



LETTER NO. L-105-09

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VIA E-MAIL

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November 25, 2009

BC HYDRO

WANETA TRANSACTION

EXHIBIT A-13

Ms. Joanna Sofield
Chief Regulatory Officer
British Columbia Hydro and Power Authority
333 Dunsmuir Street
Vancouver, BC V6B 5R3

Dear Ms. Sofield:

Re: British Columbia Hydro and Power Authority
Project No. 3698565/Order G-97-09A
Acquisition from Teck Metals Ltd. of an Undivided One-Third Interest
in the Waneta Dam and Associated Assets

Regulatory Timetable Clarification – Letter L-100-09

By Letter L-100-09 dated November 6, 2009, the Commission established a revised regulatory timetable which included deadlines should there be information requests filed on either the Okanagan Nation Alliance ("ONA"), Kutnaxa Nation Council ("KNC") or Sinixt Nation written evidence.

On November 19, 2009 the ONA filed an information request on the Kutnaxa Nation Council written evidence.

On November 20, 2009, BC Hydro submitted a letter with respect to the ONA's information requests. In its letter, BC Hydro stated that it does not believe that the evidence that may be elicited by these information requests will be germane to its final written submissions and that it intends to file its submissions on or about November 25, 2009 as anticipated in the original schedule for argument.

On November 23, 2009, IPPBC submitted a letter with respect to the BC Hydro filing of its final written submission on or about November 25, 2009. In its letter, the Independent Power Producers Association of British Columbia ("IPPBC") stated that BC Hydro has offered no suitable reason as to why the hearing timetable set out in Letter L-100-09 should be changed and supports the filing of Intervenor Final Submissions on December 17, 2009. On November 23, 2009, the ONA responded to BC Hydro's letter of November 20, 2009 and stated that the ONA will be filing its written final submissions on Thursday, December 17, 2009.

On November 24, 2009, BC Hydro submitted a letter in response to the November 23, 2009 letters from each of the IPPBC and the ONA with respect the regulatory timetable. In its November 24, 2009 letter, BC Hydro stated it understood that the purpose of the alternate schedule established in BCUC Letter L-100-09 was to accommodate a written information request process with respect to the late submission of evidence by the

ONA, KNC and the Sinixt Nation and the ONA should not obtain procedural advantage in the form of delay by merely asking three questions of another party.

The Commission has reviewed the Letter, the ONA information request and the subsequent filings and submissions, has concluded that the Revised Regulatory Timetable in Appendix A of Letter L-100-09 still applies, and denies BC Hydro's request to proceed with final argument according to the alternate schedule assuming no Intervenor information requests had been submitted to the ONA, KNC or the Sinixt Nation.

The Commission requires all participants to file submissions, according to Letter L-100-09, as follows:

- KNC will respond to the ONA information request by Wednesday, December 2, 2009,
- BC Hydro will file its written Final Submission by Wednesday, December 9, 2009,
- Intervenors will file written Final Submissions by Thursday, December 17, 2009, and
- BC Hydro will file its written Reply by Thursday, December 24, 2009.

Yours truly,

Original signed by:

Constance M. Smith

for: Erica M. Hamilton

DJF/cms

cc: Registered Intervenors
(BCH-Waneta-RI)