

WHENEVER. WHEREVER.
We'll be there.



January 13, 2021

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

Attention: G. Cheryl Blundon
Director of Corporate Services
and Board Secretary

Dear Ms. Blundon:

Re: Newfoundland Power Inc. - 2021 Capital Budget Application - Customer Service System Replacement Project - Consumer Advocate Request for Board to Reconsider - Request for Comments

Newfoundland Power's *2021 Capital Budget Application*, filed on July 9, 2020, proposed a multi-year project to replace the Company's Customer Service System (the "Project"). At year-end 2020, interrogation of the Project included 82 Requests for Information ("RFIs") and a technical conference held on November 10, 2020.

On December 16, 2020, the Consumer Advocate requested a public hearing be held on the Project. On January 6, 2021, the Board indicated that it was satisfied that a written review process allows a full opportunity to gather information and challenge the Project. In providing its decision, the Board allowed the filing of additional RFIs to provide the opportunity for a full exchange of information on the Project.

On January 11, 2021, the Consumer Advocate requested the Board reconsider its decision to allow additional RFIs on the Project. The basis of the Consumer Advocate's request is that the new round of RFIs is not contemplated under the current *Capital Budget Application Guidelines*.

In Newfoundland Power's view, the Board's decision to allow additional RFIs is consistent with its authority under the *Public Utilities Act* (the "Act"). Section 16 of the Act establishes that the Board is responsible for the general supervision of public utilities and has the right to obtain from a public utility all information necessary to enable the Board to fulfil its duties. Section 22 of the *Board of Commissioners of Public Utilities Regulations, 1996* (the "Regulations") establishes that, when the Board does not proceed by way of a public hearing, it may dispose of a matter on the basis of written documentation and require further information to be furnished.

The Board posed additional RFIs to Newfoundland Power in relation to the Project on January 7, 2021. Section 15 of the Regulations requires the Company to provide full and adequate responses to all RFIs. Newfoundland Power has engaged Ernst and Young LLP to ensure full and adequate responses are provided to the Board.

Board of Commissioners
of Public Utilities
January 13, 2021
Page 2 of 2

Should intervenors choose to file additional RFIs, the Board has established that these requests should be filed by January 15, 2021. The Board indicated that it established this deadline to “ensure this matter proceeds expeditiously.” In Newfoundland Power’s view, the Board should maintain this deadline.

If you have any questions on the foregoing, please contact the undersigned at your convenience.

Yours truly,



Kelly Hopkins
Corporate Counsel

c. Shirley Walsh
Newfoundland and Labrador Hydro

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

Newfoundland Power Inc.

55 Kenmount Road • P.O. Box 8910 • St. John’s, NL A1B 3P6
PHONE (709) 737-5364 • FAX (709) 737-2974 • khopkins@newfoundlandpower.com