

**NEWFOUNDLAND AND LABRADOR
BOARD OF COMMISSIONERS OF PUBLIC UTILITIES**

AN ORDER OF THE BOARD

NO. P. U. 26(2008)

1 **IN THE MATTER OF** the *Electrical Power*
2 *Control Act*, RSNL 1994, Chapter E-5.1 (the
3 “*EPCA*”) and the *Public Utilities Act*, RSNL 1990,
4 Chapter P-47 (the “*Act*”), as amended;

5
6 **AND**

7
8 **IN THE MATTER OF** an application
9 by Newfoundland and Labrador Hydro (“Hydro”)
10 for approval of a capital expenditure, pursuant
11 to Section 41(3) of the *Act*, to install neutral
12 grounding resistors at Come By Chance terminal
13 station and approval of an associated customer
14 contribution (the “Application”).
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18 **WHEREAS** Hydro is a corporation continued and existing under the *Hydro Corporation Act*, is
19 a public utility within the meaning of the *Act* and is also subject to the provisions of the *EPCA*;
20 and
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22 **WHEREAS** Section 41(3) of the *Act* requires that a public utility shall not proceed with the
23 construction, purchase or lease of improvements or additions to its property where:
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- 25 (a) the cost of the construction or purchase is in excess of \$50,000; or
26 (b) the cost of the lease is in excess of \$5,000 in a year of the lease,
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28 without the prior approval of the Board; and
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30 **WHEREAS** in Order Nos. P. U. 30(2007), P. U. 31(2007), P. U. 9(2008), P. U. 17(2008) and
31 P. U. 25(2008) the Board approved Hydro’s estimated capital expenditure for 2008 totaling
32 \$56,364,800; and

1 **WHEREAS** on September 26, 2008 Hydro applied to the Board requesting approval of a capital
2 expenditure totaling \$227,271 for the installation of neutral grounding resistors at the Come By
3 Chance terminal station; and

4
5 **WHEREAS** the expenditure has been requested by the customer, North Atlantic Refining
6 Limited (NARL), and will be fully funded by NARL, and the resultant assets will be specifically
7 assigned to the customer; and

8
9 **WHEREAS** Hydro has also applied for approval of a contribution from NARL of an amount
10 equal to the final capital costs of the project; and

11 **WHEREAS** the Board has considered the Application and is satisfied the capital expenditure
12 and associated customer contribution should be approved.

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14 **IT IS THEREFORE ORDERED THAT:**

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16 1. Pursuant to Section 41(3) of the *Act* the Board approves the capital expenditure of
17 \$272,271 for installation of neutral grounding resistors at the Come By Chance terminal
18 station, which asset will be specifically assigned to North Atlantic Refining Limited upon
19 completion of the capital project.
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21 2. Pursuant to Section 41(5) of the *Act* the Board approves the contribution from the
22 customer, North Atlantic Refining Limited, of the final capital cost of the project.
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24 3. Hydro shall pay the expenses of the Board arising from this Application.

DATED at St. John's, Newfoundland and Labrador, this 1st day of October 2008.

Andrew Wells
Chair & Chief Executive Officer

Darlene Whalen, P.Eng.
Vice-Chair

Dwanda Newman, LL.B.
Commissioner

G. Cheryl Blundon
Board Secretary