

**NEWFOUNDLAND AND LABRADOR
BOARD OF COMMISSIONERS OF PUBLIC UTILITIES**

AN ORDER OF THE BOARD

NO. P.U. 35(2012)

1 **IN THE MATTER OF** the *Electrical Power*
2 *Control Act, 1994*, SNL 1994, Chapter E-5.1 (the
3 “*EPCA*”) and the *Public Utilities Act*, RSNL 1990,
4 Chapter P-47 (the “*Act*”) and regulations thereunder;

5
6 **AND**

7
8 **IN THE MATTER OF** an application by
9 Newfoundland and Labrador Hydro for approval
10 to proceed with the construction and purchase of certain
11 improvements to the roof at Hydro Place pursuant to
12 Section 41 of the *Act*.

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14
15 **WHEREAS** Newfoundland and Labrador Hydro (“Hydro”) is a corporation continued and
16 existing under the *Hydro Corporation Act*, is a public utility within the meaning of the *Act*, and
17 is subject to the provisions of the *EPCA*; and

18
19 **WHEREAS** subsection 41(3) of the *Act* states that a public utility shall not proceed with the
20 construction, purchase or lease of improvements or additions to its property where:

- 21
22 (a) the cost of construction or purchase is in excess of \$50,000; or
23 (b) the cost of the lease is in excess of \$5,000 in a year of the lease

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25 without the prior approval of the Board; and

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27 **WHEREAS** in Order Nos. P.U. 2(2012) and P.U. 5(2012) the Board approved Hydro’s 2012
28 Capital Budget; and

29
30 **WHEREAS** the Board approved supplementary 2012 capital expenditures in:

- 31
32 (i) Order No. P.U. 24(2012) in the amount of \$492,100 for the refurbishment of the
33 Cat Arm Road;
34 (ii) Order No. P.U. 25(2012) in the amount of \$5,192,600 for the Stephenville Gas
35 Turbine Alternator Rewind and Upgrade;
36 (iii) Order No. P.U. 26(2012) in the amount of \$1,616,500 for the increase in
37 generating capacity at Mary’s Harbour; and

- 1 (iv) Order No P.U. 27(2012) in the amount of \$3,155,000 for the refurbishment of the
2 Cat Arm Dams; and
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4 **WHEREAS** on November 7, 2012 Hydro applied to the Board requesting approval of a
5 supplementary capital expenditure in the amount of \$199,700 to replace the mechanical
6 penthouse section of the Hydro Place roof (the "Application"); and
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8 **WHEREAS** Hydro advises that the Hydro Place roof has reached the end of its useful life, is
9 leaking, and the uppermost section was damaged on September 11, 2012 as a result of tropical
10 storm Leslie; and
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12 **WHEREAS** Hydro advises that the damages to the Hydro Place roof have been remediated on a
13 temporary basis and that it needs to be replaced; and
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15 **WHEREAS** the Board requested comments from interested parties in relation to this Application
16 by November 13, 2012; and
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18 **WHEREAS** Newfoundland Power Inc., the Consumer Advocate and the Industrial Customers
19 advised that they did not have any comments; and
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21 **WHEREAS** the Board is satisfied the supplementary capital expenditure for the replacement of
22 the Hydro Place roof is necessary to allow Hydro to provide service and facilities which are
23 reasonably safe and adequate and just and reasonable and should be approved.
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25

26 **IT IS THEREFORE ORDERED THAT:**
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- 28 1. The proposed capital expenditure of \$199,700 to replace the damaged mechanical penthouse
29 section of the Hydro Place roof is approved.
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31 2. Hydro shall pay all expenses of the Board arising from this Application.

DATED at St. John's, Newfoundland and Labrador, this 15th day of November, 2012.

Darlene Whalen, P.Eng.
Vice-Chair

Dwanda Newman, LL.B.
Commissioner

Cheryl Blundon
Board Secretary