further information, please contact Chris Sandve at 604-974-4641 or by email at bchydroregulatorygroup@bchydro.com.

Yours sincerely,



Fred James
Chief Regulatory Officer

df/rh

Enclosure

Copy to: BCUC Project No. 1599164 (Fiscal 2022 Revenue Requirements Application)
Registered Intervener Distribution List.

Energy Supply Contract Filing Requirements

Fiscal 2021 Quarter 4
January 1, 2021 to March 31, 2021

Attachment 1

Summary of Non-Exempt
EPA Amendments

Summary of Non-Exempt EPA Amendments

(For the three-month period ending March 31, 2021 – Quarter 4)

	Project Name	Seller Company Name	Effective Date of Document	Document Type	Description
1	Celgar Green Energy	Mercer Celgar Limited Partnership (Celgar)	January 27, 2021	Amending Agreement	Correction of minor errors to the Celgar EPA dated September 25, 2020. This agreement is a biomass contract pursuant to the Government of B.C.'s Direction to the British Columbia Utilities Commission Respecting the Biomass Energy Program (Order in Council No. 158 issued April 1, 2019, BC Reg. 71/2019). This agreement was filed with the BCUC on March 11, 2021 and accepted for filing under BCUC Order No. E-7-21.

Energy Supply Contract Filing Requirements

Fiscal 2021 Quarter 4
January 1, 2021 to March 31, 2021

Attachment 2

**Summary of Non-Exempt
Contractual Developments**

PUBLIC

CONFIDENTIAL
ATTACHMENT

FILED WITH BCUC
ONLY