

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

IN THE MATTER OF a General Rate Application (the “Application”) by Newfoundland and Labrador Hydro for approval 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 in the Rules and Regulations applicable to the supply of electricity to Rural Customers.

INTERVENORS’ SUBMISSION OF THE ISLAND INDUSTRIAL CUSTOMERS

TAKE NOTICE that **Abitibi-Consolidated Company of Canada, Grand Falls Division, Aur Resources Inc., Corner Brook Pulp and Paper Limited, North Atlantic Refining Limited and Voisey’s Bay Nickel Company Limited (the “Intervenors”)**, through their solicitors Stewart McKelvey and Poole Althouse, hereby intervene in their respective positions as actual or potential Island Industrial Customers of the Applicant Newfoundland and Labrador Hydro (the “Applicant”) which are affected by the rates charged by the Applicant.

Interest of the Island Industrial Customers

1. Each of the Island Industrial Customers, with the exception of **Voisey’s Bay Nickel Company Limited**, presently own and operate on the Island of Newfoundland substantial industrial operations, each of which is a major consumer of power purchased from the Applicant. **Voisey’s Bay Nickel Company Limited** has joined with the other

Island Industrial Customers as an Intervenor by reason of its intended industrial operations in the Province and its anticipated significant future power demands.

Disposition Sought by the Island Industrial Customers

2. Given the very recent filing of the Application, and the various matters raised by the Application and to be addressed by Requests for Information and by other pre-hearing and hearing processes, the Island Industrial Customers do not yet have sufficient information, and have not yet had sufficient opportunity, to formulate particular dispositions with respect to the various approvals sought by the Applicant.

Facts and Reasons Supporting Intervention

3. The Island Industrial Customers repeat the foregoing paragraph and state that there has not yet been sufficient opportunity for the Island Industrial Customers to submit what facts they intend to show in evidence or for what reasons the Board should dispose of the various approvals sought by the Application in a particular manner.

Participation of the Industrial Customers

4. The Industrial Customers propose to fully participate in the hearing of the Application and in the various procedures associated with the Application including without limitation:
 - (a) directing Requests for Information and other information requests to the Applicant as may be permitted by the Board;

- (b) participating in pre-hearing conferences, technical conferences and other pre-hearing and hearing processes associated with the Application;
- (c) cross-examination of witnesses appearing on behalf of the Applicant or of any other participant in the hearing;
- (d) calling witnesses, including expert witnesses, as is appropriate in the circumstances;
- (e) making representations, through counsel, to the Board concerning the disposition of the Application.

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

Mr. Paul L. Coxworthy
Stewart McKelvey
Suite 1100, Cabot Place
100 New Gower Street
P.O. Box 5038
St. John's NL A1C 5V3

Telephone: (709) 722-4270
Telecopier: (709) 722-4565

E-mail: pcoxworthy@smss.com

AND

Mr. Joseph S. Hutchings Q.C.
Poole Althouse
Western Trust Building
49-51 Park Street
P.O. Box 812
Corner Brook NL A2H 6H7

Telephone: (709) 637-6425
Telecopier: (709) 634-8247

E-mail: jhutchings@pa-law.ca

DATED at St. John's, this 5th day of September, 2006.

POOLE ALTHOUSE

Per: 



Joseph S. Hutchings, Q.C.

STEWART MCKELVEY

Per: 

Paul L. Coxworthy

TO: The Board of Commissioners of Public Utilities
Suite E210, Prince Charles Building
120 Torbay Road
P.O. Box 21040
St. John's NL A1A 5B2
Attention: Board Secretary

TO: Newfoundland & Labrador Hydro
P.O. Box 12400
500 Columbus Drive
St. John's NL A1B 4K7

Attention: Gillian D. Butler, Q.C. and Geoffrey P. Young,
Legal Counsel

TO: Thomas Johnson, Consumer Advocate
O'Dea, Earle Law Offices
323 Duckworth Street
St. John's NL A1C 5X4

TO: Newfoundland Power Inc.
P.O. Box 8910
55 Kenmount Road
St. John's NL A1B 3P6

Attention: Ian Kelly, Q.C. and Peter Alteen,
Legal Counsel