

1 Q. **Reference: Application**

2 Has the Board ever approved a capital budget envelope for Hydro rather than individual projects  
3 in a capital budget application? Has Hydro commissioned a legal opinion with respect to Board  
4 authority to approve a capital budget envelope under current legislation? If so, please file the  
5 legal opinion.

6

7

8 A. The Board of Commissioners of Public Utilities (“Board”) has not approved a capital budget  
9 envelope for Newfoundland and Labrador Hydro (“Hydro”) rather than individual projects.  
10 Hydro has not commissioned a legal opinion with respect to the authority of the Board  
11 regarding this issue. Hydro has provided its own opinion on the legality of the use of a capital  
12 budget envelope approach in the Board’s ongoing review of the Capital Budget Application  
13 Guidelines.