

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

**AND IN THE MATTER OF** a General Rate Application  
by Newfoundland and Labrador Hydro  
for approvals of, under Section 70 of the  
Act, changes in the rates to be charged for  
the supply of power and energy to  
Newfoundland Power, Rural Customers and  
Industrial Customers; and under Section 71  
of the Act, changes to the Rules and Regulations  
applicable to the supply of electricity to  
Rural Customers

### **INTERVENOR’S SUBMISSION**

**TAKE NOTICE** that Abitibi Consolidated Company of Canada, Stephenville and Grand Falls Divisions, through its solicitors, Stewart McKelvey Stirling Scales and Poole Althouse, hereby intervenes in its position as an Island Industrial Customer of Newfoundland and Labrador Hydro which is affected by the rates charged by Newfoundland and Labrador Hydro.

The Intervenor submits that the rate increase for Island Industrial Customers sought by the Applicant is not reasonable and should be rejected by the Board.

The Intervenor proposes to show in evidence that the rate increase for Island Industrial Customers sought by the Applicant is not reasonable, that Hydro does not function as an investor-owned utility, that the rate of return sought is not justified,

that costs are not properly allocated, that the Rate Stabilization Plan is not appropriate in its present form and that the levels of equity proposed by Hydro are not justified.

The Intervenor believes that the rate increase for Island Industrial Customers sought by the Applicant should be rejected because it is not reasonable and has not been appropriately justified.

The Intervenor intends to participate by way of filing Information Requests, attendance at the hearing, cross-examination of witnesses, and by the offering of evidence including expert evidence.

The Intervenor proposes to call expert evidence in relation to the proposed Cost of Service, Rate Stabilization Plan and rate design through Cameron Osler of InterGroup Consultants Ltd. of Winnipeg, Manitoba and the Intervenor also proposes to call expert evidence on rate of return and capital structure.

The Intervenor wishes to pursue all issues identified in the Notice of Pre-Hearing Conference and to pursue all issues which impact the Island Industrial rates of Newfoundland and Labrador Hydro. The Intervenor will file evidence in support of its positions in accordance with the schedule established at the Pre-hearing Conference.

Documents relating to this hearing can be served on the Intervenor in care of:

Janet M. Henley Andrews, Q.C.  
Stewart McKelvey Stirling Scales  
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**AND**

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**DATED** at St. John's this 25<sup>th</sup> day of June, 2003.

**STEWART MCKELVEY STIRLING SCALES**

Per:  
Janet M. Henley Andrews, Q.C.

**POOLE ALTHOUSE**

**Per:**  
**Joseph S. Hutchings, Q.C.**

**TO: The Board of Commissioners of Public Utilities**  
**Prince Charles Building**  
**P.O. Box 9188**  
**St. John's, NL AIA 2X9**

**TO: Newfoundland and Labrador Hydro**  
**Columbus Drive**  
**P.O. Box 9100**  
**St. John's, NL AIA 2X8**

**Attention: Maureen Greene, Q.C.**

**TO: Newfoundland Power**  
**55 Kenmount Road**  
**St. John's, NL AIB 3P6**

**Attention: Peter Alteen**

**TO: Mr. Dennis Browne, Q.C.**  
**Consumer Advocate**  
**c/o Browne Fitzgerald Morgan & Avis**  
**P.O. Box 23135**  
**Terrace on the Square, Level II**  
**St. John's, NF A1B 4J9**

**TO: Mr. Mark Kennedy**  
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**1<sup>st</sup> Floor**  
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