

**PATTERSON PALMER HUNT MURPHY**

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*Law*

Martin J. Lockyer

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14 December 2001

Maureen P. Greene, Q.C.,  
Vice-President Human Resources,  
General Counsel and Corporate Secretary,  
Newfoundland and Labrador Hydro,  
Hydro Place, Columbus Drive,  
P. O. Box 12400,  
St. John's, NF A1B 4K7

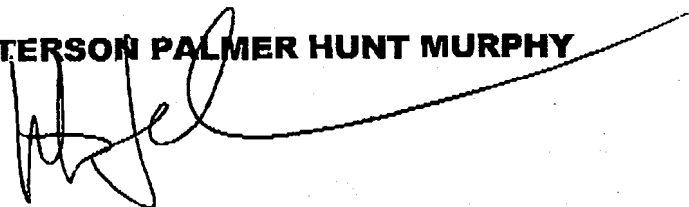
Dear Ms. Greene:

RE: Our Client: 5 Wing Goose Bay, Department of National Defence

Please find enclosed copy of our Application to the Board of Commissioners of Public Utilities which has been filed on behalf of our client on today's date.

Yours truly,

**PATTERSON PALMER HUNT MURPHY**



Martin J. Lockyer

**IN THE MATTER OF THE Public Utilities Act, (R.S.N. 1990), Chapter P-47 (the "Act")**

**AND**

**IN THE MATTER OF** an Application by Newfoundland and Labrador Hydro for approvals of: (1) Under Section 70 of the Act changed in the rates to be charged for the supply of power and energy to its Retail Customer, Newfoundland Power, its Industrial Customers; (2) Under Section 71 of the Act, its Rules and Regulations applicable to the supply of electricity to its Rural Customers; (3) under Section 71 of the Act, the contracts setting out the terms and conditions applicable to the supply of electricity to its Industrial Customers; and (4) Under Section 41 of the Act, its 2002 Capital Budget

**TO: The Board of Commissioners of Public Utilities (the "Board")**

**THE APPLICATION** of 5 Wing Goose Bay, Department of National Defence, Government of Canada (the "Applicant") states that:

1. The Applicant is a unit of the Canadian Forces, Department of National Defence, operating from real property situated at Happy Valley-Goose Bay, in the Province of Newfoundland and Labrador. The Applicant is a customer of Newfoundland and Labrador Hydro for both firm power subject to proposed rate number 2.4H and secondary energy pursuant to proposed rate no. 3.1H.
2. The Applicant makes this Application seeking an Order of the Board granting the Applicant the status of an Intervenor within the meaning of Subparagraph 2(c)(i) of the Board of Commissioner's of Public Utilities Regulations, 1996 in the within matter.
3. Specifically, the applicant seeks status as an Intervenor to enable it, through its counsel, to file a written submission on or before 4:00 p.m. on 10 January 2002 and to make oral submissions to the Board in accordance with the schedule set by the Board for such oral submissions.
4. The Applicant believes the Board should grant its Application for the following reasons:

- (a) The Applicant is the single largest customer of Newfoundland and Labrador Hydro on the Labrador Interconnected Grid, having paid Hydro \$5.5 million in fiscal year 2000-2001;
- (b) The Commander of the Applicant, Colonel Paul McCabe, has given evidence in this matter;
- (c) The Applicant does not intend to call any further evidence;
- (d) The Applicant's submissions will be confined to the proposed rate number 3.1H which appears to be applicable only to the applicant;
- (e) To grant the Order will not delay the proceedings nor prejudice the other parties.

The Applicant therefore respectfully requests that the Board make an Order granting the Applicant the status of an Intervenor in the within matter for the purposes of filing a written submission and making oral submissions, all in accordance with the schedule as determined by the Board.

DATED at St. John's, Newfoundland, this 14<sup>th</sup> day of December, 2001.



PATTERSON PALMER HUNT MURPHY  
Counsel for the Applicant  
Suite 1000, Scotia Centre  
P. O. Box 610  
St. John's, NF A1C 5I3  
Attention: Martin J. Locker  
Telephone No. 709-570-5526

**IN THE MATTER OF THE Public**  
*Utilities Act, (R.S.N. 1990),*  
Chapter P-47 (the "Act")

**AND**

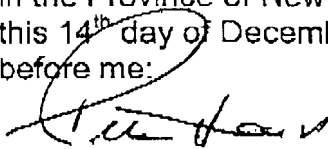
**IN THE MATTER OF** an Application by  
Newfoundland and Labrador Hydro for  
approvals of: (1) Under Section 70 of the  
Act changed in the rates to be charged  
for the supply of power and energy to its  
Retail Customer, Newfoundland Power,  
its Industrial Customers; (2) Under  
Section 71 of the Act, its Rules and  
Regulations applicable to the supply  
of electricity to its Rural Customers; (3)  
under Section 71 of the Act, the contracts  
setting out the terms and conditions  
applicable to the supply of electricity to  
its Industrial Customers; and (4) Under  
Section 41 of the Act, its 2002 Capital  
Budget

**AFFIDAVIT**

I, Martin Lockyer, of St. John's, in the Province of Newfoundland, make oath and say as follows:


1. I am counsel to 5 Wing Goose Bay, Department of National Defence, Government of Canada, the Applicant named in the attached Application.
2. To the best of my knowledge, information and belief, all matters, facts and things set out in the attached Application are true.

SWORN TO at St. John's  
in the Province of Newfoundland  
this 14<sup>th</sup> day of December 2001  
before me:




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*Barrister*




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MARTIN J. LOCKYER