

**IN THE MATTER OF** the *Public Utilities Act* (the "Act"); and

**IN THE MATTER OF** an Application by Newfoundland and Labrador Hydro for an Order approving: (1) its 2007 capital budget pursuant to s. 41(1) of the Act; (2) its 2007 capital purchases, and construction projects in excess of \$50,000 pursuant to s. 41(3)(a) of the Act; (3) its leases in excess of \$5,000.00 pursuant to s. 41(3)(b) of the Act, and (4) its estimated contribution in aid of construction for 2006 pursuant to s. 41(5) of the Act and for an Order pursuant to s. 78 of the Act fixing and determining its average rate base for 2005.

### **INTERVENORS' SUBMISSION**

**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 Limited (the "Intervenors"), through their solicitors Stewart McKelvey Stirling Scales and Poole Althouse, hereby intervene in their respective positions as Island Industrial Customers of the Applicant Newfoundland and Labrador Hydro which are affected by the rates charged by the Applicant.

The Intervenors submit that the 2007 Capital Budget sought by the Applicant is not reasonable and should be rejected by the Board.

The Intervenors propose to show in evidence that a number of the projects for which approval is sought by the Applicant are not reasonable, will have an unduly negative effect on rates, have not been appropriately justified and are not necessary.

The Intervenors intend to participate by way of filing Information Requests, attendance at the hearing, cross-examination of witnesses and possibly presenting evidence.

The Intervenors wish to pursue all issues related to the 2007 Capital Budget and its potential impacts.

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

Paul L. Coxworthy  
Partner  
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](mailto: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

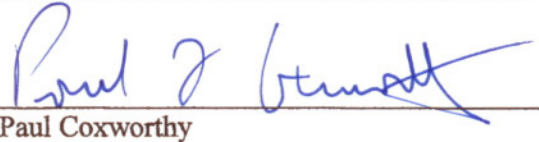
E-mail: [jhutchings@pa-law.ca](mailto:jhutchings@pa-law.ca)

**DATED** at St. John's, this *Hth* day of August, 2006.

**POOLE ALTHOUSE**

Per:   
Joseph S. Hutchings, Q.C.

**STEWART MCKELVEY STIRLING SCALES**

Per:   
Paul 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: Geoffrey P. Young, Legal Counsel