

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

IN THE MATTER OF an Application by Newfoundland and Labrador Hydro ("Hydro") pursuant to Section 70 of the Act for approval of a rate for Non-Firm Service in Labrador and other associated matters ("Application").

To: The Board of Commissioners of Public Utilities

INTERVENORS' SUBMISSION OF THE ISLAND INDUSTRIAL CUSTOMER GROUP

TAKE NOTICE that **Corner Brook Pulp and Paper Limited, Braya Renewable Fuels (Newfoundland) LP, Marathon Gold Corporation, and Vale Newfoundland and Labrador Limited (the "Island Industrial Customer Group")**, through their solicitors Poole Althouse, Stewart McKelvey and Cox & Palmer, hereby give notice of their intention to participate in the within Application in their respective positions as present or future 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 Customer Group

1. With the exception of Marathon Gold Corporation, each of the Members of the Island Industrial Customer Group presently own and operate on the Island of Newfoundland substantial industrial operations, each of which is a major consumer of power from the Applicant. Marathon Gold Corporation expects to commence to be a major consumer of power from the Applicant, in respect of its Valentine Lake mining project on the Island, commencing in 2023.

Disposition Sought by the Island Industrial Customers Group

2. Given the recent filing of the Application, and the various matters raised by the Application and to be addressed (it is submitted) by Requests for Information and by other pre-hearing and hearing processes, the Island Industrial Customer Group does 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. **In that regard,**

the Island Industrial Customer Group respectfully submit that a more expansive process for consideration of the Application is required than the filing of letters of comment, or the making of presentations, by October 31, 2022.

Facts and Reasons Supporting Intervention

3. The Island Industrial Customer Group repeat the foregoing paragraph and state that there has not yet been sufficient opportunity for the Island Industrial Customer Group 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 Applicant in a particular manner.

Participation of the Island Industrial Customers Group

4. The Island Industrial Customer Group 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;
 - (e) making representations and submissions, through counsel, to the Board concerning the disposition of the Application, including for the award of costs to the Island Industrial Customer Group in respect of their intervention and participation in the Application.

Documents relating to this Application can be served on the Island Industrial Customer Group in care of:

Mr. Dean A. Porter
Poole Althouse
49-51 Park Street
Corner Brook, NL A2H 2X1

Telephone: (709) 634-3136
Telecopier: (709) 634-8247

E-mail: dporter@poolealthouse.ca

AND

Mr. Paul L. Coxworthy
Stewart McKelvey
Suite 1100, Cabot Place
100 New Gower Street
PO Box 5038
St. John's, NL A1C 5V3

Telephone: (709) 722-4279
Telecopier: (709) 722-4565

E-mail: pcoxworthy@stewartmckelvey.com

AND


Mr. Denis J. Fleming
Cox & Palmer
Scotia Centre
Suite 1100, 235 Water Street
St. John's, NL A1C 1B6

Telephone: (709) 738-7800
Telecopier: (709) 738-7999

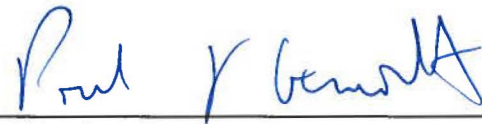
E-mail: dfleming@coxandpalmer.com

DATED at St. John's, Newfoundland and Labrador, this 19th day of October, 2022.

POOLE ALTHOUSE

Per: 
Dean A. Porter

STEWART MCKELVEY

Per: 
Paul L. Coxworthy

COX & PALMER

Per: 
Denis J. Fleming

Ecc:

Board of Commissioners of Public Utilities

Jacqui H. Glynn
Maureen Green, KC
PUB Official email

Island Industrial Customer Group

Paul L. Coxworthy, Stewart McKelvey
Denis Fleming, Cox & Palmer
Dean A. Porter, Poole Althouse

Iron Ore Company of Canada

Gregory A.C. Moores, Stewart McKelvey

Praxair Canada Inc.

Sheryl E. Nisenbaum
Peter Strong

Newfoundland Power Inc.

Dominic J. Foley
Lindsay S.A. Hollett
Regulatory Email

Teck Resources Limited

Shawn Kinsella

Labrador Interconnected Group

Senwung F. Luk, Olthuis Kleer Townshend LLP
Nicholas E. Kennedy, Olthuis Kleer Townshend LLP

Consumer Advocate

Dennis M. Brown, KC, Browne Fitzgerald Morgan Avis & Wadden
Stephen F. Fitzgerald, Browne Fitzgerald Morgan Avis & Wadden
Sarah G. Fitzgerald, Browne Fitzgerald Morgan Avis & Wadden
Bernice Bailey, Browne Fitzgerald Morgan Avis & Wadden
Bernard Coffey, KC