

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

AN ORDER OF THE BOARD

NO. P. U. 30(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, and their
5 subordinate regulations;

6
7 **AND**

8
9 **IN THE MATTER OF** an application by
10 Newfoundland and Labrador Hydro (“Hydro”)
11 for the approval of an upgrade to transmission
12 lines TL-227 and TL-262 (the “Application”),
13 pursuant to Section 41(3) of the *Act*.

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15
16 **WHEREAS** Hydro is a corporation continued and existing under the *Hydro Corporation Act*, is a
17 public utility within the meaning of the *Act* and is also subject to the provisions of the *EPCA*; and

18
19 **WHEREAS** Section 41(3) of the *Act* requires that a public utility not proceed with the construction,
20 purchase or lease of improvements or additions to its property where:

- 21
22 (a) the cost of construction or purchase is in excess of \$50,000; or
23 (b) the cost of the lease is in excess of \$5,000 in a year of the lease,

24
25 without prior approval of the Board; and

26
27 **WHEREAS** Hydro owns and maintains TL-227, a 81 km transmission line from Berry Hill to
28 Daniels Harbour and TL-262, a 5km transmission line from Daniels Harbour to Peters Barron; and

29
30 **WHEREAS** landslides in the community of Daniels Harbour in recent years have compromised the
31 safety of the road through the community prompting the Department of Transportation and Works to
32 relocate the road; and

1 **WHEREAS** the new road will intersect with existing transmission lines that will not have adequate
2 vertical clearance for a line passing over a road and the costs of this upgrade will be fully
3 contributed by the Department of Transportation and Works; and

4
5 **WHEREAS** on November 6, 2008 Hydro applied to the Board requesting approval of the TL-227
6 and TL-262 Upgrades; and

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8 **WHEREAS** the Board has considered Hydro's Application and the materials filed therewith.

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10 **IT IS THEREFORE ORDERED THAT:**

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12 1. Pursuant to Section 41(3) of the *Act*, the Board approves the capital expenditure of \$350,300
13 for the upgrade to transmission lines TL-227 and TL-262.
14 2. Hydro shall pay all expenses of the Board arising from this Application.

DATED at St. John's, Newfoundland and Labrador, this 20th day of November 2008.

Andrew Wells
Chair & Chief Executive Officer

Darlene Whalen, P.Eng.
Vice-Chair

Dwanda Newman, LL.B.
Commissioner

G. Cheryl Blundon
Board Secretary