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**VIA E-MAIL**

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January 11, 2005

British Columbia Hydro and Power Authority  
Call for Tenders for Capacity on Vancouver Island  
Review of Electricity Purchase Agreement

**Exhibit No. A-26**

Mr. Richard Stout  
Chief Regulatory Officer  
British Columbia Hydro and Power Authority  
17<sup>th</sup> Floor, 333 Dunsmuir Street  
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Mr. R. Brian Wallace  
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Mr. Jim Quail  
Barrister & Solicitor  
The British Columbia Public Interest Advocacy Centre  
208 – 1090 West Pender Street  
Vancouver, BC V6E 2N7

Dear Sirs

Re: British Columbia Hydro and Power Authority  
Project No. – Order No. G-99-04  
Call for Tenders for Capacity on Vancouver Island  
Review of Electricity Purchase Agreement

By letter revised January 7, 2004 (Exhibit C19-3), counsel for the JIESC requests the Commission to make three orders with certain directions to BC Hydro. By letter dated January 10, 2005 (Exhibit B-41), counsel for BC Hydro responded to the JIESC requests.

The Commission Panel adopts the three headings set forth in BC Hydro's response.

**1. Alleged failure to respond to valid information requests.**

The Commission Panel accepts BC Hydro's response in IR 1.1.0(1) that it did not analyze the scenario where the Duke Point Power project does not run at all after the 230 kV transmission circuit is installed. As suggested by BC Hydro, the JIESC can challenge why BC Hydro did not analyze the scenario during cross-examination at the hearing.

The Commission Panel denies the JIESC request for an order that BC Hydro answer JIESC Information Request 1.1.0(l).

**2. Alleged failure to respond to late or second round information requests**

The Commission Panel notes that the JIESC information requests 9 and 10 were filed after the filing deadline established for information requests, and therefore denies the JIESC request for an order that BC Hydro answer requests 9 and 10.

**3. Alleged failure to provide copies of information requests filed confidentially with the Commission**

The Commission Panel agrees with BC Hydro's submission that Order No. G-119-04 did not direct the public disclosure that is suggested by the submissions of the JIESC, and denies the JIESC request for the order that JIESC claims arises from Order No. G-119-04.

By letter dated January 10, 2005 (Exhibit C3-6), counsel for the BC Old Age Pensioners Organization *et al.* requests public disclosure of BCUC IR 1.33.2 no later than 4:00 p.m. today. By letter dated January 11, 2005 (Exhibit B-42), counsel for BC Hydro submits that Order No. G-119-04 did not direct the public disclosure that is suggested by BCOAPO. For the reasons stated regarding JIESC item 3 above, the Commission Panel denies the BCOAPO request for the order that BCOAPO claims arises from Order No. G-119-04.

Yours truly,

*Original signed by:*

Robert J. Pellatt

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cc: Registered Intervenors