

**BRITISH COLUMBIA  
UTILITIES COMMISSION**

**ORDER  
NUMBER E-10-03**



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IN THE MATTER OF  
the Utilities Commission Act, R.S.B.C. 1996, Chapter 473

and

An Application by British Columbia Hydro and Power Authority (BC Hydro)  
for Approval of  
Electricity Purchase Agreements between BC Hydro and;  
Pacific Cascade Hydro, Maxim Power Corp. (for Vancouver Landfill Gas Utilization project and for Hartland  
Landfill project), Raging River Power and Mining Inc., Canadian Hydro Developers Inc. & Pingston Creek LP,  
RFP Power Ltd., Montenay Inc., Rockford Energy Corp., and Furry Creek Power Ltd.

**BEFORE:** R.H. Hobbs, Chair )  
L.A. Boychuk, Commissioner ) December 18, 2003  
L.F. Kelsey, Commissioner )

**O R D E R**

**WHEREAS:**

- A. Pursuant to Section 71 of the Utilities Commission Act, BC Hydro filed Electricity Purchase Agreements with the Commission on October 21, 2003, for the supply of electricity with the following companies:
- Pacific Cascade Hydro, for electricity from Eagle Lake C2 Micro Hydro Project;
  - Maxim Power Corp., for electricity from Vancouver Landfill Gas Utilization project and from the Hartland Landfill project;
  - Raging River Power and Mining Inc., for electricity from Raging River small hydro project;
  - Canadian Hydro Developers Inc. & Pingston Creek LP, for electricity from Pingston Creek project;
  - RFP Power Ltd., for electricity from the Armstrong Wood Waste Cogeneration project;
  - Montenay Inc., for electricity from the Seegen Burnaby Incinerator project;
  - Rockford Energy Corp., for electricity from the Brandy Wine Creek small hydro project; and
  - Furry Creek Power Ltd., for electricity from the Furry Creek small hydro project, collectively the "Agreements"; and
- B. The Agreements have been negotiated with the companies pursuant to BC Hydro's August 24, 2001, request for proposals for projects under 40 MWhs, a 2001 request for proposals for green energy over 40 MWhs, and a call for tenders on September 6, 2002 for customer based generation; and
- C. BC Hydro advises that the Agreements were entered into in good faith before or shortly after May 29, 2003, when the definition of "energy supply contract" was amended in the Utilities Commission Act; and

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UTILITIES COMMISSION**

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NUMBER E-10-03**

2

- D. BC Hydro has requested that for competitive reasons the Commission keep the Agreements confidential; and
- E. The Commission has considered the Agreements and has considered the execution dates of the Agreements in the context of the changes to the Utilities Commission Act and the request of BC Hydro.

**NOW THEREFORE** the Commission orders as follows:

1. The Agreements are accepted as filed as energy supply contracts pursuant to Section 71 of the Utilities Commission Act.
2. The Commission will hold the Agreements confidential at this time.

**DATED** at the City of Vancouver, in the Province of British Columbia, this *24<sup>th</sup>* day of December 2003.

BY ORDER

  
Lori Ann Boychuk  
Commissioner