

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER E-16-09**



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

and

A Filing by British Columbia Hydro and Power Authority
For Acceptance of an Electricity Purchase Agreement

BEFORE: L.F. Kelsey, Commissioner November 13, 2009

O R D E R

WHEREAS:

- A. Pursuant to Section 71 of the *Utilities Commission Act* (the "Act") on September 24, 2009 the British Columbia Hydro and Power Authority ("BC Hydro") filed with the Commission an Electricity Purchase Agreement ("EPA") with Tembec Industries Inc. in relation to its Purcell Power Plant (the "Filing") located at the Tembec Pulp Mill operation in Skookumchuck (the "Tembec Pulp Mill") and the Filing was revised on October 28, 2009; and
- B. The Commission acknowledges receipt of the Justification Report for the EPA which BC Hydro included in the Filing; and
- C. Commission Order G-38-01 dated April 5, 2001 requires BC Hydro to determine a customer base line for customers capable of selling excess self-generated electricity to market based either on the historical energy consumption of the customer or the historical output of the customer's generator; and
- D. Commission Order G-17-02 dated March 14, 2002 extends the requirements of Order G-38-01 until the Commission determines otherwise; and

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- E. The Tembec Pulp Mill has retained its original 15 MW steam turbine-generator unit for emergency back-up since 1997; and
- F. The Commission has reviewed the historic energy consumption at the Tembec Pulp Mill and considered the Filing by BC Hydro and its revision, and has determined that it is in the public interest.

NOW THEREFORE the Commission orders that the EPA set out in Appendix A to this Order is accepted for filing as an energy supply contract pursuant to section 71 of the Act.

DATED at the City of Vancouver, in the Province of British Columbia, this 13th day of November 2009.

BY ORDER

Original signed by:

L.F. Kelsey
Commissioner

Attachment

**British Columbia Hydro and Power Authority
Electricity Purchase Agreement**

Seller Company Name	Project	Location	Capacity
Tembec Industries Inc.	Purcell Power Plant	Cranbrook	24.4 MW