



**BCSEA**  
BC SUSTAINABLE ENERGY ASSOCIATION



Society  
Promoting  
Environmental  
Conservation

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**Media Release – for immediate release**

## ***Duke Point Project Goes to Appeal***

**Victoria/Vancouver** – This morning the BC Court of Appeal granted leave to appeal the BC Utilities Commission's decision approving the controversial Duke Point Power electricity purchase agreement. The **GSX Concerned Citizens Coalition**, the **BC Sustainable Energy Association** and the **Society Promoting Environmental Conservation** applied for leave following the Commission's 17 February decision. The Court also allowed the Joint Industry Electricity Steering Committee ("JIESC") to appeal the Commission's decision.

Both groups sought to appeal on the grounds that the Commission may have been biased in favour of the application; that it unduly restricted access to evidence; and that it unfairly used the review to order BC Hydro to contract for gas supply to Island Cogeneration, an unrelated power plant that was not the subject of the review.

"Under the terms of the contract, BC Hydro or the government can now cancel the Duke Point Power agreement with no liability," said **Tom Hackney, President of GSXCCC**. "They should do so now, so Hydro can get on with more cost-effective and environmentally appropriate projects."

"British Columbia has abundant sustainable energy resources and huge potential to increase energy efficiency," said **Guy Dauncey, President of BCSEA**. "There is no justification for building fossil fuel-based generation, now or in the future."

"The Duke Point Power plant would emit 800,000 tonnes of carbon dioxide per year," said **Karen Wristen, Executive Director of SPEC**. "It would go directly against Canada's climate change commitments under Kyoto, and it would undermine our ability to maintain a healthy environment, economy and society."

Power from the 252 megawatt Duke Point Power generation plant is planned to go on-line in time to offset the 2007 zero-rating of some of the sub-sea electrical cables that supply Vancouver Island. A successful appeal would likely delay the plant, so that it would not meet that deadline. In that case, the BC Transmission Corporation would use bridging measures to ensure the Island's supply until new sub-cables can be put in service in 2008 or 2009.

The appellants have thirty days to file their appeals with the Appeals Court. No date has been set to hear the appeal. A successful appeal would overturn the Utilities Commission's decision and nullify the approval of the Duke Point Power electricity purchase agreement.

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