



NEWFOUNDLAND AND LABRADOR  
**BOARD OF COMMISSIONERS OF PUBLIC UTILITIES**  
120 Torbay Road, P.O. Box 21040, St. John's, Newfoundland and Labrador, Canada, A1A 5B2

E-mail: 1

2019-03-13

Ronald G. Penney  
Chair  
The Muskrat Falls Concerned Citizens Coalition

Dear Mr. Penney:

**Re: Rate Mitigation Options and Impacts Reference - Request for Standing**

This is to seek clarification as to the intended participation of the Muskrat Falls Concerned Citizens Coalition in this review. The request for standing filed by the Coalition sets out that the extent of participation is subject to an order for costs, particularly as relates to the Coalition's appearance throughout the hearing and questioning of presenters.

As you may know this review is being conducted pursuant to the *Electrical Power Control Act, 1994* which does not provide for intervenor funding. Rather this legislation provides that:


28 (1) The costs of and incidental to a reference or inquiry under this Act to the public utilities board shall be in the discretion of that board and may be fixed at a sum certain, or may be taxed and the board may order by whom the costs are to be taxed and to whom the costs are to be allowed and the public utilities board may prescribe a scale under which costs are to be taxed.

Pursuant to this provision a party may request an award for costs and the Board will make a determination as to whether a party should be awarded costs and by whom the costs should be paid. This determination is made at the end of the proceeding so that all of the circumstances can be considered, including the contribution of the party to the Board's understanding of the issues to be addressed. As a result the Coalition will not know whether it will be awarded costs until the review has been concluded.

The Board asks that the Coalition clarify its request for standing in light of the fact that there is no provision for intervenor funding and that requests for costs are to be addressed at the end of the review. In addition it should be noted that an award of costs would normally provide for only partial reimbursement of the costs incurred. Please revise your request for standing to clearly set out your intended participation, including whether you will appear throughout the hearing and question presenters, without regard to whether there is an order for costs.

If you have any questions, please contact the undersigned.

Sincerely,

  
for Cheryl Blundon  
Board Secretary