

LAWSON LUNDELL

BARRISTERS AND SOLICITORS

Project No. 3698354
BC Hydro Call for Tenders For
Capacity On VI-Review of EPA

Exhibit No. B-7

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December 6, 2004

VIA FAX

British Columbia Utilities Commission
6th Floor, 900 Howe Street
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Vancouver, BC V6Z 2N3

Attention: Robert J. Pellatt, Commission Secretary

Direct Line: (604) 631-9183
csanderson@lawsonlundell.com

Dear Mr. Pellatt:

**Re: British Columbia Hydro and Power Authority ("BC Hydro")
Call for Tenders for Capacity on Vancouver Island
Review of Electricity Purchase Agreement
Project No. 3698354**

We have received the correspondence relating to the Commission's Order of November 30, 2004 from counsel for GSX CCC, JIESC and BCOAPO. Each of these letters, at least in part, addresses the portions of the Commission's November 30 ruling dealing with confidentiality and, directly or indirectly, argues the Commission should revise its Order. However, none of the letters formally seeks reconsideration of the Commission's Order.

The Commission has developed a procedure for dealing with reconsideration applications. This procedure contemplates a determination of whether reconsideration is warranted, followed by reconsideration on the merits, if warranted. Through this process, the respondent and other interested parties are given a fair opportunity to be heard. We respectfully submit the Commission should follow its established process and require those seeking reconsideration to formally apply, rather than accept an invitation from these parties to embark on a reconsideration under the guise of elaborating or clarifying its Order. BC Hydro will make any comments on whether reconsideration is appropriate if and when such a process is established.

We note in passing that some aspects of the submissions refer to in-camera sessions between the Commission, BC Hydro and Duke Point Power. We believe an expression of concern with respect to those matters as they relate to BC Hydro is premature because no in-camera meetings

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or discussions are planned or have occurred between BC Hydro and the Commission. We understood that the Commission intended to be transparent with respect to any in-camera arrangements that it determines are necessary and believe that the parties should and will have ample opportunity to comment on any arrangements when they are actually made.

Yours very truly,

LAWSON LUNDELL



Chris W. Sanderson, Q.C.

CWS/bts

cc: Registered Intervenors