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HAND DELIVERED

August 17, 2009

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

Attention: G. Cheryl Blundon  
Director of Corporate Services  
and Board Secretary

Ladies & Gentlemen:

**Re: 2010 NP General Rate Application**

Please find enclosed the original and 8 copies of Newfoundland Power's Witness List and Issues List filed pursuant to Order No. P.U. 24 (2009).

Proceedings on this Application are at a relatively early stage. Newfoundland Power expects that both its Witness List and Issues List will be updated, as necessary, prior to hearing to better reflect (i) the matters in issue in the Application as disclosed by other parties in their Witness Lists and Issues Lists and (ii) the appropriate witnesses Newfoundland Power will call to address those matters.

If you have any questions regarding the enclosed, please contact the undersigned at your convenience.

Yours very truly,



Peter Alteen  
Vice President, Regulatory Affairs  
& General Counsel

Enclosures

c. Geoffrey Young (2 copies)  
Newfoundland and Labrador Hydro

Thomas Johnson (2 copies)  
Consumer Advocate



Join us in the fight against cancer.

**IN THE MATTER OF** the *Public Utilities Act*, R.S.N.L. 1990, Chapter P-47, as amended, (the “Act”); and

**IN THE MATTER OF** a general rate application (the “Application”) by Newfoundland Power Inc. (“Newfoundland Power”) to establish customer electricity rates for 2010.

**APPLICANT’S WITNESS LIST**  
**(Submitted August 17<sup>th</sup>, 2009)**

1. The witnesses who are currently expected to appear in this proceeding on behalf of the Applicant are as follows:

**Company Witnesses**

Earl Ludlow	Corporate Overview
Gary Smith	Customer Operations
Jocelyn Perry	Finance
Lorne Henderson	Customer Rates and Regulations

**Expert Witnesses**

Kathy McShane	Cost of Capital
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2. Biographies of the Company witnesses are attached as Appendix A to this Witness List.  
  
A biography of the Expert witness is provided with the pre-filed report filed with the Application.
3. The Applicant may present further witnesses and/or have Company witnesses appear as a panel as may be desirable to expeditiously address issues at hearing that are indicated in the Issues Lists of other participants, or that otherwise arise in the proceedings on the Application.

**DATED** at St. John's, Newfoundland, this 17<sup>th</sup> day of August, 2009.

**NEWFOUNDLAND POWER INC.**

A handwritten signature in blue ink, appearing to read 'Ian F. Kelly' followed by a stylized flourish.

Ian F. Kelly, Q.C. and Gerard Hayes  
Newfoundland Power Inc.  
P.O. Box 8910  
55 Kenmount Road  
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**Appendix A**  
**Biographies of Company Witnesses**

**Earl Ludlow, P. Eng.**  
***President & Chief Executive Officer***  
***Newfoundland Power Inc.***

Earl Ludlow joined Newfoundland Power in 1980.

In 2007, Mr. Ludlow was appointed President & Chief Executive Officer of Newfoundland Power.

Since 1994, Mr. Ludlow served as President & Chief Executive Officer of Fortis Properties Corporation; Senior Vice President, FortisBC Inc.; Vice President, Operations, FortisAlberta Inc.; Vice President Engineering & Operations, Newfoundland Power Inc.; and Vice President, Operations, Maritime Electric Company, Ltd.

From the period 1980 to 1994, Mr. Ludlow served in a variety of progressively senior positions at Newfoundland Power in operations, materials management and safety.

Mr. Ludlow has testified before the Board of Commissioners of Public Utilities of Newfoundland and Labrador on matters related to operations, engineering and capital expenditures.

Mr. Ludlow is a graduate of Memorial University (B.Eng. (Elec.), 1980; M.B.A., 1994).

Mr. Ludlow is a member of the Board of Directors of the Canadian Electricity Association and the Board of the Canadian Chamber of Commerce.

**Gary Smith, P. Eng.**  
***Vice President, Engineering & Operations***  
***Newfoundland Power Inc.***

Gary Smith joined Newfoundland Power in 1984.

In 2008, Mr. Smith was appointed Vice President, Engineering & Operations of Newfoundland Power. He is responsible for the engineering, operation and maintenance of Newfoundland Power's electrical infrastructure.

Prior to being appointed to his current position, Mr. Smith was Vice-President, Operations & Engineering with FortisAlberta, Inc. Prior to joining FortisAlberta, he was Manager, Operations with Maritime Electric Company Limited.

From 1984 to 1999, Mr. Smith held progressive technical and management positions with Newfoundland Power.

Mr. Smith holds a Bachelor of Engineering (Electrical) from Memorial University of Newfoundland and is a graduate of the Executive Development Program at MUN.

Mr. Smith is a member of the Association of Professional Engineers and Geoscientists of Newfoundland and Labrador. He serves on the Distribution Council of the Canadian Electricity Association, and the Overhead Systems Technical Committee of the Canadian Standards Association.

**Jocelyn Perry, C.A.**  
***Vice President, Finance & Chief Financial Officer***  
***Newfoundland Power Inc.***

Jocelyn Perry joined Newfoundland Power in 2005 as Vice President, Finance. Ms. Perry was appointed as Chief Financial Officer in 2007. She is responsible for overall financial management at Newfoundland Power.

Prior to this, Ms. Perry served as Manager, Finance, Fortis Inc. and Director, Finance, Aliant Inc. In each position, she had responsibilities associated with financial reporting, cash management, capital markets access and investor relations.

Ms. Perry has testified before the Board of Commissioners of Public Utilities of Newfoundland and Labrador on matters related to financial management.

Ms. Perry is a graduate of Memorial University (B.Comm.(Hons.), 1993) and is a member of the Institute of Chartered Accountants of Newfoundland and Labrador.

**Lorne Henderson, P. Eng.**  
***Manager, Rates and Regulation***  
***Newfoundland Power Inc.***

Lorne Henderson joined Newfoundland Power in 1985 as an Electrical Engineer and has served in progressively more senior positions within the corporation since that time.

Mr. Henderson is the Manager, Rates and Regulation for Newfoundland Power. He has responsibilities associated with cost of service, customer and revenue forecasting, regulatory filings, and electricity pricing on both a wholesale and retail basis.

From 1999 to 2002, he was responsible for all aspects of engineering in Newfoundland Power's St. John's Region, which at the time delivered over 45 per cent of the electrical energy sold by the Company. Mr. Henderson has also served Newfoundland Power in electrical system planning for 8 years, specializing in the economic and engineering analysis of capital expenditures and system operations.

Mr. Henderson has testified before the Board of Commissioners of Public Utilities of Newfoundland and Labrador on matters relating to financial analysis, cost of service, and electricity pricing on the Island interconnected grid.

Mr. Henderson is a graduate of Memorial University (B.Eng. (Elec.) 1985) and is a member of the Association of Professional Engineers and Geoscientists of Newfoundland and Labrador, and the Institute of Electrical and Electronic Engineers. He also is a member of the Canadian Electricity Association's Regulatory Innovations Task Group.



**IN THE MATTER OF** the *Public Utilities Act*, R.S.N.L. 1990, Chapter P-47, as amended, (the “Act”); and

**IN THE MATTER OF** a general rate application (the “Application”) by Newfoundland Power Inc. (“Newfoundland Power”) to establish customer electricity rates for 2010.

**APPLICANT’S ISSUES LIST**  
**(Submitted August 17<sup>th</sup>, 2009)**

In the Applicant’s Submission, the issues arising in this proceeding are as follows:

***A. Issues Affecting Revenue Requirements:***

1. 2010 Forecast Revenue Requirements of \$545,312,000.
2. 2010 Test Year Operating Costs.
3. 2010 Customer Energy and Demand Forecast.
4. Appropriateness of accounting treatments and policies with effect from January 1, 2010, as set out in the Application, to:
  - a) amortize the recovery over a four year period of certain 2009 conservation costs associated with implementation of the Conservation Plan;
  - b) adopt, on a prospective basis, the accrual method of accounting for other employee future benefits;
  - c) adopt, on a prospective basis, the accrual method of accounting for income tax related to other employee future benefits;
  - d) amortize, over one year, the estimated Board and Consumer Advocate’s regulatory costs of an estimated \$750,000 incurred with respect to the Application; and
5. Approval, with effect from January 1, 2010, of:
  - a) continued use of the Energy Supply Cost Variance clause; and
  - b) continued use of the Demand Management Incentive Account;

until further order of the Board, as set out in the evidence filed in support of the Application.

6. Approval, with effect from January 1, 2010, of a Pension Expense Variance Deferral Account, as set out in the evidence filed in support of the Application.
7. Approval that the next depreciation study relate to plant in service as of December 31, 2009, as set out in the evidence filed in support of the Application.

***B. Issues Affecting Return on Rate base:***

8. Approval of 2010 forecast average rate base of \$867,396,000.
9. Approval of an appropriate capital structure for ratemaking purposes.
10. Approval of a return on rate base for 2010 of 9.15 percent within a range of 8.97 – 9.33 per cent.
11. Discontinuance of the use of the automatic adjustment formula to determine Newfoundland Power's annual rate of return on rate base.

***C. Issues Affecting Rates:***

12. Approval of rates, tolls and charges effective for service provided on and after January 1, 2010, which result in average increases in customer rates by class as follows:

<i>Rate Class</i>	<i>Average Increase</i>
Domestic	6.8%
General Service 0-10kW	4.1%
General Service 10-100 kW (110 kVA)	4.1%
General Service 110-1000 kVA	5.1%
General Service 1000 kVA and Over	6.1%
Street and Area Lighting	6.1%

as set out in Schedule A to the Application.

**DATED** at St. John's, Newfoundland, this 17<sup>th</sup> day of August, 2009.

**NEWFOUNDLAND POWER INC.**

A handwritten signature in blue ink, appearing to read 'Gerard Hayes', is positioned above the printed name and address.

Ian F. Kelly, Q.C. and Gerard Hayes  
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