

1 Q. **Re: NLH Evidence, Section 2, Schedule IV**

2 Schedule IV, p. 1 of 1, Note 4 states that “Operations ceased at Davis Inlet in
3 early 2006, when the community moved to Natuashish.”

4 Please provide a copy of the submissions of NLH to the Board of Commissioners of
5 Public Utilities in connection with the decommissioning of the electricity generation
6 facilities at Davis Inlet (re: Order No. P.U. 9(2006)).

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9 A. Please see IN-NLH-093 Attachments 1 and 2.

File No. _____



NEWFOUNDLAND AND LABRADOR HYDRO

Head Office: St. John's, Newfoundland P.O. Box 12400 A1B 4K7
Telephone (709) 737-1400 • Fax (709) 737-1231 • Website: www.nlh.nf.ca

BY HAND

November 25, 2005

Board of Commissioners of Public Utilities
Prince Charles Building
120 Torbay Road
St. John's, Newfoundland & Labrador
A1A 5B2

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

Dear Ms. Blundon:

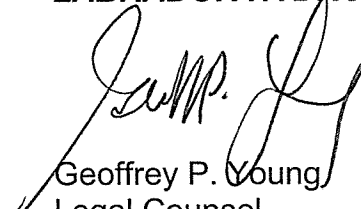
**Re: Application Pursuant to Section 38 of the Public Utilities Act to
Abandon and Decommission the Electrical System at Davis Inlet**

Please find enclosed an original plus 10 (ten) copies of Hydro's application and supporting affidavit in the above-noted matter.

We trust that you will find the enclosed to be satisfactory.

Yours truly,

**NEWFOUNDLAND AND
LABRADOR HYDRO**



Geoffrey P. Young
Legal Counsel

Encl.

IN THE MATTER OF the
Public Utilities Act (the “Act”); and

AND IN THE MATTER OF an
Application by Newfoundland and
Labrador Hydro (“Hydro”),
pursuant to section 38 of the Act,
for consent to decommission its diesel
generating station and to abandon its
service of the electrical distribution
system situate at Davis Inlet.

TO: The Board of Commissioners of Public Utilities (the “Board”)

THE APPLICATION OF HYDRO SAYS THAT:

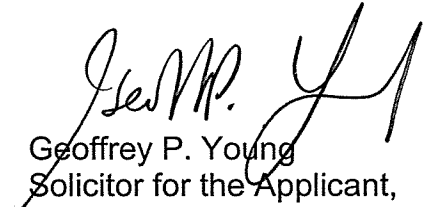
1. Hydro is a statutory body corporate existing pursuant to the *Hydro Corporation Act*, c. H-16 of the Revised Statutes of Newfoundland and Labrador, 1990, as amended, and is a public utility within the meaning of the Act.
2. Hydro owns and operates a diesel generating station and an electrical distribution system in the community of Davis Inlet for the purpose of providing electrical power and energy to the residential and general service customers of that community.
3. Commencing in December of 2002, Hydro's customers that resided in Davis Inlet relocated to the nearby, newly constructed community of Natuashish. The relocation process continued over the next two-year

period during which time the community of Davis Inlet has become all but completely abandoned by its former residents. At present, there is only one resident of Davis Inlet and that person has informed Hydro that he intends to relocate to Natuashish within the next six months.

4. All other former customers in Davis Inlet have had their service disconnected since they relocated to Natuashish, the last such disconnection occurring in 2004. In all, 169 disconnections were performed. None of the customers who were disconnected have sought to be reconnected.
5. Hydro has informed the remaining resident of Davis Inlet on several occasions that Hydro would be seeking to abandon its operations and provision of electrical service at Davis Inlet as soon as Hydro receives the approval from this Board. On November 22, 2005, this resident was informed that Hydro would be immediately making an application to this Board to abandon its operations and the provision of service in Davis Inlet. Hydro will provide this resident with a gasoline operated electric generator before terminating this resident's electrical service at Davis Inlet.
6. Pending receipt of an Order approving the requested abandonment, Hydro intends to decommission its Davis Inlet facilities during the summer of 2006.

7. There is no incorporated municipal body affected by this application. The nearby community of Natuashish is a "reserve" under the *Indian Act*, R.S.C. 1985, c. I-6, and is represented by the Band Council of the Mushuau Innu First Nation.
8. Pursuant to section 38 of the Act, Hydro is hereby seeking an Order of this Board approving the abandonment of Hydro's existing diesel generating station and distribution system at Davis Inlet.

DATED at St. John's in the Province of Newfoundland and Labrador this ^{25th} day of *November* 2005.


Geoffrey P. Young
Solicitor for the Applicant,
Newfoundland and Labrador
Hydro,
whose address for service is
500 Columbus Drive,
P.O. Box 12400
St. John's, NL, A1B 4K7
Tel: (709) 737-1277
Fax: (709) 737-1782

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

AND IN THE MATTER OF an Application by Newfoundland and Labrador Hydro ("Hydro"), pursuant to section 38 of the Act, for consent to decommission its diesel generating station and to abandon its service of the electrical distribution system situate at Davis Inlet.

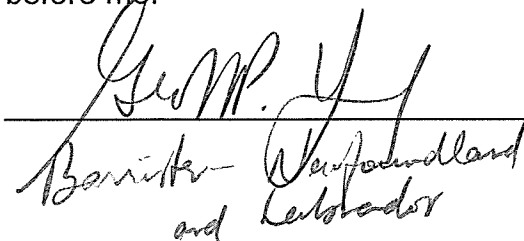
TO: The Board of Commissioners of Public Utilities (the "Board")

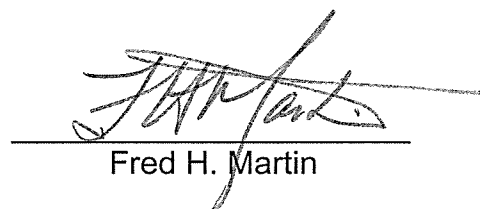
AFFIDAVIT

I, Fred H. Martin, Professional Engineer, of St. John's, in the Province of Newfoundland and Labrador, make oath and swear as follows:

1. THAT I am employed by Newfoundland and Labrador Hydro, the Applicant herein, in the capacity of Vice-President, Engineering Services, and as such I either have personal knowledge, or I have been so informed and do verily believe, as the case may be, of the matters and things to which I have herein deposed and I make this affidavit in support of the within Application.
2. That I have read the contents of the attached application and those contents are correct and true to the best of my knowledge, information and belief.

SWORN TO in the City of
St. John's, in the Province of
Newfoundland and Labrador
this 25th day of November 2005,
before me:


Notary Public
Newfoundland
and Labrador


Fred H. Martin



NEWFOUNDLAND AND LABRADOR HYDRO

Head Office: St. John's, Newfoundland P.O. Box 12400 A1B 4K7
Telephone (709) 737-1400 • Fax (709) 737-1231 • Website: www.nlh.nf.ca

File No. _____

FAXED

BY FAX and MAIL

March 10, 2006

Board of Commissioners of Public Utilities
Prince Charles Building
120 Torbay Road
St. John's, Newfoundland & Labrador
A1A 5B2

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

Dear Ms. Blundon:

**Re: Application Pursuant to Section 38 of the Public Utilities Act to
Abandon and Decommission the Electrical System at Davis Inlet**

Please find enclosed for your information in the above-noted matter, an original plus 10 (ten) copies of a Band Council Resolution consenting to Hydro's application to the Board for the abandonment and discontinuation of service in the former community of Davis Inlet. Hydro received this document from counsel acting on behalf of the Mushua Innu First Nation.

We trust that you will find the enclosed to be satisfactory.

Yours truly,

**NEWFOUNDLAND AND
LABRADOR HYDRO**

Geoffrey P. Young
Legal Counsel

Encl.

MADE this 10 day of Feb, 2006

WHEREAS the Band Council has determined that there is no reason for Newfoundland and Labrador Hydro to continue providing electrical service to Davis Inlet;

NOW THEREFORE BE IT RESOLVED that the Band Council hereby gives its consent to Newfoundland and Labrador Hydro, and to the Board of Commissioners of Public Utilities for Newfoundland and Labrador, for Newfoundland and Labrador Hydro to abandon and discontinue providing electrical service in the former community of Davis Inlet

This resolution was made at a duly convened meeting of the Band Council of the Mushuau Innu First Nation, dated Feb 10, 2006.

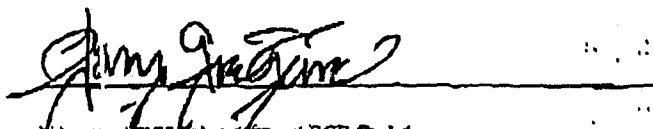
Those in favour of the resolution:

A quorum of the Band Council is members.



Marie Pokue

Spiris Pokue



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