



**ORDER NUMBER
G-290-24**

IN THE MATTER OF
the *Utilities Commission Act*, RSBC 1996, Chapter 473

and

Glencore Canada Corporation
Exemption under Section 88(3) of the *Utilities Commission Act*

BEFORE:

M. Jaccard, Commissioner

on November 5, 2024

ORDER

WHEREAS:

- A. On October 18, 2024, Glencore Canada Corporation (Glencore) filed an application (Application) with the British Columbia Utilities Commission (BCUC) pursuant to section 88(3) of the *Utilities Commission Act* (UCA) requesting that the BCUC grant an Order to exempt Glencore from Part 3 of the UCA, and Glencore and Brenda Renewables Ltd. (Brenda Renewables) from section 71 of the UCA with respect to the sale of electricity supplied by the British Columbia Hydro and Power Authority (BC Hydro) to Glencore's Brenda Mine (BDM) Substation located at Brenda Mine, BC, and resold to Brenda Renewables;
- B. Glencore is a private Canadian company, and a wholly owned subsidiary of Glencore plc. Glencore owns and operates the BDM Substation at the Brenda Mine site. Glencore currently purchases electricity from BC Hydro under Rate Schedule 1830, which is delivered to the BDM Substation;
- C. In the Application, Glencore states it has entered into a lease agreement (Lease) for a term of more than five years with Brenda Renewables, and that Glencore will resell electricity purchased from BC Hydro to Brenda Renewables by passing on the actual BC Hydro demand and energy charges without markup using metered data. Glencore also notes that Brenda Renewables will be the only purchaser of electricity from Glencore and will not resell electricity to others;
- D. Glencore submits it will fall within the definition of a "public utility" under the UCA as a result of undertaking the resale of electricity to Brenda Renewables and that the Lease is an energy supply contract under section 68 of the UCA; and
- E. The BCUC determines that the establishment of a public hearing process to review the Application is warranted.

NOW THEREFORE the BCUC orders as follows:

1. A regulatory timetable is established as set out in Appendix A to this order.
2. Glencore is directed to post, by no later than November 12, 2024, a copy of this order and the Application on the Glencore website. The posting must remain in place until a final determination on the Application has been issued.
3. Glencore is directed to provide a copy of this order and the Application, electronically if possible, to Brenda Renewables by November 12, 2024.
4. Glencore is directed to provide the BCUC with confirmation that it has posted the order and Application as required in Directive 2 and has provided a copy of the same to Brenda Renewables as required in Directive 3 by November 14, 2024.
5. Glencore is directed to file the following supplemental information with the BCUC by November 14, 2024:
 - a. a copy of the Lease or a copy of the provisions contained in the Lease pertinent to the resale of electricity by Glencore to Brenda Renewables, including any provisions respecting cost allocation, reliability of service, and complaints/dispute resolution; and
 - b. clarification of the scope of the exemption sought by Glencore – i.e., whether Glencore seeks an exemption from section 71 and the entirety of Part 3 of the UCA, as indicated in paragraph 2 of the Application, or section 71 and Part 3 of the UCA, except for sections 25, 38, 42, and 43, as indicated in the Draft Commission Order provided as Schedule A of the Application.

DATED at the City of Vancouver, in the Province of British Columbia, this 5th day of November 2024.

BY ORDER

Original signed by:

M. Jaccard
Commissioner

Attachment

Glencore Canada Corporation
Exemption under Section 88(3) of the *Utilities Commission Act*

REGULATORY TIMETABLE

Action	Date (2024)
Glencore public notice of application and notice to Brenda Renewables	Tuesday, November 12
Glencore confirmation of compliance with notice requirements	Thursday, November 14
Glencore to file supplemental information	Thursday, November 14
Further process	To be determined