

November 7, 2014

Paul L. Coxworthy  
Direct Dial: 709.570.8830  
[pcoxworthy@stewartmckelvey.com](mailto:pcoxworthy@stewartmckelvey.com)

**Via Electronic Mail & Courier**

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

**Attention: Ms. G. Cheryl Blundon  
Board Secretary**

Dear Ms. Blundon:

**Re: Application of Newfoundland and Labrador Hydro for Approval of Agreement with  
Corner Brook Pulp and Paper for Capacity Assistance**

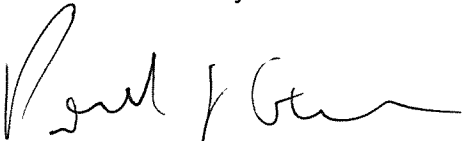
Please find enclosed the original and twelve (12) copies of the Intervenor's Submission of the Island Industrial Customers Group in respect of the above Application.

While the enclosed Submission is in our usual form, we would advise that we do not anticipate seeking the opportunity to file any Requests for Information, but do wish to be kept informed of any other parties' filings in relation to this Application and to be in the position to comment if any issue does arise on which the Island Industrial Customer Group may wish to comment.

We trust you will find the above and enclosed to be in order.

Yours truly,

Stewart McKelvey



Paul L. Coxworthy

PLC/kmcd

Enclosure

c: Mr. Geoffrey P. Young, Senior Legal Counsel, Newfoundland and Labrador Hydro  
Mr. Thomas J. Johnson, Consumer Advocate  
Mr. Gerard Hayes, Newfoundland Power  
Mr. Dean A. Porter, Poole Althouse  
Mr. Thomas J. O'Reilly Q.C., Cox & Palmer  
Ms. Sheryl Nisenbaum, Praxair Canada Inc.  
Mr. Danny Dumaresque  
Ms. Roberta Frampton Benefiel, Grand Riverkeeper Labrador Inc.

**IN THE MATTER OF** the *Electrical Power Control Act*, R.S.N.L. 1994, Chapter E-5.1 (the “EPCA”) and the *Public Utilities Act*, R.S.N.L. 1990, Chapter P-47 (the “Act”) and regulations thereunder;

**AND IN THE MATTER OF** an Application by Newfoundland and Labrador Hydro, for the approval, pursuant to Sections 70(1), 71 and 80 of the *Act*, of the Capacity Assistance Agreement between Newfoundland and Labrador Hydro and Corner Brook Pulp and Paper.

To: The Board of Commissioners of Public Utilities

**INTERVENORS’ SUBMISSION OF THE ISLAND INDUSTRIAL CUSTOMERS GROUP**

**TAKE NOTICE** that **Corner Brook Pulp and Paper Limited, North Atlantic Refining Limited, and Teck Resources Limited (the “Island Industrial Customers Group”)**, through their solicitors Stewart McKelvey and Poole Althouse, hereby give notice of their intention to participate in the within Application, in their respective positions as Island Industrial Customers of the Applicant Newfoundland and Labrador Hydro (the “Applicant”) which are affected by the rates charged by the Applicant.

**Interest of the Island Industrial Customers Group**

1. Each of the members of Island Industrial Customers Group presently own and operate on the Island of Newfoundland substantial industrial operations, each of which is a major consumer of power purchased from the Applicant.

**Disposition Sought by the Island Industrial Customers Group**

2. Given the recent filing of the Application, and the various matters raised by the Application and to be addressed by Requests for Information and by other pre-hearing

and hearing processes, the Island Industrial Customers Group does not yet have sufficient information, and have not yet had sufficient opportunity, to formulate particular dispositions with respect to the various approvals sought by the Applicant.

**Facts and Reasons Supporting Intervention**

3. The Island Industrial Customers Group repeat the foregoing paragraph and state that there has not yet been sufficient opportunity for the Island Industrial Customers Group to submit what facts they intend to show in evidence or for what reasons the Board should dispose of the various approvals sought by the Application in a particular manner.

**Participation of the Island Industrial Customers Group**

4. The Island Industrial Customers Group intends to participate in the various procedures associated with the Application including without limitation:
  - (a) directing Requests for Information and other information requests to the Applicant as may be permitted by the Board;
  - (b) participating in technical conferences, pre-hearing conferences, and other processes associated with the Application;
  - (c) cross-examination of witnesses appearing on behalf of the Applicant or of any other participant in any hearing on the Application, as may be appropriate in the circumstances of any hearing on the Application that may be ordered by the Board;

- (d) calling witnesses, including expert witnesses, as may be appropriate in the circumstances of any hearing on the Application that may be ordered by the Board;
- (e) making representations and submissions, through counsel, to the Board concerning the disposition of the Application, including for the award of costs to the Island Industrial Customers Group in respect of their intervention and participation in the Application.

Documents relating to this hearing can be served on the Island Industrial Customers Group in care of:

Mr. Paul L. Coxworthy  
Stewart McKelvey  
Suite 1100, Cabot Place  
100 New Gower Street  
P.O. Box 5038  
St. John's, NL A1C 5V3

Telephone: (709) 722-4270  
Telecopier: (709) 722-4565

E-mail: [pcoxworthy@stewartmckelvey.com](mailto:pcoxworthy@stewartmckelvey.com)

**AND**

Mr. Dean A. Porter  
Poole Althouse  
Western Trust Building  
49-51 Park Street  
P.O. Box 812  
Comer Brook, NL A2H 2X1

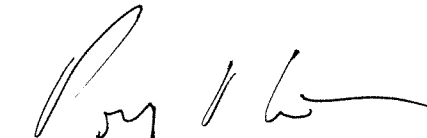
Telephone: (709) 637-6425  
Telecopier: (709) 634-8247

E-mail: [dporter@pa-law.ca](mailto:dporter@pa-law.ca)

**DATED** at St. John's, Newfoundland and Labrador, this 7<sup>th</sup> day of November, 2014.

**POOLE ALTHOUSE**

Per:




Dean A. Porter



**STEWART MCKELVEY**

Per:



Paul L. Coxworthy

TO: The Board of Commissioners of Public Utilities  
Suite E210, Prince Charles Building  
120 Torbay Road  
P.O. Box 21040  
St. John's, NL A1A 5B2  
Attention: Board Secretary

TO: Newfoundland & Labrador Hydro  
P.O. Box 12400  
500 Columbus Drive  
St. John's, NL A1B 4K7  
Attention: Mr. Geoffrey P. Young  
Senior Legal Counsel

TO: Thomas Johnson, Q.C.  
Consumer Advocate  
O'Dea, Earle Law Offices  
323 Duckworth Street  
St. John's, NL A1C 5X4

TO: Newfoundland Power Inc.  
P.O. Box 8910  
55 Kenmount Road  
St. John's, NL A1B 3P6  
Attention: Mr. Gerard Hayes  
Senior Counsel

TO: Mr. Thomas J. O'Reilly Q.C.  
Vale Newfoundland and Labrador Limited  
Cox & Palmer  
Scotia Centre, Suite 1000  
235 Water Street  
St. John's, NL A1C 1B6