

Nancy Kleer
nkleer@oktlaw.com
416-981-9336
73205

August 28, 2013

COURIER & EMAIL

The Board of Commissioners of Public Utilities
Suite E210, Prince Charles Building
120 Torbay Road
P.O. Box 21040
St. John's, NL A1A 5B2
Email: ito@pub.nl.ca

Attention: Ms. G. Cheryl Blundon, Board Secretary

Dear Sirs/Mesdames:

Re: Newfoundland and Labrador Hydro's 2013 General Rate Hearing

Please find enclosed an original plus 10 copies of Innu Nation's intervenor submission regarding the above noted Application.

A copy of this letter and enclosure has been forwarded to Geoffrey P. Young, counsel for Newfoundland and Labrador Hydro.

If you have any questions about the enclosed, please contact the undersigned.

Yours truly,

Olthuis, Kleer, Townshend LLP

[Original Signed by Nancy Kleer]

Nancy Kleer

NK/ck

Enclosure

cc: Geoffrey Young, counsel for Newfoundland and Labrador Hydro, via fax: 709-737-1782

IN THE MATTER OF the *Public Utilities Act*, RSN 1990, Chapter P-46 (the “Act”); and

IN THE MATTER OF a General Rate Application (the “Application”) by Newfoundland and Labrador Hydro (the “Applicant”) for approvals of, under Section 70 of the Act, changes in the rates to be charged for the supply of power and energy to Newfoundland Power, Rural Customers and Individual Customers; and under Section 71 of the Act, changes in the Rules and Regulations applicable to the supply of electricity to Rural Customers.

TO: The Board of Commissioners of Public Utilities

**INTERVENOR SUBMISSION OF
INNU NATION**

Interest of Innu Nation

1. Innu Nation is a corporation without share capital, incorporated under the *Canada Corporations Act*. Innu Nation’s members are the Innu people of Labrador.
2. Innu Nation’s members are primarily resident in Natuashish and Sheshatshiu, Labrador. Members living in Natuashish are Isolated customers in Labrador and members living in Sheshatshiu are Labrador Interconnected customers. Innu Nation and its members are also consumers and business owners.
3. Many of Innu Nation’s members live in poverty and many members receive Income Assistance. Much of the housing in Natuashish and Sheshatshiu is poorly insulated, resulting in high hydro bills for members.

4. Innu Nation's members are in a unique position in Labrador compared with other residential customers. A political decision was made by the Innu of Labrador to refuse to pay hydro bills because of the massive impacts on their rights from the Upper Churchill hydroelectric development, for which the Innu of Labrador did not start to receive any compensation until the conclusion in November 2011 of the Upper Churchill Redress Agreement among Innu Nation, Sheshatshiu and Mushuau Innu First Nations, the Province and Nalcor Energy. In November 2011, as part of the package of agreements sometimes referred to as the Tshash Petapen or New Dawn agreement, an agreement was reached such that individual Innu Nation members in Sheshatshiu and Natuashish would not be required to pay their outstanding hydro bills to that point in time. Thus, it is only recently (since in or around December 2011) that Innu Nation's members are receiving and having to become accustomed to have responsibility to pay for electricity for their homes. This is a large expense to adjust to given that many Innu Nation members live in poverty.
5. Innu Nation's interest in the Application includes ensuring that the rates to be charged to residential and commercial customers in Labrador (both interconnected and isolated) are just and reasonable, particularly for those Innu customers living in poverty and on Income Assistance.

Dispositions Sought by Innu Nation

6. Given that the Application was only recently filed and many matters and questions will be addressed in the Request for Information process and hearing process, Innu Nation has not yet had sufficient time and does not yet have sufficient information to determine what disposition it will advocate for with respect to the Application.

Facts and Reasons Supporting Intervention

7. As stated above at paragraph 6, Innu Nation has not yet had sufficient time and does not yet have sufficient information to determine what facts it intends to show in evidence or what reasons it intends to put forward to the Board to support the disposition it will advocate.

Participation of Innu Nation

8. Innu Nation intends to participate in the various procedures associated with the Application, including:
- (a) making Requests for Information and other information requests to the Applicant as may be permitted by the Board;
 - (b) participating in technical conferences, pre-hearing conferences, and other processes associated with the Application;
 - (c) cross-examination of witnesses appearing on behalf of the Applicant or other participants in any hearing of the Application as may be appropriate in the circumstances;
 - (d) calling expert witnesses to support its position; and
 - (e) making representations and submissions, through counsel, to the Board concerning the disposition of the Application.
9. Innu Nation is willing to cooperate with other Intervenors with similar interests where practicable in order to improve efficiency and reduce costs.

10. Innu Nation is seeking the cost of its intervention (amount to be determined).
11. If it is accepted as an intervenor, Innu Nation will provide the Board with a full submission on its position during the proceedings. However, Innu Nation can provide the Board with more information on any of the above if the Board requires it to make determinations concerning Innu Nation's intervention, including determinations about costs.

Dated at Toronto, Ontario, this [28th] day of August, 2013

[Original Signed by Nancy Kleer]

Nancy Kleer

Olthuis, Kleer, Townshend LLP

Solicitor for Innu Nation

229 College Street, 3rd Floor

Toronto, Ontario M5T 1R4

Telephone: 416-981-9330

Fax: 416-981-9350

Email: nkleer@oktlaw.com