

August 27, 2018

Board of Commissioners of Public Utilities
Prince Charles Building
120 Torbay Road, P.O. Box 21040
St. John's, NL A1A 5B2

Attention: Ms. Cheryl Blundon
Director of Corporate Services & Board Secretary

Dear Ms. Blundon:

Re: An Application by Newfoundland and Labrador Hydro for Approval of Capital Expenditures to Upgrade the Happy Valley-Goose Bay Distribution System – Labrador Interconnected Group Requests for Information

On August 3, 2018, Newfoundland and Labrador Hydro (Hydro) filed an application for approval of capital expenditures to upgrade the Happy Valley-Goose Bay distribution system (the Application). On August 24, 2019, Hydro received requests for information (RFIs) from the Iron Ore Company of Canada and the Labrador Interconnected Group (LAB).

With the exception of LAB-NLH-003, each of LAB-NLH-001 to LAB-NLH-009 specifically request information regarding cryptocurrency/blockchain customers which is not relevant or useful in this proceeding.

The purpose of the Application is to minimize the impact of potential supply deficits that may occur if demand exceeds available generation and/or transmission capacity by establishing priority areas that will continue to receive power when other feeders are either rotated or switched off due to lack of supply. Specific details regarding cryptocurrency/blockchain customers and calculations based on hypothetical situations involving the curtailment of those customers have no relevance to the current proceeding. Hydro has stated on the record multiple times to date that it currently does not have the legislative authority to curtail cryptocurrency/blockchain customers or treat them differently than any of its other General Service customers.

In Order P.U. 15 (2014), the Board in that proceeding stated:

"To ensure an efficient and effective proceeding all parties must respect the parameters and scope of the issues which have been established and must restrict the evidence in submissions filed to matters which may be of assistance to the Board in determining these issues. The investigation and hearing cannot be allowed to be complicated by issues and evidence which are not relevant and helpful to the Board in its determination. To that end the Board will be diligent in ensuring that only matters that are relevant are raised and will exercise its discretion, either on its own or in response to motion from a party, to strike out any matters which are irrelevant or may tend to prejudice, embarrass or delay the proceeding upon its merits."

Hydro submits that the LAB RFIs noted above are beyond the parameters and scope of the issues relevant to the Application, and the requirement to provide responses to those RFIs will act to complicate and unduly delay the proceeding and would not be relevant or helpful to the Board in making its final determinations. Hydro requests that the Board so determine.

Yours truly,

Newfoundland & Labrador Hydro



Michael S. Ladha
Legal Counsel & Assistant Corporate Secretary
MSL/kd

cc: Gerard Hayes – Newfoundland Power
Paul Coxworthy – Stewart McKelvey
ecc: Larry Bartlett – Teck Resources Ltd.
Denis J. Fleming – Cox & Palmer
Van Alexopoulos – Iron Ore Company
Senwung Luk – Labrador Interconnected Group

Dennis Browne, Q.C. – Browne, Fitzgerald, Morgan & Avis

Sheryl Nisenbaum – Praxair Canada
Dean Porter – Poole Althouse
Benoît Pepin – Rio Tinto