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July 29, 2011

Paul L. Coxworthy  
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**Via Electronic Mail & Courier**

The Board of Commissioners of Public Utilities  
Prince Charles Building  
120 Torbay Road  
P.O. Box 21040  
St. John's NL A1A 5B2

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

Dear Ms. Blundon:

**Re: Newfoundland and Labrador Hydro's application for approval of two capital projects at Holyrood Thermal Generating Station (2011)**

Further to the Board's correspondence dated July 25, 2011, please find enclosed the original and eight (8) copies of the Notice of Intervention of the Island Industrial Customers in relation to the above Application.

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

Yours truly,

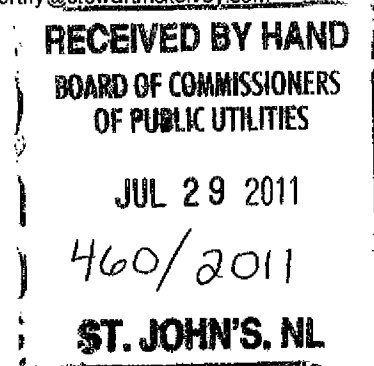
Stewart McKelvey

Paul L. Coxworthy

PLC/kmcd

Enclosure

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



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DIRECTOR-REGULATORY	<input checked="" type="checkbox"/>	OTHERS	<input checked="" type="checkbox"/> <i>stea</i>

**IN THE MATTER OF** the *Electrical Power Control Act*, RSNL 1994, Chapter E-5.1 (the "EPCA") and the *Public Utilities Act*, RSNL 1990, Chapter P-47 (the "Act") as amended, and their subordinate regulations; and

**AND IN THE MATTER OF** an Application by Newfoundland and Labrador Hydro pursuant to Subsection 41(3) of the Act, for the approval to upgrade Unit 1 stack breeching and to upgrade the fuel oil storage facility at the Holyrood Thermal Generating Station.

### **NOTICE OF INTERVENTION OF THE ISLAND INDUSTRIAL CUSTOMERS**

**TAKE NOTICE** that **Corner Brook Pulp and Paper Limited, North Atlantic Refining Limited, Teck Resources Limited, and Vale Newfoundland & Labrador Limited** (the "Island Industrial Customers"), through their solicitors Stewart McKelvey and Poole Althouse, hereby give notice of their intention to participate in the within Application, in their respective positions as actual or potential Island Industrial Customers of the Applicant Newfoundland and Labrador Hydro (the "Applicant") which are affected by the rates charged by the Applicant.

#### **Interest of the Island Industrial Customers**

1. Each of the Island Industrial Customers, with the exception of **Vale Newfoundland & Labrador Limited**, presently own and operate on the Island of Newfoundland substantial industrial operations, each of which is a major consumer of power purchased from the Applicant. **Vale Newfoundland & Labrador Limited** has joined with the other Island Industrial Customers as an Intervenor by reason of its intended industrial operations in the Province and its anticipated significant future power demands.

**Disposition Sought by the Island Industrial Customers**

2. Given the recent filing of the Application, and the various matters raised by the Application and to be addressed by Requests for Information and by other pre-hearing and hearing processes, the Island Industrial Customers do not yet have sufficient information, and have not yet had sufficient opportunity, to formulate particular dispositions with respect to the various approvals sought by the Applicant.

**Facts and Reasons Supporting Intervention**

3. The Island Industrial Customers repeat the foregoing paragraph and state that there has not yet been sufficient opportunity for the Island Industrial Customers to submit what facts they intend to show in evidence or for what reasons the Board should dispose of the various approvals sought by the Application in a particular manner.

**Participation of the Industrial Customers**

4. The Island Industrial Customers intend to participate in the various procedures associated with the Application including without limitation:
  - (a) directing Requests for Information and other information requests to the Applicant as may be permitted by the Board;
  - (b) participating in any technical conferences, pre-hearing conferences, and other processes associated with the Application;
  - (c) cross-examination of witnesses appearing on behalf of the Applicant or of any other participant in any hearing on the Application, as may be appropriate in the

circumstances of any hearing on the Application that may be ordered by the Board;

(d) calling witnesses, including expert witnesses, as may be appropriate in the circumstances of any hearing on the Application that may be ordered by the Board;

(e) making representations and submissions, through counsel, to the Board concerning the disposition of the Application.

Documents relating to this hearing can be served on the Island Industrial Customers in care of.

Mr. Paul L. Coxworthy  
Stewart McKelvey  
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**AND**

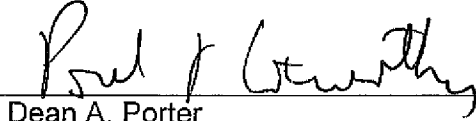
Mr. Dean A. Porter  
Poole Althouse  
Western Trust Building  
49-51 Park Street  
P.O. Box 812  
Comer Brook NL A2H 6117

Telephone: (709) 637-6425  
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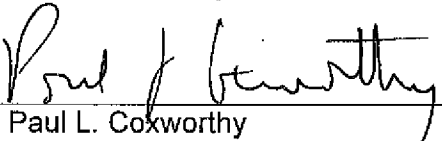
E-mail: dporter@pa-law.ca

**DATED** at St. John's, this 29<sup>th</sup> day of July, 2011.

**POOLE ALTHOUSE**

Per:   
for Dean A. Porter

**STEWART MCKELVEY**

Per:   
Paul L. Coxworthy

TO: 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  
Attention: Board Secretary

TO: Newfoundland & Labrador Hydro  
P.O. Box 12400  
500 Columbus Drive  
St. John's NL A1B 4K7  
  
Attention: Mr. Geoffrey P. Young  
Senior Legal Counsel

TO: Thomas Johnson, Consumer Advocate  
O'Dea, Earle Law Offices  
323 Duckworth Street  
St. John's NL A1C 5X4

TO: Newfoundland Power Inc.  
P.O. Box 8910  
55 Kenmount Road  
St. John's NL A1B 3P6  
  
Attention: Gerard Hayes  
Senior Counsel