

August 16, 2013

VIA ELECTRONIC MAIL AND COURIER

Ms. G. Cheryl Blundon
Board Secretary
Board of Commissioners of Public Utilities
120 Torbay Road
P.O. Box 21040
St. John's NL A1A 5B2

Dear Ms. Blundon:

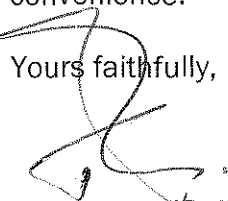
Re: 2013 Hydro Applications

We write on behalf of Vale Newfoundland and Labrador Limited. Please find enclosed the original and 8 copies of Vale Newfoundland and Labrador Limited's Notice of Intention to Participate (Intervenor's Submission) with respect to the Hydro Applications.

A copy of this letter, together with enclosures, has been forwarded directly to the parties listed below. An electronic copy in pdf format will follow.

If you have any questions regarding the enclosed, please contact the undersigned at your convenience.

Yours faithfully,



Thomas J. O'Reilly, Q.C.

TJOR/je
Encls.

cc Peter Alteen/Gerard Hayes/Liam O'Brien
Newfoundland Power

Geoff Young/Colin Feltham
Newfoundland and Labrador Hydro

Thomas J. O'Reilly, Q.C. | Partner

Direct 709 570 5320 Main 709 738 7800 Fax 709 726 3070 Email toreilly@coxandpalmer.com
Suite 1000 Scotia Centre 235 Water Street St. John's NL A1C 1B6

August 16, 2013

Thomas Johnson, Q.C.
Consumer Advocate

Sheryl Nisenbaum/David Meade
Praxair Canada Inc.

Gregory Moores
Abitibi

Paul Coxworthy
Stewart McKelvey

Dean A. Porter
Poole Althouse

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

IN THE MATTER OF an Application by Newfoundland and Labrador Hydro for an Order approving: (1) its 2014 capital budget pursuant to s. 41(1) of the Act; (2) its 2014 capital purchases, and construction projects in excess of \$50,000 pursuant to s. 41(3)(a) of the Act; (3) its leases in excess of \$5,000 pursuant so s. 41(3)(b) of the Act; and (4) its estimated contributions in aid of construction for 2014 pursuant to s. 41(5) of the Act and for an order pursuant to s. 78 of the Act fixing and determining its average rate base for 2012.

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

**NOTICE OF INTENTION TO PARTICIPATE
OF VALE NEWFOUNDLAND & LABRADOR LIMITED**

TAKE NOTICE that **Vale Newfoundland & Labrador Limited** ("Vale"), through its solicitors Cox & Palmer, hereby gives notice of its intention to participate in the within Application, in its position as an industrial customer of the Applicant, Newfoundland and Labrador Hydro (the "Applicant").

Interest of Vale

1. Vale is the owner and operator of the Long Harbour Processing Facility which is and will continue to be a major consumer of power purchased from the Applicant.

Dispositions Sought by Vale

2. As the Application was recently filed and raises several issues that will be subject to Requests for Information and other pre-hearing and hearing processes, Vale does not have sufficient information to formulate the dispositions it will request with respect to the various approvals sought by the Applicant.

Facts and Reasons Supporting Intervention

3. Vale repeats the foregoing paragraph and states that it has not had sufficient time to determine and submit what facts it intends to show in evidence or formulate its position on the reasons on which the Board should dispose of the various approvals sought by the Applicant in the Application.

Participation of Vale

4. Vale intends 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 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; and
- 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 Vale in care of:

Mr. Thomas J. O'Reilly
Cox & Palmer
Suite 1000, Scotia Centre
235 Water Street
St. John's, NL A1C 1B6

Telephone: 709-570-5320
Facsimile: 709-738-7999

E-mail: toreilly@coxandpalmer.com

DATED at St. John's, Newfoundland and Labrador, this 16th day of August, 2013

COX & PALMER

Per: 

Thomas J. O'Reilly, Q.C.

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: Geoffrey P. Young
Senior Legal Counsel

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

TO: Thomas J. Johnson, Consumer Advocate
O'Dea, Earle
323 Duckworth Street
P. O. Box 5955, Stn. C
St. John's, NL A1C 5X4

TO: Praxair Canada Inc.
1 City Centre Drive, Suite 1200
Mississauga, ON L5B 1M2
Attention: Sheryl Nisenbaum,
Assistant Secretary

TO: Corner Brook Pulp and Paper Limited,
North Atlantic Refining Limited
and Teck Resources Limited
Stewart McKelvey
PO Box 5038
11th Floor, Cabot Place
100 New Gower Street
St. John's, NL A1C 5V3
Attention: Paul Coxworthy