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P. U. 1(2005)

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

AND

IN THE MATTER OF the application by
(the “Application”) by Newfoundland Power Inc.
(“Newfoundland Power”) for the approval to
borrow under the terms of a committed revolving
term credit facility filed pursuant to Section 91
of the *Act*.

WHEREAS Newfoundland Power is a corporation duly organized and existing under the
laws of the Province of Newfoundland and Labrador, 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 Newfoundland Power proposes to enter into a \$100,000,000 committed
revolving term credit facility to meet the short-term debt requirements of Newfoundland Power
arising from the fulfillment of its service obligations under the *Act* upon the general terms as
shown in the Application (the “Committed Facility”); and

WHEREAS the Committed Facility is, in effect, evidence of indebtedness payable in
more than 1 year from the date of issue; and

WHEREAS the Board of Commissioners of Public Utilities (the “Board”) received the
Application on December 10, 2004; and

1 **WHEREAS** pursuant to Section 91 (1) of the *Act*, a public utility may not issue evidence
2 of indebtedness payable in more than 1 year from the date of issue until it has obtained approval
3 from the Board for the proposed issue; and

4 **WHEREAS** pursuant to Section 91 (3) of the *Act*, where the Board is satisfied that the
5 proposed issue by a public utility of evidence of indebtedness payable in more than 1 year from
6 the date of issue is to be made in accordance with law and for a purpose approved by the Board,
7 the Board shall make an order approving the proposed issue to the amount that it considers
8 appropriate, and shall prescribe the purpose to which the issue or the proceeds of the issue are to
9 be applied; and

10 **WHEREAS** the Application of Newfoundland Power for approval to borrow under the
11 Committed Facility shows that the proceeds of the issue will be used to finance (i) working
12 capital requirements of Newfoundland Power necessary to meet its service obligations under the
13 *Act* and (ii) capital expenditure requirements of Newfoundland Power as approved from time to
14 time by the Board pursuant to the *Act*; and

15 **WHEREAS** pursuant to Section 91 (3) of the *Act* the Board has decided to exercise its
16 discretion to dispose of this matter without a public hearing; and

17 **WHEREAS** the Board has reviewed the Application and supporting material and finds
18 that approval of the proposed borrowing by Newfoundland Power under the terms of the
19 Committed Facility is in accordance with law and for a purpose approved by the Board.

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1 **IT IS THEREFORE ORDERED THAT**

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3 1. Pursuant to Section 91 of the *Act*, the Board approves Newfoundland Power’s issue of the
4 Committed Facility to the amount of \$100,000,000 for the purposes of financing (i)
5 working capital requirements of Newfoundland Power necessary to meet its service
6 obligations under the *Act* and (ii) capital expenditure requirements of Newfoundland
7 Power as approved from time to time by the Board pursuant to the *Act*.

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9 2. Newfoundland Power shall pay all costs and expenses of the Board incurred in
10 connection with this Application.

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12 **DATED** at St. John’s, Newfoundland, this 12th day of January 2005.

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30 G. Cheryl Blundon,
Board Secretary.

Robert Noseworthy,
Chair & Chief Executive Officer.

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