

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

AN ORDER OF THE BOARD

NO. P.U. 12(2014)

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*"), as amended, and regulations
5 thereunder; and
6

7 **IN THE MATTER OF** an application by
8 Newfoundland and Labrador Hydro for approval
9 of the Rate Stabilization Plan rules and components
10 of the rates to be charged to Island Industrial
11 customers pursuant to section 71 of the *Act*; and
12

13 **IN THE MATTER OF** an award of costs to the Island
14 Industrial Customer Group pursuant to Order No. P.U. 29(2013).
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16
17 **WHEREAS** Newfoundland and Labrador Hydro ("Hydro") is a corporation continued and
18 existing under the *Hydro Corporation Act*, is a public utility within the meaning of the *Act*, and
19 is also subject to the provisions of the *EPCA*; and
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21 **WHEREAS** section 90 of the *Act* gives the Board the authority and discretion to award costs in
22 a proceeding before the Board; and
23

24 **WHEREAS** in Order No. P.U. 29(2013) the Board found that the participation of the Island
25 Industrial Customer Group (Corner Brook Pulp and Paper Limited, North Atlantic Refining
26 Limited and Teck Resources Limited) was helpful to the Board in its consideration of the
27 Application and contributed to the Board's understanding of the issues and ordered that the
28 Island Industrial Customer Group be awarded costs in an amount to be fixed by the Board; and
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30 **WHEREAS** on January 23, 2014 the Island Industrial Customer Group submitted a bill of costs
31 in the amount of \$92,586.81 for the Board's consideration; and
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33 **WHEREAS** the Board requested comments from Hydro and on February 26, 2014 Hydro
34 submitted that, while Hydro does not take issue with any particular item within the Island
35 Industrial Customer Group's costs as proposed, it does note that the costs incurred for this matter
36 appear to be such that the Board may consider whether they were reasonable with regard to the
37 matter's complexity and the overall value of this party's intervention to the Board's
38 understanding and consideration of the matter; and

1 **WHEREAS** the matter involved complex and time sensitive issues which required numerous
2 requests for information and written submissions from Hydro and the Intervenors; and
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4 **WHEREAS** the Board has reviewed the bill of costs submitted by the Island Industrial Customer
5 Group and is satisfied that the Island Industrial Customer Group's costs should be fixed in the
6 amount of \$92,856.81.
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9 **IT IS THEREFORE ORDERED THAT:**

- 10
11 1. The costs of the Island Industrial Customer Group are fixed at \$92,586.81.
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13 2. Hydro shall, within thirty days, pay costs to the Island Industrial Customer Group in the
14 amount of \$92,856.81.

DATED at St. John's, Newfoundland and Labrador this 16th day of April 2014.



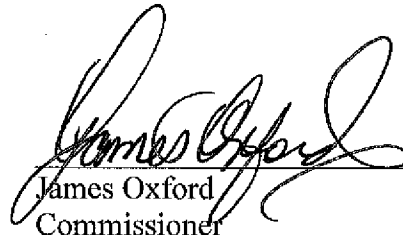
Andy Wells
Chair & Chief Executive Officer



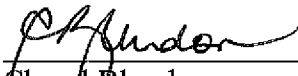
Darlene Whalen, P.Eng.
Vice-Chair



Dwanda Newman, LL.B.
Commissioner



James Oxford
Commissioner



Cheryl Blundon
Board Secretary