

**P.U. 3 (2003)**

**IN THE MATTER OF THE  
PUBLIC UTILITIES ACT,**  
R.S.N.1990, c. P-47, as amended  
(the “*Act*”)

AND

**IN THE MATTER OF** an application  
by Newfoundland and Labrador Hydro  
(the “Applicant”) for approval to proceed  
with the construction and purchase of certain  
improvements to its property, pursuant to  
Section 41 (3) of the *Act*.

**WHEREAS** the Applicant is a corporation continued and existing under the *Hydro Corporation Act*,  
is a public utility within the meaning of the *Act* and is also subject to the provisions of the *Electrical  
Power Control Act, 1994*; and

**WHEREAS** Section 41 (3) of the *Act* requires that a public utility shall not proceed with the  
construction, purchase or lease of improvements or additions to its property where:

- a) the cost of the construction or purchase is in excess of \$50,000; or
- b) the cost of the lease is in excess of \$5,000 in a year of the lease

without the prior approval of the Board; and

**WHEREAS** by Order No P.U. 29 (2002-2003) certain capital projects of the Applicant were  
approved for 2003 as set out in that Order; and

**WHEREAS** by Application dated February 4, 2003, the Applicant has requested approval of the Board for the capital expenditure of \$281,400 for the replacement of the timber retaining wall at the Grey River Fish Compensation Structure in the Bay D'Espoir Watershed; and

**WHEREAS** the Board has considered the Applicant's request for approval.

**IT IS THEREFORE ORDERED THAT:**

Pursuant to Section 41(3) of the *Act*, the Board approves the supplementary 2003 capital expenditure of \$281,400 for the replacement of the timber retaining wall at the Grey River Fish Compensation Structure as set out in Schedule A to the Application.

**Dated** at St. John's, Newfoundland and Labrador, this 5<sup>th</sup> day of February, 2003.

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Robert Noseworthy,  
Chair and Chief Executive Officer.

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Darlene Whalen, P.Eng.,  
Vice-Chair.

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G. Cheryl Blundon,  
Director of Corporate Services  
and Board Secretary.