



**LETTER No. L-90-07**

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**VIA E-MAIL**

November 2, 2007

**BCH 2007 EPA – ALCAN  
S.71 ENERGY SUPPLY CONTRACT EXHIBIT A-17**

TO: British Columbia Hydro and Power Authority  
Registered Intervenor

Re: British Columbia Hydro and Power Authority (“BC Hydro”)  
Project No. 3698475/Order No. G-100-07  
Filing of 2007 Electricity Purchase Agreement with Alcan Inc.  
as an Energy Supply Contract Pursuant to Section 71

By letters dated October 29, 2007 (Exhibit C5-9) and November 1, 2007 (Exhibit C5-10), Mr. McLaren requested approval from the Commission Panel to make a 20 minute presentation to explain that events in Kitimat and elsewhere since the Commission’s December 29, 2006 Decision have had a considerable effect on his position. He states that he is prepared to submit the presentation as evidence and to be cross-examined on it.

By letter dated October 31, 2007, (Exhibit C10-11), the District of Kitimat submitted that Mr. McLaren’s presentation constitutes new evidence, and requested that he be required to circulate a written summary of the new evidence and to respond to information requests on it.

Mr. McLaren did not file intervenor evidence by the due date of October 12, 2007 as established by Order No. G-120-07 (Exhibit A-4). Mr. McLaren’s request to make a 20 minute presentation of the “events” described above is denied. Mr. McLaren may participate in the Oral Hearing, and may also file argument.

By letter dated November 2, 2007 (Exhibit C12-14), the Haisla Hereditary Chiefs express their intent to give evidence restricted to the scope of the proceeding as determined by the Scoping Order (Exhibit A-9). The Haisla Hereditary Chiefs filed two submissions that may be considered evidence: Exhibit C12-2 and Exhibit C12-4. The Haisla Hereditary Chiefs submit that Exhibit C12-2 and Exhibit C12-4 address cost-effectiveness. Both exhibits were filed prior to the due date of October 12, 2007. Therefore, the Commission Panel accepts Exhibits C12-2 and Exhibit C12-4 as intervenor evidence in this proceeding. The Haisla Hereditary Chiefs should expect that the Commission will remove from the record Exhibit C12-2 and Exhibit C12-4, if one or more of the Haisla Hereditary Chiefs do not make themselves available for cross-examination in the event that another party wants to cross-examine the Haisla Hereditary Chiefs.

Both Mr. McLaren and the Haisla Hereditary Chiefs should note that an Opening Statement should not introduce new evidence.

Yours truly,

*Original signed by:*

Erica M. Hamilton

EMH/rt