



Cabot Place, 1100 – 100 New Gower Street, P.O. Box 5038
St. John's NL A1C 5V3 Canada tel: 709.722.4270 fax: 709.722.4565 stewartmckelvey.com

December 19, 2012

Paul L. Coxworthy
Direct Dial: 709.570.8830
pcoxworthy@stewartmckelvey.com

Via Electronic Mail and Courier

Newfoundland and Labrador Board
of Commissioners of Public Utilities
Suite E210, 120 Torbay Road
P.O. Box 21040
St. John's, NL A1A 5B2

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

Dear Ms. Blundon:

**Re: Application by Newfoundland and Labrador Hydro for 2013 Capital Budget
Matter – Response to IC-NLH-40 – D-56, Upgrade Public Safety Around Dams and
Waterways**

With reference to IC-NLH-40, and Hydro's position that the production of the guidelines sought by that request for information is problematic due to third party copyright, the Island Industrial Customers seek leave to introduce into evidence in this proceeding the enclosed twelve copies of a publication of the Ontario Ministry of Natural Resources entitled "Public Safety Around Dams – Best Management Practices", to provide some context to the Board, in the form of the regulatory guidance which has been provided on this subject in another Canadian jurisdiction.

We trust you will find the above and enclosed to be in order.

Yours truly,

Stewart McKelvey

Paul Coxworthy

PLC/kmcd

Enclosures

c: Mr. Geoffrey P. Young, Senior Legal Counsel, Newfoundland and Labrador Hydro
Mr. Thomas J. Johnson, Consumer Advocate
Mr. Gerard Hayes, Newfoundland Power
Mr. Dean A. Porter, Poole Althouse