

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

**AN ORDER OF THE BOARD**

**NO. P.U. 27(2019)**

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

7 **IN THE MATTER OF** an application by  
8 Newfoundland and Labrador Hydro for an  
9 exemption to Regulation 17 of its rules and  
10 regulations.  
11  
12

13 **WHEREAS** Newfoundland and Labrador Hydro (“Hydro”) is a corporation continued and  
14 existing under the *Hydro Corporation Act, 2007*, is a public utility within the meaning of the *Act*,  
15 and is also subject to the provisions of the *EPCA*; and  
16

17 **WHEREAS** in Order No. P.U. 36(2018) the Board approved a revision to Hydro’s rules and  
18 regulations to permit a restriction on load additions in Labrador East for the 2018-2019 winter  
19 season and in Order No. P.U. 18(2019) the Board extended the restriction until further order of the  
20 Board; and  
21

22 **WHEREAS** Hydro’s Regulation 17 states in part:  
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24 When Hydro has reason to believe there are special circumstances surrounding an application  
25 for service in Labrador East that will result in the addition of load requirements of greater  
26 than 100 kW, where it may be appropriate to approve service connections and upgrades,  
27 Hydro may apply to the Board for a variance or exemption to this Regulation; and  
28

29 **WHEREAS** on July 12, 2019 Hydro filed an Application for an exemption to Regulation 17 for  
30 Pomerleau Inc. for the supply of electricity needed for the construction of the Labrador Wellness  
31 Centre and for the supply of electricity on a permanent basis thereafter (the “Application”); and  
32

33 **WHEREAS** the Application stated that the Labrador Wellness Centre will provide benefits for  
34 the community including being a source of employment and providing access to a facility that  
35 promotes health and well-being; and  
36

37 **WHEREAS** the Application stated that the Labrador Wellness Centre, in addition to containing a  
38 licensed childcare centre, will host a 25 metre, six-lane swimming pool; a smaller leisure pool with

1 water slide; three change rooms; a conditioning centre with cardio, strength, and free weight  
2 equipment; an indoor walking/running track; a multi-purpose gymnasium; and a judo/gymnastics  
3 room; and

4  
5 **WHEREAS** the Application explained that Pomerleau Inc.'s request for temporary service from  
6 Hydro indicated an estimated peak demand of 350 kW and the request for permanent service  
7 indicated an estimated peak demand of 1079 kW; and

8  
9 **WHEREAS** the Application stated that Hydro will have the capacity for the winter 2019-2020 to  
10 serve both Pomerleau Inc.'s temporary connection needs, as well as the estimated peak load of the  
11 permanent connection for the Labrador Wellness Centre; and

12  
13 **WHEREAS** the Application explained that while the Labrador Wellness Centre will cause a more  
14 than minimal addition to load the benefits to the community would be considerable and therefore  
15 Hydro believes that an exemption to Regulation 17 is warranted; and

16  
17 **WHEREAS** the Application was copied to: Newfoundland Power Inc. ("Newfoundland Power");  
18 the Consumer Advocate, Dennis Browne, Q.C.; a group of Island Industrial customers: Corner  
19 Brook Pulp and Paper Limited, NARL Refining Limited Partnership and Vale Newfoundland &  
20 Labrador Limited; Iron Ore Company of Canada; and the communities of Sheshatshiu, Happy  
21 Valley-Goose Bay, Wabush, and Labrador City (the "Labrador Interconnected Group"); and

22  
23 **WHEREAS** on July 18, 2019 Newfoundland Power submitted that it had no comments on the  
24 Application; and

25  
26 **WHEREAS** on July 22, 2019 the Labrador Interconnected Group submitted that they supported  
27 the Application stating that the project would provide significant benefits to the community by  
28 providing childcare space, athletic facilities and community meeting spaces; and

29  
30 **WHEREAS** on July 24, 2019 Hydro filed a reply noting the support of the Labrador  
31 Interconnected Group and requesting the Board approve the Application as submitted; and

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33 **WHEREAS** no other comments were received by the Board; and

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35 **WHEREAS** it is the assessment of the Board that an exemption to Regulation 17 to provide both  
36 the temporary service connection and permanent service connection for the Labrador Wellness  
37 Centre in Happy Valley-Goose Bay is warranted.

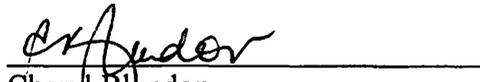
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40 **IT IS THEREFORE ORDERED THAT:**

- 41  
42 1. An exemption to Regulation 17 to allow for both temporary and permanent service to the  
43 Labrador Wellness Centre is approved.  
44  
45 2. Hydro shall pay all expenses of the Board arising from this Application.

**DATED** at St. John's, Newfoundland and Labrador, this 26<sup>th</sup> day of July, 2019.

  
Dwanda Newman, LL.B.  
Vice-Chair

  
John O'Brien, FCPA, FCA, CISA  
Commissioner

  
Cheryl Blundon  
Board Secretary