

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

AN ORDER OF THE BOARD

NO. P.U. 14(2024)

1 **IN THE MATTER OF** the **Electrical Power**
2 **Control Act, 1994**, SNL 1994, Chapter E-5.1
3 (the “**EPCA**”) and the **Public Utilities Act**, RSNL
4 1990, Chapter P-47 (the “**Act**”), as amended,
5 and regulations thereunder; and
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7 **IN THE MATTER OF** an application by
8 Newfoundland and Labrador Hydro for an
9 exemption to Regulation 17 of its rules and
10 regulations for various customers.
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13 **WHEREAS** Newfoundland and Labrador Hydro (“Hydro”) is a corporation continued and existing
14 under the **Hydro Corporation Act, 2007**, is a public utility within the meaning of the **Act**, and is
15 also subject to the provisions of the **EPCA**; and
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17 **WHEREAS** in Order No. P.U. 36(2018) the Board approved a revision to Hydro’s rules and
18 regulations to permit a restriction on load additions in excess of 100 kW in Labrador East for the
19 2018-2019 winter season and in Order No. P.U. 34(2019) the Board increased the restriction
20 threshold to 200 kW, extended the restriction geographically to include Labrador West, and
21 ordered that the restriction remain in place until further order of the Board; and
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23 **WHEREAS** Regulation 17 of Hydro’s rules and regulations sets out the approved restriction on
24 load in Labrador East and West and permits Hydro to apply for a variance or exemption to this
25 restriction where there are special circumstances surrounding an application for service; and
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27 **WHEREAS** in Order No. P.U. 7(2021) the Board approved the Network Additions Policy for the
28 Labrador Interconnected System, which is intended to limit rate increases that can result from
29 investments necessary to serve new load requests, but also to share the benefits of new
30 transmission investments amongst new and existing customers; and
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32 **WHEREAS** restrictions pursuant to Regulation 17 remain in place while the system expansion
33 needs are determined; and

1 **WHEREAS** on April 19, 2024 Hydro filed an application for an exemption to Regulation 17 for
2 various customers in Labrador East (the “Application”); and

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4 **WHEREAS** the Application stated that Hydro has active requests for service within the Labrador
5 East System from the following five customers (the “Customers”):

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7 (i) Department of National Defense, 5 Wing Goose Bay, estimated peak demand of
8 20 MW;
- 9 (ii) College of the North Atlantic, North West River Campus, estimated peak demand
10 of 700 kW;
- 11 (iii) College of the North Atlantic, Happy Valley-Goose Bay Campus, estimated peak
12 demand of 771 kW (an increase of approximately 431 kW from its current
13 estimated peak demand);
- 14 (iv) Spruce Meadow Farm, estimated peak demand of 190 kW;
- 15 (v) Innu Nation for a Cultural Centre and Museum, estimated connected load of 516
16 kW;

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18 for a total estimated additional peak demand of approximately 22 MW; and

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20 **WHEREAS** the Application stated that the transmission capacity of Labrador East has increased
21 from 76 MW to 104 MW due to the Muskrat Falls to Happy Valley Interconnection Project and
22 the commissioning of Transformer 5 in the Happy Valley Terminal Station; and

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24 **WHEREAS** the Application stated that with the increased transmission capacity in Labrador East,
25 it is reasonable to allow for some additional community infrastructure and business growth in
26 the region to serve these requests for service; and

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28 **WHEREAS** the Application stated that Hydro is not asking for the restriction to be lifted entirely
29 as it is important for Hydro to monitor and manage the load growth in the region and to continue
30 to ensure the system is not overwhelmed to the point that delivery of reliable service is impacted;
31 and

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33 **WHEREAS** Hydro states that it will apply to the Board for any necessary approval of contributions
34 necessary under the Network Additions Policy; and

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36 **WHEREAS** the Application was copied to: Newfoundland Power Inc. (“Newfoundland Power”);
37 the Consumer Advocate, Dennis Browne, KC; a group of Island Industrial customers: Corner Brook
38 Pulp and Paper Limited, Braya Renewable Fuels, and Vale Newfoundland & Labrador Limited;
39 Iron Ore Company of Canada; and the communities of Sheshatshiu, Happy Valley-Goose Bay,
40 Wabush, and Labrador City (the “Labrador Interconnected Group”); and

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42 **WHEREAS** the Board and the Labrador Interconnected Group issued Requests for Information
43 which were answered by Hydro on May 14, 2024; and

1 **WHEREAS** on May 22, 2024 Newfoundland Power advised that it had no comments regarding the
2 Application; and

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4 **WHEREAS** on May 23, 2024 the Labrador Interconnected Group advised that it supports the
5 Application; and

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7 **WHEREAS** on May 27, 2024 Hydro filed a reply requesting the Board approve the Application as
8 submitted; and

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10 **WHEREAS** no other comments were received by the Board; and

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12 **WHEREAS** the Board is satisfied that an exemption to Regulation 17 to provide service to the
13 Customers as requested is warranted and should be approved.

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16 **IT IS THEREFORE ORDERED THAT:**

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18 1. An exemption to Regulation 17 to provide service as requested by:

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20 (i) Department of National Defense;

21 (ii) College of the North Atlantic, North West River Campus;

22 (iii) College of the North Atlantic, Happy Valley-Goose Bay Campus;

23 (iv) Spruce Meadow Farm; and

24 (v) Innu Nation for a Cultural Centre and Museum

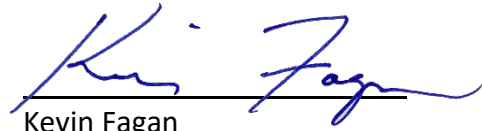
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26 is approved.

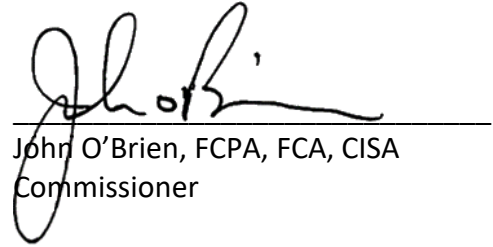
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28 2. Hydro shall pay all expenses of the Board arising from this Application.

DATED at St. John's, Newfoundland and Labrador, this 3rd day of June 2024.



Kevin Fagan
Chair and Chief Executive Officer



John O'Brien, FCPA, FCA, CISA
Commissioner



Jo-Anne Galarneau
Executive Director and Board Secretary