

**BRITISH COLUMBIA
UTILITIES COMMISSION**

**ORDER
NUMBER G-168-09**

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

An Application by British Columbia Transmission Corporation
for Approval of the Generating Plant and Operational Obligations Amending Agreement

BEFORE: L.F. Kelsey, Commissioner
P.E. Vivian, Commissioner

December 23, 2009

O R D E R

WHEREAS:

- A. On April 1, 2005 British Columbia Transmission Corporation ("BCTC") and British Columbia Hydro and Power Authority ("BC Hydro") executed the Generating Plant and Operational Obligations Agreement ("GPOOA") pursuant to Article 8 of the Master Agreement between the two companies; and
- B. On February 2, 2006, BCTC filed with the British Columbia Utilities Commission (the "Commission"), pursuant to section 61 (1) of the *Utilities Commission Act* (the "Act"), Articles 2 to 8 and related sections of the GPOOA for approval; and
- C. Pursuant to Commission Letter dated February 27, 2006, BCTC's application was approved; and
- D. Part B and related provisions of the GPOOA form BCTC Tariff Supplement 2; and
- E. On November 30, 2009, pursuant to arms-length negotiations, BCTC and BC Hydro executed the Generating Plant and Operational Obligations Amending Agreement (the "Amending Agreement"), which addressed issues with respect to the interconnection of material modifications to BC Hydro's Generating Plants, as defined in the GPOOA; and
- F. On December 3, 2009, pursuant to sections 59-61 of the Act, BCTC filed with the Commission an Application for Approval of the Generating Plant and Operational Obligations Amending Agreement, requesting approval of the Amending Agreement to be incorporated into BCTC's Tariff Supplement 2; and
- G. The Commission received a letter, dated December 10, 2009, from BC Hydro expressing support for the BCTC GPOOA Application; and
- H. The Commission has considered the BCTC Application and the letter of support from BC Hydro.

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NOW THEREFORE the Generating Plant and Operational Obligations Amending Agreement between BCTC and BC Hydro, dated November 30, 2009, as described in the Application and as set out in Appendix A to the Application, is hereby approved.

DATED at the City of Vancouver, in the Province of British Columbia, this 23rd day of December 2009.

BY ORDER

Original signed by:

L.F. Kelsey
Commissioner