

P.U. 7 (2004)

**IN THE MATTER OF THE
PUBLIC UTILITIES ACT,**
R.S.N.1990, c. P-47, as amended
(the “*Act*”)

AND

IN THE MATTER OF the *Ex Parte*
application by Newfoundland and Labrador
Hydro (“the Applicant”) for approval of the
lease of real property upon which to continue
to operate an ambient air monitoring station,
pursuant to Section 41 of the *Act*.

WHEREAS the Applicant is a corporation continued and existing under the *Hydro Corporation Act*,
is a public utility within the meaning of the *Act* and is also subject to the provisions of the *Electrical
Power Control Act, 1994*; and

WHEREAS Paragraph 41 (3)(b) of the *Act* requires the Board of Commissioners of Public Utilities
(the “Board”) to approve the lease of improvements or additions to a utility’s property where the
cost of the lease is in excess of \$5,000 in a year of the lease; and

WHEREAS since 1994 the Applicant has owned, operated and maintained, for the purpose of
collecting data as to the emissions of its Holyrood Thermal Generating Station, an ambient air
monitoring station on a piece or parcel of land it leases in the vicinity of Lawrence Pond in the Town
of Conception Bay South; and

WHEREAS the Applicant has tentatively arranged to continue to lease the land for a further five years for the rent of \$6,000 per year plus HST; and

WHEREAS the Board has considered the Applicant's request for approval.

IT IS THEREFORE ORDERED THAT:

Pursuant to Section 41 (3) of the *Act*, the Board approves the Applicant's proposed five-year lease of a parcel of land in the vicinity of Lawrence Pond in the Town of Conception Bay South for the amount of \$6,000 per year, plus HST.

Dated at St. John's, Newfoundland and Labrador, this 9th day of March, 2004.

Robert Noseworthy,
Chair and Chief Executive Officer.

Darlene Whalen, P.Eng.,
Vice-Chair.

G. Cheryl Blundon,
Board Secretary.