

June 22, 2021

The Board of Commissioners of Public Utilities
Prince Charles Building
120 Torbay Road, P.O. Box 21040
St. John's, NL A1A 5B2

Attention: Ms. Cheryl Blundon
Director of Corporate Services & Board Secretary

Dear Ms. Blundon:

Re: Newfoundland Power's 2022 Capital Budget Application – Intervenor Submission

Please find attached Newfoundland and Labrador Hydro's Intervenor Submission in relation to the above noted application.

Should you have any questions, please contact the undersigned.

Yours truly,

NEWFOUNDLAND AND LABRADOR HYDRO



Shirley A. Walsh
Senior Legal Counsel, Regulatory
SAW/kd

ecc: **Board of Commissioners of Public Utilities**
Jacqui Glynn
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Newfoundland Power
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Dennis M. Browne, Q.C., Browne Fitzgerald Morgan & Avis
Stephen F. Fitzgerald, Browne Fitzgerald Morgan & Avis
Sarah G. Fitzgerald, Browne Fitzgerald Morgan & Avis
Bernice Bailey, Browne Fitzgerald Morgan & Avis

IN THE MATTER OF the *Public Utilities Act*, (the "Act"); and

IN THE MATTER OF capital expenditures and rate base of Newfoundland Power Inc. ("Newfoundland Power"); and

IN THE MATTER OF an application by Newfoundland Power for an order pursuant to Sections 41 and 78 of the *Act*:
(a) approving a 2022 Capital Budget of \$109,651,000; (b) approving certain capital expenditures related to multi-year projects commencing in 2022; and (c) fixing and determining a 2020 rate base of \$1,181,897,000.

TO: The Board of Commissioners of Public Utilities ("Board")

Intervenor's Submission of Newfoundland and Labrador Hydro ("Hydro")

1. Hydro is a corporation continued and existing under the *Hydro Corporation Act, 2007*, is a public utility within the meaning of the *Act* and is subject to the provisions of the *Electrical Power Control Act, 1994*.

Hydro's Interest in the Matter

2. Newfoundland Power is Hydro's largest customer. The energy that Newfoundland Power purchases from Hydro constitutes approximately 85% of the energy that is generated or purchased and transmitted by Hydro for consumption within the Province of Newfoundland and Labrador.
3. All of Hydro's Rural Customers served from the Island Interconnected Grid, and its customers in the Labrador Straits area, pay the same rates as the Board approves for Newfoundland Power's customers. As well, Hydro's non-government customers served from its isolated diesel systems are also charged the same rates for their "lifeline" consumption as those charged by Newfoundland Power.
4. Hydro is a customer of Newfoundland Power at several of its locations throughout the island of Newfoundland including Hydro's head office in St. John's.

5. It is reasonable to expect that regulatory decisions and principles that are developed and applied to Newfoundland Power will be applicable to Hydro.
6. For all of the above reasons, Hydro submits that it has an interest in the capital budget and rate base application filed by Newfoundland Power to ensure that the capital budget and rate base are just and reasonable and in accordance with the principles set out in the *Act*.

Disposition Advocated by Hydro

7. As of the date of this submission, Hydro is in the process of reviewing and analyzing the application; as such Hydro has not had an opportunity to determine the disposition of the application that it may advocate.
8. Additionally, as Hydro's review is ongoing, Hydro has not had an opportunity to make decisions as to whether it will be providing evidence or as to which arguments it may make in support of any position it may advocate before the Board.

Hydro's Participation in the Hearing

9. Hydro is requesting intervenor status for the purpose of obtaining all information filed in the proceeding. Hydro's intervention may include, but not be limited to, any or all of the following activities:
 - (i) Participating in presentations and/or technical conferences;
 - (ii) Directing Requests for Information to Newfoundland Power and other parties as may be permitted by the Board;
 - (iii) Cross-examining witnesses who testify in this matter; and
 - (iv) Making legal arguments and other representations to the Board.

DATED at St. John's in the Province of Newfoundland and Labrador this 22nd day of June, 2021.

NEWFOUNDLAND AND LABRADOR HYDRO



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