



ARCS: 292-30
File: FIN-2012-00076

July 17, 2012

Sent via email:

Dear

Re: Request for Access to Records
Freedom of Information and Protection of Privacy Act (FOIPPA)

I am writing further to your request received by the Ministry of Finance. Your request is for:

Disaggregated estimated payments for the Public Accounts document Contractual Obligations - supplementary detail information for the years 2017 and beyond; All documents sent to the Comptroller General by each ministry and crown corporation for the purpose of assembling the Contractual Obligations list for the most recent Public Accounts.

Please find enclosed a copy of the records located in response to your request which relates to the assembling the Contractual Obligations list. These records are provided to you in their entirety.

The Ministry of Child and Family Development (CFD) has provided the following explanation regarding its records:

- Contract #69649 which was issued by the Queen Charlotte Office, on December 17, 2010 to provide restricted family care home for two children in care, was subsequently cancelled on November 3, 2011.
- Contract #64568, which was issued by CFD's Surrey Office on July 1, 2010 to provide information kinship care under Section 8 of *the Child, Family and Community Services Act* for two children in care was, cancelled effective May 2, 2011.

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Columbia Power has provided the following explanation regarding FortisBC and Waneta Expansion Limited Partnership:

Contractual Obligations - FortisBC

The Operations & Maintenance and Capital obligations to FortisBC are reported by FortisBC as part of its regulatory submissions to the BC Utilities Commission.

- Operations and Management Obligation:
 - the Brilliant Management Agreement between Fortis BC and Brilliant Power Corporation (BPC) has a 60 year term with 44 years remaining. BPC is owned on a 50/50 basis by Columbia Power Corporation (CPC) and a subsidiary of the Columbia Basin Trust. The contractual obligation recorded includes forecasted routine and non-routine operations and maintenance costs. The current annual cost is approximately \$1.9 million/year, therefore on a nominal basis this exceeds the \$50 million threshold.
 - The nuance to evaluate is the fact that under the Brilliant Power Purchase Agreement (BPPA), which has the same term as the Brilliant Management Agreement, BPC recovers its operations and maintenance expense, including its costs related to the Brilliant Management Agreement, from FortisBC. In other words, each month FortisBC bills BPC and then BPC bills FortisBC without money changing hands.
- Capital Obligation:
 - Under the BPPA, BPC recovers any capital spent on the Brilliant facility through a semi-annual return on capital payment from FortisBC. The contractual obligation recorded includes forecasts of capital expenditures under a 20 year capital plan developed by FortisBC as well as longer term estimates of capital expenditures going out to 2056, the year the BPPA expires.

Contractual Obligations – Waneta Expansion Limited Partnership

Contractual obligations recorded include CPC's obligations to fund its 32.5% interest in the Design-Build Contract between the Waneta Expansion Limited Partnership (WELP) and SNC-Lavalin, the Contractor for the Waneta Expansion project.

CPC's annual capital expenditures for the Waneta Expansion project are disclosed to the Province through the reporting of projects over \$50 million.

On April 5, 2012, as part of the Fee Estimate Letter, the Ministry of Finance advised that it does not have records related to the disaggregation of future years estimates, and that those records reside with the various reporting ministries and crown corporations. The Ministry has indicated that the records responsive to 'contractual obligations list' portion of your request will provide sufficient information for you to be able to follow up with the various reporting entities.

Your file is now closed.

These records will be published on the BC Government's Open Information website a minimum of 72 hours after it is released electronically or a minimum of five business days after it has been released by mail in hardcopy. To find out more about Open Information, please access the Open Information website at: <http://www.openinfo.gov.bc.ca/ibc/index.page>

If you have any questions regarding your request, please contact Cheryl FitzSimons, the analyst assigned to your request, at 250-387-6097. This number can be reached toll-free by calling from Vancouver, 604-660-2421, or from elsewhere in BC, 1-800-663-7867 and asking to be transferred to 250-387-6097.

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Davidson" or similar, written in a cursive style.

For:

Russ Fuller, Manager
Business and Infrastructure Team
Information Access Operations

Enclosures

<p>How to Request a Review with the Office of the Information and Privacy Commissioner</p>
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If you have any questions regarding your request please contact the analyst assigned to your file. The analyst's name and telephone number are listed in the attached letter.

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under FOIPPA.

Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:

Information and Privacy Commissioner
PO Box 9038 Stn Prov Govt
4th Floor, 947 Fort Street
Victoria BC V8W 9A4
Telephone 250-387-5629 Fax 250-387-1696

If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and
3. The reasons or grounds upon which you are requesting the review.