

Chris Sandve

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February 27, 2023

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

Dear Sara Hardgrave:

**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 October 2022 to December 2022 (**Q3 Fiscal 2023**).

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” and Commission Order No. G-269-22 that provides “BC Hydro is required to file all amendments to [Energy Supply Contracts] with the BCUC by April 30 of each year including all contractual developments with their relevant details” (the **Directives**).

As with past practice for our quarterly reports, we are reporting EPA Amendments and EPA Contractual Developments for Non-Exempt EPAs. To provide greater transparency, and taking the Directives into consideration, we are also reporting EPA Amendments and EPA Contractual Developments for Exempt EPAs. In addition, as has been the practice since February 2021, we are continuing to report and file 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 Q3 Fiscal 2023.

For ease of administration and consistency, there is one attached summary table for Non-Exempt EPAs (summarizing EPA Amendments and Contractual Developments) and a separate attached summary table for Exempt EPAs (summarizing EPA Amendments and Contractual Developments). As noted in the attached summary tables, those agreements associated with and that materially affect an existing EPA are included for information, as applicable.

EPA Amendments and Contractual Developments (Non-Exempt EPAs)

During the Q3 Fiscal 2023 period, BC Hydro confirms that two EPA Amendments relating to Non-Exempt EPAs were executed. These amending agreements were filed with the BCUC on December 23, 2022 and were accepted pursuant to BCUC Order No. E-1-23. There were also nine documents that relate to Non-Exempt EPAs and that BC Hydro considers to be Contractual Developments under the Rules.

A description and brief summary of each of these EPA Amendments and Contractual Developments are included in Attachment 1. Moreover, as more fully described in Attachment 1, in consideration of the Directives, 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 Q3 Fiscal 2023.

EPA Amendments and Contractual Developments (Exempt EPAs)

During the Q3 Fiscal 2023 period, BC Hydro confirms that no EPA Amendments relating to Exempt EPAs occurred; and that there were five documents that relate to exempt EPAs and that BC Hydro considers to be Contractual Developments under the Rules.

A description and brief summary of each of these Contractual Developments are included in Attachment 2. Moreover, as more fully described in Attachment 2, in consideration of the Directive, BC Hydro confirms there are no other agreements relating to Exempt EPAs that are associated with and materially affect existing Exempt EPAs for Q3 Fiscal 2023.

Confidentiality

BC Hydro is filing its Summaries of EPA Amendments and Contractual Developments (for Non-Exempt EPAs and Exempt EPAs), including any attachments related to each of these summaries, in their entirety, on a confidential basis as applicable. A redacted public version of each of these summaries, and confidential un-redacted versions of these attachments, are provided in Attachment 1 and Attachment 2, respectively.

BC Hydro believes that summaries of agreements and other documents 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 (if applicable) 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

Copy to: BCUC Project No. 1599243 (Fiscal 2023 to Fiscal 2025 Revenue Requirements) Registered Intervener Distribution List.

Energy Supply Contract Filing Requirements

Fiscal 2023 Quarter 3
October 1, 2022 to December 31, 2022

Attachment 1

**Non-Exempt EPAs – Summary of
EPA Amendments and Contractual Developments**

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Non-Exempt EPAs: Summary of EPA Amendments and Contractual Developments

(For the three-month period ending December 31, 2022 – Quarter 3)

	Project Name	Seller Company Name	Effective Date of Document	Document Type	Description
					<p style="text-align: center;">1</p>

1

[Redacted]

	Project Name	Seller Company Name	Effective Date of Document	Document Type	Description
9	Brown Lake	Brown Miller LP	October 31, 2022	EPA Amending Agreement	Amendment to extend the EPA by three months from October 31, 2022, to January 31, 2023. This agreement was filed with the BCUC on December 23, 2022, and was accepted pursuant to BCUC Order No. E-1-23
10	Sechelt Creek	MPT Hydro LP	October 31, 2022	EPA Amending Agreement	Amendment to extend the EPA by three months from October 31, 2022, to January 31, 2023. This agreement was filed with the BCUC on December 23, 2022 and was accepted pursuant to BCUC Order No. E-1-23.

Non-Exempt EPAs – Summary of EPA Amendments and Contractual Developments

	Project Name	Seller Company Name	Effective Date of Document	Document Type	Description
11	Vancouver Landfill Gas Utilization – Ph 1	VF Clean Energy, Inc.	November 30, 2022	Contractual Development (Termination)	Termination of the EPA dated December 21, 2001, by mutual agreement. This agreement terminates the contract and as such is not an amendment to the contract.

Energy Supply Contract Filing Requirements

Fiscal 2023 Quarter 3
October 1, 2022 to December 31, 2022

Attachment 2

**Exempt EPAs – Summary of
EPA Amendments and Contractual Developments**

PUBLIC

**CONFIDENTIAL
ATTACHMENT**

**FILED WITH BCUC
ONLY**