

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

**AN ORDER OF THE BOARD**

**NO. P.U. 5(2017)**

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  
6

7 **IN THE MATTER OF** an application by  
8 Newfoundland and Labrador Hydro for approval  
9 to construct a distribution feeder at the Bottom  
10 Waters Terminal Station pursuant to  
11 section 41 of the *Act*.  
12  
13

14 **WHEREAS** Newfoundland and Labrador Hydro (“Hydro”) is a corporation continued and  
15 existing under the *Hydro Corporation Act, 2007*, is a public utility within the meaning of the  
16 *Act*, and is also subject to the provisions of the *EPCA*; and  
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18 **WHEREAS** subsection 41(3) of the *Act* requires that a public utility not proceed with the  
19 construction, purchase or lease of improvements or additions to its property where:  
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- 21 a) the cost of construction or purchase is in excess of \$50,000; or
- 22 b) the cost of the lease is in excess of \$5,000 in a year of the lease,

23  
24 without prior approval of the Board; and  
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26 **WHEREAS** in Order No. P.U. 45(2016) the Board approved Hydro's 2017 Capital Budget in  
27 the amount of \$271,265,600; and  
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29 **WHEREAS** on January 24, 2017 Hydro applied to the Board for approval of a capital  
30 expenditure in the amount of \$3,045,000 to construct a distribution feeder at the Bottom  
31 Waters Terminal Station (the “Application”); and  
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33 **WHEREAS** the Application explains that Hydro received two service requests which will add  
34 2 MW of load to the Bottom Waters distribution system and that system analysis indicates that  
35 the current distribution system is unable to support the proposed additional load as voltage  
36 conditions would violate Hydro’s distribution planning criteria; and  
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38 **WHEREAS** the Application explains that Hydro recommends the construction of a new  
39 distribution feeder which will allow for the proposed load to be connected to the system

1 without causing any equipment damaging voltage conditions and keeping the distribution  
2 system within Hydro's distribution planning criteria; and  
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4 **WHEREAS** the Application states that the construction of a distribution feeder at the Bottom  
5 Waters Terminal Station is required to ensure that Hydro can continue to provide service which  
6 is safe and adequate and just and reasonable; and  
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8 **WHEREAS** the Application was copied to: Newfoundland Power Inc.; the Consumer  
9 Advocate, Dennis Browne, Q.C.; a group of Island Industrial customers: Corner Brook Pulp  
10 and Paper Limited and NARL Refining Limited Partnership; Vale Newfoundland and Labrador  
11 Limited; Praxair Canada Inc.; and Teck Resources Limited; and  
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13 **WHEREAS** Newfoundland Power and the Consumer Advocate filed Requests for Information  
14 which were answered by Hydro on February 10, 2017; and  
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16 **WHEREAS** the Board received no comments on the Application; and  
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18 **WHEREAS** Hydro filed a reply submission on February 16, 2017 noting that there were no  
19 comments filed by the parties and submitting that the capital works are necessary to provide  
20 service which is safe and adequate and just and reasonable; and  
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22 **WHEREAS** the Board is satisfied that the proposed capital expenditure to construct a  
23 distribution feeder at the Bottom Waters Terminal Station is necessary to allow Hydro to  
24 provide service and facilities which are reasonably safe and adequate and just and reasonable.  
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27 **IT IS THEREFORE ORDERED THAT:**  
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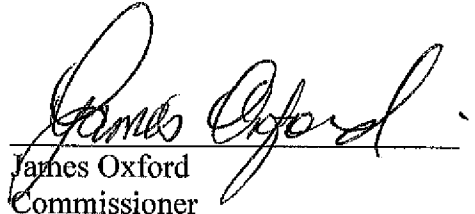
- 29 1. The proposed capital expenditure in the amount of \$3,045,000 to construct a distribution  
30 feeder at the Bottom Waters Terminal Station is approved.  
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32 2. Hydro shall pay all expenses of the Board arising from this Application.

**DATED** at St. John's, Newfoundland and Labrador, this 24<sup>th</sup> day of February, 2017.




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Darlene Whalen, P.Eng.  
Vice-Chair



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James Oxford  
Commissioner



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Cheryl Blundon  
Board Secretary