

1 Q. **Reference: Section 2: Regulated Activities – Section VI: Energy Purchases BY**
2 **Supplier – Note 4.**

3 Please provide all evidence in support of the \$0.04 cents/kW.h purchase price for
4 generation from Grand Falls, Buchans and Star Lake, how this price was set, and
5 how it compares to the costs of owning and operating these plants.
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8 A. Please see Hydro's response to V-NLH-004. Please also see IC-NLH-033 Attachment
9 1 - Newfoundland and Labrador Regulation 109/13 *Newfoundland and Labrador*
10 *Hydro-Exploits Generation Exemption Order* under the *Electrical Power Control Act*,
11 1994 and the *Public Utilities Act* (O.C. 2013- 257). Hydro is exempt from the
12 *Electrical Power Control Act, 1994* and the *Public Utilities Act* with regard to this
13 issue.

**NEWFOUNDLAND AND LABRADOR
REGULATION 109/13**

*Newfoundland and Labrador Hydro-Exploits
Generation Exemption Order
under the
Electrical Power Control Act, 1994
and the
Public Utilities Act
(O.C. 2013- 257)*

(Filed September 19, 2013)

Under the authority of section 5.2 of the *Electrical Power Control Act, 1994* and section 4.1 of the *Public Utilities Act*, the Lieutenant-Governor in Council makes the following Order.

Dated at St. John's, September 19, 2013.

Julia Mullaley
Clerk of the Executive Council

REGULATIONS

Analysis

1. Short title
2. Definitions
3. Exemption

Short title

1. This order may be cited as the *Newfoundland and Labrador Hydro-Exploits Generation Exemption Order*.

Definitions

2. In this order

- (a) "Nalcor" means the energy corporation established under the *Energy Corporation Act* and includes a subsidiary as defined by that Act; and
- (b) "project" means the hydro-electric generating facilities, and their associated transmission and auxiliary facilities, at Grand Falls-Windsor, Bishop's Falls, Star Lake and Buchans.

Exemption

3. (1) Newfoundland and Labrador Hydro is exempt from the application of the *Electrical Power Act, 1994* and the *Public Utilities Act* for all aspects of its activities pertaining to the purchase, from Nalcor, of electrical power and energy from the project.

(2) The activities referred to in subsection (1) include:

- (a) planning and engineering new electrical power and energy generation and supply;
- (b) negotiating and executing all contracts necessary or incidental to any activity described in this exemption;
and
- (c) acquiring and paying from its operating account, to be recovered through its rates, all amounts to be paid for the supply of this electrical power and energy under those contracts.