

**NEWFOUNDLAND AND LABRADOR  
BOARD OF COMMISSIONERS OF PUBLIC UTILITIES**

**AN ORDER OF THE BOARD  
NO. P. U. 6(2009)**

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

6  
7 **AND**  
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9 **IN THE MATTER OF** an application by  
10 Newfoundland and Labrador Hydro (Hydro)  
11 for approval of the Rate Stabilization  
12 Plan components of the rates to be charged to  
13 Island Industrial Customers (the "Application"),  
14 pursuant to Section 41(3) of the *Act*.

15  
16 **WHEREAS** Hydro is a corporation continued and existing under the *Hydro Corporation Act*, is  
17 a public utility within the meaning of the *Act*, and is subject to the provisions of the *EPCA*; and  
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19 **WHEREAS** Order No. P. U. 37(2008) continued the existing rates for the Island Industrial class  
20 of customers on an interim basis until March 31, 2009 and required Hydro to file an application  
21 for approval of final rates, rules and regulations for the Island Industrial Customers by January  
22 30, 2009; and  
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24 **WHEREAS** Hydro has made Application for an Order: (1) extending the application filing  
25 deadline set in Order No. P. U. 37(2008) until June 30, 2009; and (2) approving a continuation of  
26 the existing rates, rules and regulations for Hydro's Island Industrial Customers on an interim  
27 basis until such time as the Board has dealt with the above referenced Application; and  
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29 **WHEREAS** the Board requested submissions from the Island Industrial Customers, the  
30 Consumer Advocate and Newfoundland Power by January 21, 2009 and then, at the request of  
31 the Industrial Customers, extended the submission date until January 26, 2009; and  
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33 **WHEREAS** Newfoundland Power indicated to the Board that they did not intend to make a  
34 submission; and  
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36 **WHEREAS** the Island Industrial Customers indicated to the Board that they would not make  
37 submissions by the extended submission date; and  
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39 **WHEREAS** the Consumer Advocate did not make a submission.

1 **IT IS THEREFORE ORDERED THAT:**  
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- 3 1. Hydro shall make application to finalize the interim rates, rules and regulations for the  
4 Island Industrial Customers by June 30, 2009.  
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6 2. The continuation of the rates, rules and regulations for Hydro's Island Industrial  
7 Customers is approved on an interim basis until a final Order of the Board with respect to  
8 the finalization of rates.  
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10 3. Hydro shall pay all expenses of the Board arising from this Application.

**DATED** at St. John's, Newfoundland and Labrador, this 30<sup>th</sup> day of January 2009.

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Andy Wells  
Chair & Chief Executive Officer

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Darlene Whalen, P.Eng.  
Vice-Chair

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Dwanda Newman, LL.B  
Commissioner

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Cheryl Blundon  
Board Secretary