

1 June 17, 2009

2 CHAIRMAN:

3 Q. Good morning, everybody. It's 21 years since I sat here,
4 so I haven't made much progress, have I? I want to
5 welcome everybody to this hearing and, of course, I'm
6 Andy Wells, Board Chair. On my right is our Vice-
7 Chairman, Darlene Whelan and on my left is Dwanda
8 Newman who was Board Solicitor but was promoted to
9 glory sometime last year. So we're here to entertain an
10 application from Newfoundland Power and I'll start first
11 by introducing our staff. Jackie Glynn, Board Counsel;
12 Cheryl Blundon is our Director of Corporate Services and
13 Board Secretary; and we have Dan Simmons who is our
14 hearing counsel. Dan's firm has had an outbreak of
15 judicial appointments, so he's not certain what his firm is
16 called anymore and they're apparently working on a
17 new name, but it used to be White Ottenheimer and
18 Baker and there was various incarnations, so thank you,
19 Dan; and Doreen Dray is at the back, she's our financial
20 and economic analyst and Sam Banfield as well is our
21 hearing engineering consultant. So first of all, I guess I
22 would ask the parties to introduce themselves, I think we
23 have present Newfoundland Power, our consumer
24 advocate and Newfoundland Hydro, so I guess we

1 should start with Newfoundland Power first.

2 KELLY, Q.C.:

3 Q. Good morning, Chair, Commissioners. My name is Ian
4 Kelly and with me is Gerard Hayes and we'll be
5 representing Newfoundland Power in this application.

6 MR. JOHNSON:

7 Q. Good morning, Chair, Vice-Chairs, Tom Johnson
8 representing consumers as Consumer Advocate in this
9 proceeding.

10 MR. YOUNG:

11 Q. Good morning, Chair and Commissioners. Geoff Young
12 from Newfoundland and Labrador Hydro.

13 CHAIRMAN:

14 Q. Okay, so now I'll turn it over to our Board counsel to enter
15 the matter and confirm the issuance of the appropriate
16 public notices.

17 MS. GLYNN:

18 Q. Thank you, Chair. Good morning to the panel and to
19 everybody else who have joined us here this morning.
20 On May 28th, 2009, the Board received a General Rate
21 Application from Newfoundland Power to establish new
22 rates for its customers. Newfoundland Power is
23 requesting that the Board approve, among other things,
24 an overall average increase in current electricity rates of

1 6.1 percent as of January 1st, 2010. This includes
2 proposed increases ranging from 4.1 percent to 6.1
3 percent for commercial customers and a proposed
4 average increase of 6.8 percent for residential
5 customers. Notice of the application was published in
6 newspapers throughout the province starting on June
7 3rd, 2009. The notice was published in the "Telegram", the
8 "Western Star" and numerous transcontinental papers
9 across the province. Mr. Chair?

10 CHAIRMAN:

11 Q. And we have two intervenors, so I guess you should also
12 confirm the notice of intervenors that were received by
13 the Board.

14 MS. GLYNN:

15 Q. Thank you. The deadline for filing of interventions was
16 June 15th, 2009 and the Board has received notice of
17 two intervenor submissions, one from the consumer
18 advocate, who has been duly appointed pursuant to the
19 Legislation; and one from Newfoundland and Labrador
20 Hydro. Counsel for the intervenors have already been
21 previously introduced and identified. I would like the
22 Board to note that Hydro has indicated an intention to
23 participate in the hearing in a limited fashion. As it has
24 been the Board's past practice, I'll propose that Hydro be

1 appointed full intervenor status and Hydro has already
2 stated that it will apply to the Board and advise the
3 parties if it intended to extend its participation beyond
4 filing Requests for Information or attending the technical
5 conferences.

6 CHAIRMAN:

7 Q. Okay, so it does not appear as if there are other
8 intervenors, is that correct, I don't see anybody, all right.
9 So where am I now here? Ask counsel for position--no,
10 that's done, okay. Does Board counsel have any further
11 comments to make then? No?

12 MS. GLYNN:

13 Q. There's some housekeeping items, Mr. Chair, we would
14 like to address those.

15 CHAIRMAN:

16 Q. Okay, seating, physical layout?

17 MS. GLYNN:

18 Q. Yes.

19 CHAIRMAN:

20 Q. Seems to be, everybody seems to be happy with that.
21 The pre-hearing conference is being recorded under the
22 supervision of the Board secretary and will be transcribed
23 following the proceeding, Discoveries Unlimited and I
24 think that's Mr. Bruce Moss over here. Rules and

1 Procedure, I guess the Board counsel should introduce
2 that matter, is that correct?

3 MS. GLYNN:

4 Q. Yes, Mr. Chairman. The Rules and Procedure have been
5 circulated to the parties and were previously discussed
6 by counsel and the rules are consistent with the rules that
7 the Board has been using throughout the most recent
8 hearings. The only change is a minor amendment to
9 ensure that the new privacy legislation is complied with
10 throughout this proceeding.

11 CHAIRMAN:

12 Q. And I understand the schedule of dates have also been
13 agreed.

14 MS. GLYNN:

15 Q. The schedule of dates has also been circulated and
16 discussed. I would--the Board secretary has circulated a
17 copy of the dates which have effectively been agreed
18 to. We followed the schedule, again from the most
19 recent rate reviews. We will have two rounds of Request
20 for Information, followed by the filing of experts' reports
21 and another round of Requests for Information. We also
22 had a specified period for negotiation discussions before
23 the hearing and the hearing is scheduled to commence
24 Wednesday, October 14th, 2009. We believe that the

1 dates and the order of witnesses for the hearing can be
2 discussed and determined at a later date once the
3 issues have been further discussed and explored.

4 CHAIRMAN:

5 Q. Okay, so are there any other issues to come before this
6 august body? Any comment from any of the applicants
7 or the intervenors?

8 MR. YOUNG:

9 Q. No, Mr. Chair, thank you.

10 KELLY, Q.C.:

11 Q. The rules are satisfactory and the schedule of dates are
12 satisfactory to Newfoundland Power.

13 MR. JOHNSON:

14 Q. All the discussion went before this.

15 CHAIRMAN:

16 Q. Okay. Well if there's no further business and I guess our
17 agenda for this morning is exhausted and we will
18 adjourn, I guess, until the prescribed date in October.
19 Thank you very much for attending.

20 Upon conclusion at 10:14 a.m.

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CERTIFICATE

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I, Judy Moss, hereby certify that the foregoing is a true and correct

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transcript of a Pre-hearing Conference heard on the 17th day of

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June, A.D., 2009 before the Board of Commissioners of Public Utilities,

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Prince Charles Building, St. John's, Newfoundland and Labrador and

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was transcribed by me to the best of my ability by means of a sound

10

apparatus.

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Dated at St. John's, Newfoundland and Labrador

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this 24th day of June, A.D., 2009

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Judy Moss