

P.U. 29 (2002-2003)

IN THE MATTER OF the *Electrical Power Control Act, SN 1994 c. E-5.1* (“EPCA”) and the *Public Utilities Act, RSN 1990 c. P-47* (“the Act”) and their subordinate regulations

AND

IN THE MATTER OF an application (the “Application”) by Newfoundland and Labrador Hydro (Hydro) for approval of:

- (1) its 2003 capital budget pursuant to s. 41(1) of the Act;
- (2) its 2003 capital purchases and construction projects in excess of \$50,000 pursuant to s. 41(3)(a) of the Act;
- (3) its leases for 2003 in excess of \$5,000 per year pursuant to s. 41(3)(b) of the Act; and
- (4) its estimated contributions in aid of construction for 2003 pursuant to s. 41(5) of the Act.

**BEFORE: G. Fred Saunders,
 Presiding Chair**

**Gerard Martin, Q.C.,
Commissioner**

**Don R. Powell,
Commissioner.**

WHEREAS on September 18, 2002, Hydro filed the Application with the Board of Commissioners of Public Utilities (the “Board”) requesting, among other things, approval of its 2003 capital budget; and

WHEREAS the Board, after publishing notice of the Application, granted intervenor status to Abitibi Consolidated Inc., Stephenville and Grand Falls Divisions; Corner Brook Pulp and Paper Company Limited; and North Atlantic Refining Limited (the “Industrial Customers”); and

WHEREAS on October 24, 25 and November 4, 2002, the Board held a public hearing whereby the parties were given the opportunity to call evidence and make submissions; and

WHEREAS the Board has considered the Application and the evidence and submissions therein and finds that the Application should be approved as set out in its reasons for decision which are attached as Appendix 2 of this Order.

IT IS THEREFORE ORDERED THAT:

- (1) Hydro’s 2003 capital budget in the amount of \$33,070,000.00, as set out in Appendix 1, Section A of this Order, is approved pursuant to section 41. (1) of the Act;

- (2) Hydro's 2003 capital purchases and construction projects in excess of \$50,000.00, as set out in Appendix 1, Sections B and C of this Order, are approved pursuant to subsection 41. (3)(a) of the Act;
- (3) Hydro's 2003 leases in excess of \$5,000.00 per calendar year, as set out in Appendix 1, Section D of this Order are approved pursuant to section 41. (3)(b) of the Act;
- (4) Hydro's proposed estimated contributions in aid of construction of \$170,000.00 are approved provided that all such contributions are sought in accordance with the policies approved by the Board;
- (5) The application of the Industrial Customers for costs is denied; and
- (6) Hydro shall pay the expenses of the Board arising from this Application.

DATED at St. John's, Newfoundland and Labrador, this 29th day of November, 2002.

G. Fred Saunders,
Presiding Chair

Gerard Martin, Q.C.,
Commissioner.

Don R. Powell,
Commissioner.

G. Cheryl Blundon,
Board Secretary.