

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

AN ORDER OF THE BOARD

NO. P.U. 30(2012)

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*”) and regulations thereunder;

5
6 **AND**

7
8 **IN THE MATTER OF** an application by
9 Newfoundland Power Inc. for approval to
10 proceed with the construction and purchase
11 of certain improvements and additions to
12 its property pursuant to Section 41 of the *Act*.

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14
15 **WHEREAS** Newfoundland Power Inc. (“Newfoundland Power”) is a corporation duly
16 organized and existing under the laws of the Province of Newfoundland and Labrador, is a public
17 utility within the meaning of the *Act*, and is also subject to the provisions of the *EPCA*; and

18
19 **WHEREAS** subsection 41(3) of the *Act* states that a public utility shall not proceed with the
20 construction, purchase or lease of improvements or additions to its property where:

- 21
22 (a) the cost of construction or purchase is in excess of \$50,000; or
23 (b) the cost of the lease is in excess of \$5,000 in a year of the lease

24
25 without the prior approval of the Board; and

26
27 **WHEREAS** in Order No. P. U. 26(2011) the Board approved, *inter alia*, Newfoundland Power’s
28 2012 Capital Budget of \$77,293,000; and

29
30 **WHEREAS** in Order No. P.U. 28(2012) the Board approved:

- 31
32 (i) an increase in Newfoundland Power’s 2012 Capital Budget of \$250,000
33 associated with the completion of building renovations in 2012; and
34 (ii) a supplementary capital expenditure of \$170,000 for the purchase of a light day
35 Versalift aerial device; and

1 **WHEREAS** on October 2, 2012 the Board received an application (the “Application”) from
2 Newfoundland Power for approval of a supplementary capital expenditure of \$125,000 to replace
3 the damaged underground municipal water supply pipeline (the “Water Supply Line”); and
4

5 **WHEREAS** Newfoundland Power’s Kenmount Road Building (the “Building”) houses its
6 corporate offices and is the workplace of approximately 170 workers; and
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8 **WHEREAS** on September 19, 2012 water was found to be percolating from the ground in the
9 vicinity of the Building’s Water Supply Line and, upon investigation, it was determined that the
10 Water Supply Line had been damaged beyond repair; and
11

12 **WHEREAS** replacement of the damaged Water Supply Line as proposed in the Application is
13 necessary to restore a permanent water supply to the Building to provide for safe and healthy
14 workplace for the employees of Newfoundland Power working in the Building, and
15

16 **WHEREAS** Newfoundland Power requested that the Board consider the Application on an
17 expedited basis; and
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19 **WHEREAS** Newfoundland Power made direct contact with Newfoundland and Labrador Hydro
20 and the Consumer Advocate requesting their consent to the Board considering the Application on
21 an expedited basis; and
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23 **WHEREAS** on October 2, 2012 both Newfoundland and Labrador Hydro and the Consumer
24 Advocate advised that they had received the Application and that they had no objection to it; and
25

26 **WHEREAS** the Board is satisfied the supplementary capital expenditure for the replacement of
27 the Water Supply Line is necessary to allow Newfoundland Power to provide service and
28 facilities which are reasonably safe and adequate and just and reasonable and should be
29 approved.

1 **IT IS THEREFORE ORDERED THAT:**

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3 1. The proposed capital expenditure of \$125,000 to replace the damaged underground
4 municipal supply pipeline at Newfoundland Power's Kenmount Road Building is approved.

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6 2. Newfoundland Power shall pay all expenses of the Board arising from this Application.

DATED at St. John's, Newfoundland and Labrador, this 4th day of October, 2012.

Darlene Whalen, P.Eng.
Vice-Chair

Dwanda Newman, LL.B.
Commissioner

Cheryl Blundon
Board Secretary