

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

AN ORDER OF THE BOARD

NO. P.U. 31(2014)

1 **IN THE MATTER OF** the *Electrical Power*
2 *Control Act, 1994*, SNL 1994, Chapter E-5.1 (the
3 "*EPCA*") and the *Public Utilities Act*, RSNL 1990,
4 Chapter P-47 (the "*Act*"), as amended, and regulations
5 thereunder; and
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7 **IN THE MATTER OF** a general rate application
8 by Newfoundland and Labrador Hydro to establish
9 customer electricity rates for 2014; and
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11 **IN THE MATTER OF** an application by Newfoundland
12 and Labrador Hydro for approval on an interim basis,
13 effective January 1, 2014 of, among other things, rate
14 changes for certain customers and a deferral account for
15 others, and amendments to the Rate Stabilization Plan; and
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17 **IN THE MATTER OF** an application for costs by the Industrial
18 Customers Group pursuant to Order No. P.U. 13(2014).
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21 **WHEREAS** Newfoundland and Labrador Hydro ("Hydro") is a corporation continued and
22 existing under the *Hydro Corporation Act*, is a public utility within the meaning of the *Act*, and
23 is also subject to the provisions of the *EPCA*; and
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25 **WHEREAS** section 90 of the *Act* gives the Board the authority and discretion to award costs in
26 a proceeding before the Board; and
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28 **WHEREAS** in Order No P.U. 13(2014) the Board granted leave to the Intervenors to apply for
29 an award of costs within 30 days of the Order; and
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31 **WHEREAS** on May 16, 2014 the Industrial Customers Group (Corner Brook Pulp and Paper
32 Limited, North Atlantic Refining Limited and Teck Resources Limited) filed an application with
33 the Board for approval of costs in the amount of \$42,319.57 (the "Application"); and
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35 **WHEREAS** the Industrial Customers Group submit that their intervention and participation was
36 reasonably necessary to the process; and

1 **WHEREAS** the Board finds that the participation of the Industrial Customers Group was helpful
2 to the Board in its consideration of the matter and contributed to the Board's understanding of
3 the issues; and
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5 **WHEREAS** the Board requested comments on the bill of costs from Hydro and on July 4, 2014
6 Hydro submitted that the amount submitted is reasonable, with the exception that Hydro should
7 not be ordered to pay amounts attributable to HST; and
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9 **WHEREAS** on July 17, 2014 the Industrial Customers Group confirmed that the amount
10 ordered as costs should not include amounts attributable to HST; and
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12 **WHEREAS** the Board has reviewed the bill of costs submitted by the Industrial Customers
13 Group and is satisfied that the Industrial Customers Group's costs should be fixed in the amount
14 of \$37,450.95 (exclusive of HST).
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17 **IT IS THEREFORE ORDERED THAT:**
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- 19 1. The costs of the Industrial Customers Group are fixed at \$37,450.95, exclusive of HST.
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21 2. Hydro shall, within thirty days, pay costs to the Industrial Customers Group in the
22 amount of \$37,450.95.

DATED at St. John's, Newfoundland and Labrador this 31st day of July 2014.

Andy Wells
Chair & Chief Executive Officer

Dwanda Newman, LL.B.
Commissioner

Cheryl Blundon
Board Secretary