

BRITISH COLUMBIA
UTILITIES COMMISSION

ORDER
NUMBER G-46-94

TELEPHONE: (604) 660-4700
BC TOLL FREE: 1-800-663-1385
FACSIMILE: (604) 660-1102



SIXTH FLOOR, 900 HOWE STREET, BOX 250
VANCOUVER, B.C. V6Z 2N3
CANADA

AN ORDER IN THE MATTER OF the Utilities Commission
Act, S.B.C. 1980, c. 60, as amended

and

An Application by the Tahltan Nation Development Corporation

BEFORE: K.L. Hall, Commissioner; and)
F.C. Leighton, Commissioner) June 22, 1994

O R D E R

WHEREAS:

- A. On June 13, 1994 the Tahltan Nation Development Corporation ("TNDC") applied to the Commission for an exemption from the provisions of the Utilities Commission Act ("the Act") in respect of the sale of power generated by TNDC's Hluey Lake hydroelectric generating facility to British Columbia Hydro and Power Authority ("B.C. Hydro") at Dease Lake, B.C.; and
- B. TNDC and B.C. Hydro have entered into an Electricity Purchase Agreement that was approved by Commission Order No. E-10-94; and
- C. On April 10, 1989 the Minister of Energy Mines and Petroleum Resources issued Ministerial Order No. 1-M-51 that authorizes the Commission to issue orders with respect to the sale of energy by Independent Power Producers and B.C. Hydro pursuant to Section 27(2)(a)(ii) of the Act; and
- D. The Commission has considered the Application and is satisfied that an Order exempting TNDC from certain sections of the Act properly conserves the public convenience and interest; and
- E. The Commission may, pursuant to Section 114 of the Act, reconsider, vary or rescind an Order made by it.

NOW THEREFORE the Commission orders that the sale of Power by TNDC from its Hluey Lake hydroelectric project to B.C. Hydro at Dease Lake, B.C. is exempt from the Act, other than Part 2 and Section 114, pursuant to the authority given by Ministerial Order No. 1-M-51 (attached).

DATED at the City of Vancouver, in the Province of British Columbia, this 30th day of June, 1994.

BY ORDER

Frank C. Leighton
Commissioner

Attachment

MINISTERIAL ORDER NUMBER 1

M 51

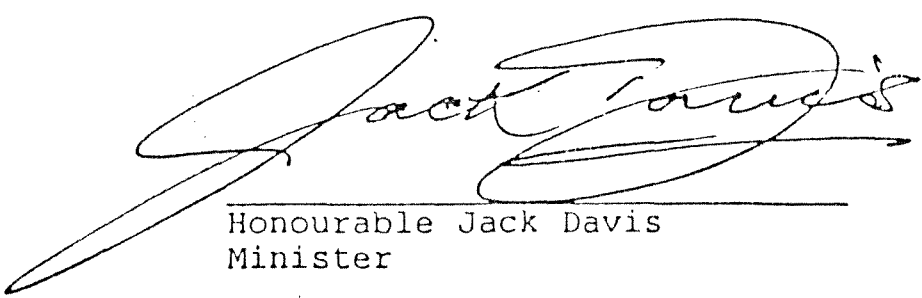
IN THE MATTER OF
s.27(2)(a)(ii) and 27(3)(b) OF THE
UTILITIES COMMISSION ACT
(THE ACT)

WHEREAS certain persons in the Province produce or intend to produce a power service and sell not more than one petajoule of the said power service per year (the Independent Power Producers);

AND WHEREAS the Minister of Energy, Mines and Petroleum Resources (the Minister), pursuant to s.27(3)(b) of the Act, may authorize the British Columbia Utilities Commission (the BCUC) to make orders pursuant to s.27(2);

AND WHEREAS the BCUC, pursuant to s.85.3 of the Act, will be reviewing Energy Supply Contracts entered into by the aforementioned Independent Power Producers;

NOW THEREFORE, effective as of the date written below, and until further notice, the Minister hereby authorizes the BCUC to make orders pursuant to s.27(2)(a)(ii) of the Act with respect to contracts between the said Independent Power Producers and the British Columbia Hydro and Power Authority and the British Columbia Power Export Corporation.


Honourable Jack Davis
Minister

Dated at the City of Victoria, Province of British Columbia, this 10th day of April, 1989.