

1 **Q. Please provide the legislative authority under the Public Utilities Act which would**
2 **allow the production, operation and maintenance of electric chargers for the benefit**
3 **of electric vehicle owners to be charged to all the ratepayers of the province.**
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5 A. *This Request for Information relates to the Electrification, Conservation and Demand*
6 *Management Plan: 2021-2025 (the “2021 Plan”) developed in partnership by*
7 *Newfoundland Power Inc. (“Newfoundland Power”) and Newfoundland and Labrador*
8 *Hydro (“Hydro”) (collectively, the “Utilities”) and the related Technical Conference*
9 *presented by the Utilities on February 1, 2022. Accordingly, the response reflects*
10 *collaboration between the Utilities.*

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12 The Board considered its legislative authority to approve the Electric Vehicle (“EV”)
13 Charging Network and allow the associated costs to be recovered from ratepayers in
14 Order No. P.U. 30 (2021). In its Reasons for Decision in issuing this order, the Board
15 considered both the *Public Utilities Act* (the “Act”) and the *Electrical Power Control Act,*
16 *1994* (the “EPCA”). The Board stated:

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18 *“The authority of the Board with respect to the approval and recovery of capital*
19 *expenditures and expenses associated with the EV charging stations is set out in*
20 *sections 41, 78, and 80 of the Act. In addition section 118 provides that the Act is*
21 *to be construed liberally. These provisions in combination with sections 3 and 4*
22 *of the EPCA provide for the approval of and recovery from customers of capital*
23 *expenditures and other expenses which are consistent with the provision of least-*
24 *cost reliable service. Reading the legislation in its entire context in the*
25 *grammatical and ordinary sense, harmoniously with the scheme and intention of*
26 *the legislature, the Board is satisfied that it has the authority to approve capital*
27 *expenditures for EV charging stations and to allow for the recovery of the costs*
28 *from customers if the expenditures are shown to be consistent with the provision*
29 *of least-cost reliable service.”¹*

¹ See Order No. P.U. 30 (2021), pages 10-11.