

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

AN ORDER OF THE BOARD

NO. P.U. 18(2019)

1 **IN THE MATTER OF** the *Electrical Power*
2 *Control Act, 1994*, SNL 1994, Chapter E-5.1
3 (the “*EPCA*”) and the *Public Utilities Act*,
4 RSNL 1990, Chapter P-47 (the “*Act*”), as
5 amended, and regulations thereunder; and
6

7 **IN THE MATTER OF** an application by
8 Newfoundland and Labrador Hydro for approval
9 of a regulation to restrict load additions in Labrador
10 East and Order No. P.U. 32(2018) and Order
11 No. P.U. 36(2018); and
12

13 **IN THE MATTER OF** an application by
14 Newfoundland and Labrador Hydro for
15 approval to extend the temporary restriction
16 on load additions in Labrador East.
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19 **WHEREAS** Newfoundland and Labrador Hydro (“Hydro”) is a corporation continued and
20 existing under the *Hydro Corporation Act, 2007*, is a public utility within the meaning of the *Act*,
21 and is also subject to the provisions of the *EPCA*; and
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23 **WHEREAS** on May 31, 2018 Hydro filed an application for approval of a proposed new
24 regulation permitting a restriction for load additions in Labrador East pursuant to section 71 of the
25 *Act*; and
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27 **WHEREAS** in Order No. P.U. 32(2018) the Board accepted that a moratorium for the 2018-2019
28 winter season was appropriate considering the potential impact of large load additions in the
29 context of the transmission constraints and reliability concerns in Labrador East for the 2018-2019
30 winter season; and
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32 **WHEREAS** in Order No. P.U. 36(2018) the Board approved Regulation 17 permitting a
33 restriction for load additions in Labrador East to be effective until May 30, 2019; and
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35 **WHEREAS** on April 23, 2019 Hydro filed an application requesting an amendment to Regulation
36 17 so that the temporary restriction for load additions in Labrador East would remain in effect until
37 further order of the Board (the “Application”); and

1 **WHEREAS** the Application proposed to extend the effective period of Regulation 17 to allow for
2 the completion of the regulatory process relating to the Network Additions Policy and Labrador
3 Expansion Plan; and
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5 **WHEREAS** the Application stated that it is unlikely that a final Network Additions Policy will be
6 in place before the expiry of the effective period of Regulation 17 on May 30, 2019 and that the
7 concern regarding load additions in the absence of the Network Additions Policy remains; and
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9 **WHEREAS** the Board is satisfied that the moratorium on load additions in Labrador East should
10 be extended to allow for the completion of the regulatory process related to the Network Additions
11 Policy and the Labrador Expansion Plan and that the proposed amendments to Regulation 17
12 should be approved.
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15 **IT IS THEREFORE ORDERED THAT:**
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- 17 1. The proposed amended Regulation 17, as set out in Schedule A to this Order, is approved.
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19 2. Hydro shall pay the expenses of the Board incurred in connection with this matter.

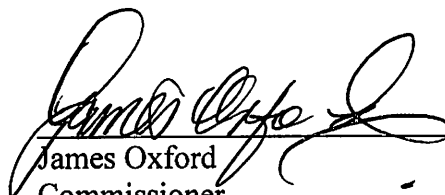
DATED at St. John’s, Newfoundland and Labrador, this 23rd day of May, 2019.



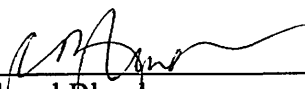
Darlene Whalen, P. Eng., FEC
Chair & CEO



Dwanda Newman, LL.B.
Vice-Chair



James Oxford
Commissioner



Cheryl Blundon
Board Secretary

**NEWFOUNDLAND AND LABRADOR HYDRO
RULES AND REGULATIONS**

17. TEMPORARY RESTRICTION FOR LOAD ADDITIONS TO LABRADOR EAST (REVISED)

Effective September 11, 2018 and until further order of the Board of Commissioners of Public Utilities, Hydro will not provide service connections or service upgrades to an Applicant that will result in the addition of load requirements of greater than 100 kW on the Labrador East System. The load addition limit applies to Applicants for single service connection requests for load additions in excess of 100 kW and to Applicants requesting multiple service connections for which the total load addition of the multiple service requests exceeds 100 kW. The load addition limit to Applicants for multiple services will apply to both service requests made concurrently and service requests made at different times for the period while this regulation is in effect.

All Applicants for new services and for name changes on existing services shall complete a written Electrical Service Contract. Hydro will review name change requests on existing serviced premises to ensure that the additional load required to serve the new applicant does not exceed 100 kW. The review of name change requests will also include the review of multiple name change requests and/or new service connection requests from the same Applicant to ensure that the total additional load provided to an individual Applicant will not exceed 100 kW.

When Hydro has reason to believe there are special circumstances surrounding an application for service in Labrador East that will result in the addition of load requirements of greater than 100 kW, where it may be appropriate to approve service connections and upgrades, Hydro may apply to the Board for a variance or exemption to this Regulation.

Hydro will notify the Board of all service connection or service upgrade applications refused by Hydro during the effective period of this Regulation.