

**IN THE MATTER OF** the *Public Utilities Act*, (the "Act"); and

**IN THE MATTER OF** an Application by Newfoundland and Labrador Hydro for an Order approving: (1) its 2006 capital budget pursuant to s. 41(1) of the Act; (2) its 2006 capital purchases, and construction projects in excess of \$50,000 pursuant to s.41 (3) (a) of the Act; (3) its leases in excess of \$5,000 pursuant to s. 41 (3) (b) of the Act; and (4) its estimated contributions in aid of construction for 2006 pursuant to s.41 (5) of the Act and for an Order pursuant to s. 78 of the Act fixing and determining its average rate base for 2004.

**TO:** The Board of Commissioners of Public Utilities ("the Board")

### **INTERVENOR'S SUBMISSION**

1. Newfoundland Power Inc. ("Newfoundland Power") wishes to intervene in the Application.

#### **Interests of Newfoundland Power**

2. Newfoundland Power purchases approximately 70% of Newfoundland and Labrador Hydro's ("Hydro") annual production of electrical energy on the island of Newfoundland and therefore has an interest in Hydro's proposed capital expenditures and leasing obligations for 2006.

#### **Disposition Advocated by Newfoundland Power**

3. The disposition of the proceedings advocated by Newfoundland Power is that the Board is required pursuant to the Act to approve, and should approve, those proposed improvements or additions to Hydro's property for 2006 as are reasonably necessary for Hydro to meet its obligations to provide electrical service as required by the Act.

#### **Facts and Reasons Supporting Intervention**

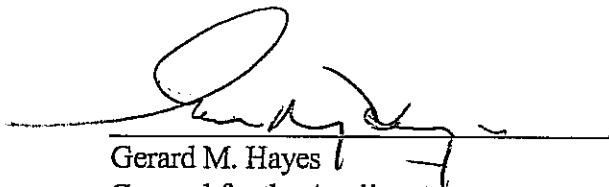
4. The reason for Newfoundland Power's intervention is to receive materials filed in the proceeding so as to be in a position to consider whether those materials disclose any

reason for more active participation by Newfoundland Power in respect of the Application.

**Participation of Newfoundland Power**

5. Newfoundland Power does not intend to present any evidence in relation to the Application. However, Newfoundland Power may wish to file requests for information as provided by the *Board of Commissioners of Public Utilities Regulations, 1996*, and to avail of the right to cross-examine witnesses or to submit argument at a public hearing of the Application, all as the circumstances may require.

**DATED** at St. John's, Newfoundland this 15<sup>th</sup> day of August, 2005.



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