

FLINTOFF  
 INFORMATION REQUEST NO. 1- 1598998

**BC Hydro**  
**BCUC– Indigenous Utilities Regulation Inquiry – Project No. 1598998**

<b>Table of Contents</b>	<b>Page No.</b>
A. Definitions .....	1
B. THE Remote Communities PROGRAM: .....	2
C. EPAs and SOPs .....	2

**A. DEFINITIONS**

- 1.0 **Reference: THE DEFINITION OF “INDIGENOUS UTILITIES”**  
**Exhibit #C2-2 Appendix A. p. 1**  
**Public Utility and Village**

The Terms of Reference define “indigenous utility” as follows: “a public utility that is owned or operated in full or in part, by an indigenous nation”.

LOCAL GOVERNMENT ACT, Part 2 — Incorporation of Municipalities and Regional Districts,  
 Division 4 — Specific Powers in Relation to Municipal Letters Patent, Section 26 — Letters patent for  
 reserve village: additional powers

**26** (1) Letters patent incorporating a village under section 9 (1) [*incorporation of reserve residents as village*] may

- (a) include exceptions from statutory provisions,
- (b) specify the effective period or time for an exception, and
- (c) provide for restriction, modification or cancellation by the Lieutenant Governor in Council of an exception or its effective period.

(2)The letters patent or agreement referred to in section 9 (1) may exempt the municipality or owners or residents from a provision of this or another Act and may include a provision considered desirable whether or not it is consistent with any Act.

- 1.1 Would the word “village” from the LGA inserted into the definition of public utility in the UCA along with municipality and regional district be sufficient to create a level playing field that protects not only the customers but all utilities in the province? See excerpt below:

"public utility" means a person, or the person's lessee, trustee, receiver or liquidator, who owns or operates in British Columbia, equipment or facilities for

...

but does not include

(c) a municipality or regional district in respect of services provided by the municipality or regional district *or village* within its own boundaries,

...

1.1.1 If not, why not? Please elaborate.

**B. THE REMOTE COMMUNITIES PROGRAM:**

**2.0 Reference: The Remote Community Electrification Program  
BC HYDRO'S INDIGENOUS ASSETS AND LIABILITIES**

The Remote Community Electrification Program was established by BC Hydro in 2005 to help remote communities receive off-grid electricity service from BC Hydro. Often, this means a switch from diesel generation to our clean electricity.

- 2.1 Provide the value of the BC Hydro assets installed for or on Indigenous Nations district or treaty lands.
- 2.2 Provide the annual operating costs for these assets above.
- 2.3 Provide the value of any stranded assets as a result of the Remote Community Electrification Program assets installed for or on Indigenous Nations.
- 2.4 How many communities were in the RCE Program and how many communities where switched from diesel to clean energy?

**C. EPAs AND SOPs**

**3.0 Reference: EPAs and SOPs  
Transfer and/or Cancellation of SOP/EPA**

Micro-SOP for First Nations and Communities, Program updates, February 14, 2019

As a result of government's comprehensive review of BC Hydro, a number of measures to lower our costs to keep rates low are being implemented, including reducing the amount of future energy purchases from independent power producers.

Effective immediately, our Standing Offer and Micro Standing Offer Program are suspended indefinitely, and we will not accept new applications or award any new electricity purchase agreements, with the exception of the five First Nations clean energy projects announced on March 14, 2018. Any applications received to date will not be advanced and BC Hydro will no longer maintain the SOP queue.

- 3.1 What is the amount of energy (kW.h) initially purchased from the Indigenous Nations?
- 3.2 What is the total initial purchase price of the SOP/EPA contracts for the Indigenous Nations?
- 3.3 Of these SOP/EPA contracts, how many of these have been reassigned to non-indigenous entities and what is the value of those contracts that have been transferred?
- 3.4 Of these SOP/EPA contracts, how many of these have been cancelled and what is the value of

those contracts that have been cancelled?

- 3.5 Should the Indigenous Nations be afforded a priority when BC Hydro continues to purchase (clean) energy at some time in the future?