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July 18, 2023

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

Attention: Cheryl Blundon  
Director of Corporate Services and Board Secretary

**Re: Newfoundland Power Inc.'s 2024 Capital Budget Application – Intervenor Submission**

Please find attached Newfoundland and Labrador Hydro's Intervenor Submission in relation to Newfoundland Power Inc.'s "2024 Capital Budget Application."<sup>1</sup>

Yours truly,

**NEWFOUNDLAND AND LABRADOR HYDRO**

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Shirley A. Walsh  
Senior Legal Counsel, Regulatory  
SAW/sk

Encl.

ecc:

**Board of Commissioners of Public Utilities**  
Jacqui H. Glynn  
Maureen Greene, KC  
PUB Official Email

**Consumer Advocate**  
Dennis M. Browne, KC, Browne Fitzgerald Morgan & Avis  
Stephen F. Fitzgerald, Browne Fitzgerald Morgan & Avis  
Sarah G. Fitzgerald, Browne Fitzgerald Morgan & Avis  
Bernice Bailey, Browne Fitzgerald Morgan & Avis

**Newfoundland Power Inc.**  
Dominic J. Foley  
Lindsay S.A. Hollett  
Regulatory Email

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<sup>1</sup> "2024 Capital Budget Application," Newfoundland Power Inc., June 22, 2023.

**IN THE MATTER OF** the *Public Utilities Act* (the “Act”); and

**IN THE MATTER OF** an application by Newfoundland Power Inc. for an order pursuant to sections 41 and 78 of the Act:

- (a) approving its 2024 Capital Budget; and
- (b) fixing and determining its 2022 rate base.

**To: The Board of Commissioners of Public Utilities (“Board”)**

**INTERVENOR SUBMISSION OF NEWFOUNDLAND AND LABRADOR HYDRO (“HYDRO”):**

**A. Background**

1. Hydro, a corporation continued and existing under the *Hydro Corporation Act, 2007*,<sup>1</sup> is a public utility within the meaning of the *Act*,<sup>2</sup> and is subject to the provisions of the *Electrical Power Control Act, 1994* (“EPCA”).<sup>3</sup>

**B. Hydro’s Interest in the Matter**

2. Newfoundland Power Inc. (“Newfoundland Power”) is Hydro's largest customer. The energy that Newfoundland Power purchases from Hydro constitutes approximately 85% of the energy that is generated or purchased and transmitted by Hydro for consumption within the province of Newfoundland and Labrador.
3. All of Hydro's Rural customers served from the Island Interconnected System as well as its customers in the Labrador Straits area pay the same rates as the Board approves for Newfoundland Power's customers. Additionally, Hydro's Non-Government customers served from its isolated diesel systems are also charged the same rates for their "lifeline" consumption as those charged by Newfoundland Power.

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<sup>1</sup> *Hydro Corporation Act, 2007*, SNL 2007, c H-17.

<sup>2</sup> *Public Utilities Act*, RSNL 1990, c P-47.

<sup>3</sup> *Electrical Power Control Act, 1994*, SNL 1994, c E-5.1.

4. Hydro is a customer of Newfoundland Power at several of its locations throughout the island portion of the province, including Hydro's head office in St. John's.
5. It is reasonable to expect that regulatory decisions and principles that are developed and applied to Newfoundland Power will be applicable to Hydro.
6. For all of the aforementioned reasons, Hydro submits that it has an interest in the capital budget and rate base application filed by Newfoundland Power to ensure that the capital budget and rate base are just and reasonable and in accordance with the principles set out in the *Act*.

**C. Disposition Advocated by Hydro**

7. As of the date of this submission, Hydro is in the process of reviewing and analyzing the application. As such, Hydro has not had an opportunity to determine the disposition of the application that it may advocate.
8. Additionally, as Hydro's review is ongoing, Hydro has not had an opportunity to make decisions as to whether it will be providing evidence or as to which arguments it may make in support of any position it may advocate before the Board.

**D. Hydro's Participation in the Hearing**

9. Hydro is requesting intervenor status for the purpose of obtaining all information filed in the proceeding. Hydro's intervention may include, but not be limited to, any or all of the following activities:
  - a) Participating in presentations and/or technical conferences;
  - b) Directing requests for information to Newfoundland Power and other parties as may be permitted by the Board;
  - c) Cross-examining witnesses who testify in this matter; and
  - d) Making legal arguments and other representations to the Board.

**E. Communications**

**DATED** at St. John's in the province of Newfoundland and Labrador on this 18th day of July 2023.

**NEWFOUNDLAND AND LABRADOR HYDRO**



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