

P.U. 10 (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 the *Ex Parte* application by Newfoundland and Labrador Hydro (“the Applicant”) for the approval, pursuant to Section 71 of the *Act*, of certain amendments to the Rules and Regulations pertaining to several classes of the Applicant’s Rural Customers.

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 on June 7, 2002 the Board of Commissioners of Public Utilities (the “Board”) issued Order No. P.U. 7 (2002-2003) arising out of the General Rate Application by the Applicant; and

WHEREAS pursuant to Order Nos. P. U. 7 (2002-2003) and P. U. 16 (2002-2003), and to further direction from the Board, the Applicant filed with the Board on August 16, 2002, *inter alia*, a revised proposed Schedule of Rates and revised proposed Rules and Regulations for its Rural Customers; and

WHEREAS the said Schedule of Rates and the Rules and Regulations for its Rural Customers filed by the Applicant were approved by the Board in Order No. P.U. 21 (2002-2003); and

WHEREAS the Applicant has since determined that the Schedule of Rates and the Rules and Regulations that were approved by the Board by Order No. P.U. 21 (2002-2003) contain errors and elements of inconsistency with Order No. P.U. 7 (2002-2003), which errors and elements of inconsistency were present in the Applicant's August 16, 2002 filing; and

WHEREAS the Applicant has applied to make the appropriate corrections and revisions and has filed with the Board its proposed corrected and revised Schedule of Rates and the Rules and Regulations; and

WHEREAS except for one customer which has consented to a refund due to being charged an incorrect rate for that customer, there are no customers that would be affected by any changes being made to the Schedules of Rates and to the Rules and Regulations; and

WHEREAS the Board has reviewed the Applicant's filing and the information contained therein and is satisfied that the Order sought is reasonable and necessary.

IT IS THEREFORE ORDERED THAT:

1. The following amendments to the provisions of Schedule A (the Schedule of Rates) and of Schedule B (the Rules and Regulations) to Order No. P.U. 21 (2002-2003) are hereby approved and are incorporated in the revised portions of Schedule A and Schedule B which are attached to this Order:

(a) The definition of “Government Departments and Agencies” is deleted and replaced by the following definition of “Government Departments”, which amendment would occur at subparagraph 1(a)(xii) of Schedule B:

“Government Departments” means electric service accounts of Provincial or Federal government departments, agencies, boards, commissions, and crown corporations but excludes hospitals, fish plants, churches, schools, community halls, municipal buildings and like facilities.”

(b) The references to “Government Departments and Agencies” shall be substituted by the reference to “Government Departments” which substitutions would occur in the following provisions of Schedule A:

- (i) In the “Availability” section of page 11 of 30 (Rate No. 4.1D);
- (ii) In the title and the “Availability” sections of page 12 of 30 (Rate No. 1.2G);
- (iii) In the title and the “Availability” sections of page 13 of 30 (Rate No. 2.5G);
- and
- (iv) In the title and the “Availability” sections of page 14 of 30 (Rate No. 4.1G)

- (c) Amending the list of rate classes for the Happy Valley-Goose Bay area, found at page 2 of 15, subsection 2(a) of Schedule B by:
- (i) renumbering class 3.1H Secondary Energy as class 5.1H;
 - (ii) inserting the rate class of 3.1H Electric Heating General Service; and
 - (iii) deleting the words “and Agencies” in the descriptors for Rate Classes 1.2G, 2.5G and 4.1G.
- (d) (i) Amending Schedule A by adding the previously existing \$1.15 per fixture per month rate for streetlights in Labrador City where those streetlights are not owned by the Applicant, which rate class shall be Rate No. 4.12W found at a new page 30A of 30; and
- (ii) Amending Schedule B by adding a reference to this rate class 4.12W on page 3 of 15 of Schedule B;
- (e) (i) Amending Schedule A on page 29 of 30, for rate 4.1W by substituting for the reference date for the installation or replacement of high pressure sodium streetlights of “after December 31, 2001”, the reference date of “on or after September 1, 2002”;
- (ii) Amending Schedule A on page 30 of 30, for rate 4.11W by substituting for the reference date “as of December 31, 2001”, the reference date of “as of September 1, 2002”; and
- (iii) Amending Schedule B, on page 3 of 15, paragraph 2(a), by substituting for the date reference for Rate 4.11W, the words “Installed as of Sep 1, 2002” in the place of the words “Installed as of Dec 31, 2001”.

2. For those customer owned streetlights in Labrador which have been the subject of payments by the customer under rate 4.11W, the Applicant shall refund to that customer the difference between the amount it paid under rate 4.11W and the amounts payable under rate 4.12W.
3. The Applicant shall pay the Board's expenses arising from this Application.

Dated at St. John's, Newfoundland and Labrador, this 17th day of April 2003.

Robert Noseworthy,
Chair and Chief Executive Officer.

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

G. Cheryl Blundon,
Board Secretary.