



GSX Concerned Citizens Coalition

The Georgia Strait Crossing Concerned Citizens Coalition

302 - 733 Johnson Street, Victoria, BC, V8W 3C7

Telephone 250-381-4463, Fax 250-381-4407

Email: thackney@island.net Website: www.sqwalk.com

For Immediate Release: January 24, 2005

GSXCCC files motion to disqualify BCUC panel

Vancouver, BC-The GSX Concerned Citizens Coalition (GSXCCC) today filed a motion to disqualify the BC Utilities Commission panel presiding over the Duke Point Power hearing based on an apprehension of bias and the denial of procedural fairness.

The challenge to the panel's fairness is a result of "in camera" discussions between the Commission panel and BC Hydro representatives that show the panel has prejudged the outcome of its hearing before receiving arguments and cross-examination from intervenors.

"The panel can not know the best option until it has heard the evidence and considered the options before it," Tom Hackney, GSXCCC president. "This panel clearly has already made a decision and that is not proper. That is why we are asking that they disqualify themselves."

The panel is tasked with reviewing the electricity price agreement BC Hydro contracted with Calgary's Pristine Power for the proposed Duke Point Power (DPP) natural gas-fired electricity generation project. DPP was selected as the most cost-effective proposal during a protracted BC Hydro Call for Tenders (CFT) process.

To the exclusion of other parties involved in the hearing, the Commission panel and BC Hydro discussed how the Commission could approve a different option, a variation of the DPP project, even though it did not win the CFT contest, and is not the subject of the current proceeding.

"A person informed of these developments would reasonably conclude that this panel can not decide this proceeding fairly," said Hackney. "On the basis of this test for bias, we are asking the panel to disqualify itself immediately. "

Oral submissions on the GSXCCC motion will be heard on Wednesday.

- 30 -

For more information contact:

Peter Ronald: (250) 381-8321

Arthur Caldicott: (250) 370-9930 x.22

All transcripts, including today's revised in-camera and today's hearing, are available at www.sqwalk.com/home.shtml