

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

**AN ORDER OF THE BOARD**

**NO. P.U. 25(2023)**

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**, RSNL  
4 1990, Chapter P-47 (the “**Act**”), as amended,  
5 and regulations thereunder; and  
6

7 **IN THE MATTER OF** an application by  
8 Newfoundland and Labrador Hydro for  
9 approval of a contribution towards the cost  
10 of improvements from Iron Ore Company of  
11 Canada, pursuant to section 41(5) of the **Act**.  
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13

14 **WHEREAS** Newfoundland and Labrador Hydro (“Hydro”) is a corporation continued and existing  
15 under the **Hydro Corporation Act, 2007**, is a public utility within the meaning of the **Act**, and is  
16 also subject to the provisions of the **EPCA**; and  
17

18 **WHEREAS** section 41(5) of the **Act** states a public utility that intends to demand from its  
19 customers a contribution towards the cost of improvements or additions to its property shall not  
20 demand the contribution without the prior approval of the Board; and  
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22 **WHEREAS** Iron Ore Company of Canada (“IOC”) owns and operates a mine in Labrador City,  
23 Labrador and receives electrical power through Hydro’s Wabush Terminal Station; and  
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25 **WHEREAS** in Order No. P.U. 37(2021) and Order No. P.U. 2(2023) the Board approved Hydro’s  
26 2022 and 2023 Capital Budget Applications, including the following projects for the Wabush  
27 Terminal Station that function to provide service solely to IOC:

- 28 (i) the replacement of a 46 kV circuit breaker within the 2022–2023 Upgrade Circuit  
29 Breaker Program;  
30 (ii) the replacement of protective relays including the 46 kV Line 4 within the Terminal  
31 Station Refurbishment and Modernization Program; and  
32 (iii) replacement of protective relays on the 46 kV Line 5 at the Wabush Terminal  
33 Station within the Terminal Station Renewal Program; and

1 **WHEREAS** on September 1, 2023 Hydro filed an application with the Board requesting approval  
2 of a contribution from IOC for the estimated capital expenditures in 2023 of \$800,400 associated  
3 with the approved projects at the Wabush Terminal Station (the “Application”); and  
4

5 **WHEREAS** the Application states Hydro’s practice regarding assets that serve only one customer  
6 is that the costs of construction and of ongoing maintenance of those assets are the responsibility  
7 of that customer and those costs are not borne by other customers through rates or otherwise;  
8 and  
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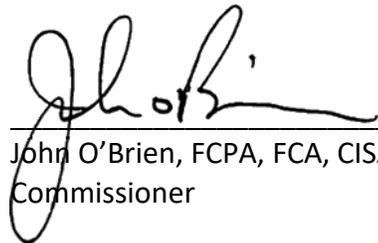
10 **WHEREAS** the Application also states that IOC has been provided with the project cost estimates  
11 associated with these approved projects and acknowledged its responsibility for those costs; and  
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13 **WHEREAS** the proposed contribution by IOC is necessary to ensure that the costs of the approved  
14 projects for the Wabush Terminal Station are borne only by IOC as the sole customer served by  
15 the assets.  
16

17  
18 **IT IS THEREFORE ORDERED THAT:**  
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- 20 1. The contribution by Iron Ore Company of an amount equal to the final capital costs associated  
21 with the replacement of circuit breakers and protective relays at the Wabush Terminal  
22 Station is approved.  
23  
24 2. Hydro shall pay all expenses of the Board arising from this Application.

**DATED** at St. John’s, Newfoundland and Labrador, this 25<sup>th</sup> day of September, 2023.

  
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John O’Brien, FCPA, FCA, CISA  
Commissioner

  
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Christopher Pike, LL.B., FCIP  
Commissioner

  
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Cheryl Blundon  
Board Secretary