

**P.U. 35 (2002-2003)**

**INTERIM RATES ORDER**

**IN THE MATTER OF** the *Public Utilities Act* R.S.N. 1990, Chapter P-47 (the "*Act*");

**AND IN THE MATTER OF** a Application  
By Newfoundland Power Inc. filed pursuant  
to Section 75 of the *Act* and Order No.  
P. U. 22 (2002-2003)

**WHEREAS** in Order No. P.U. 22 (2002-2003) (the "Order") the Board of Commissioners of Public Utilities (the "Board") approved a schedule of rates, tolls and charges for Newfoundland Power Inc. ("Newfoundland Power") to be effective on all energy consumed on and after September 1, 2002; and

**WHEREAS** the Order further provided that the rates approved by the Board shall be in effect until December 31, 2002 and that Newfoundland Power file a general rate application for a full review of its 2003 costs, including cost of capital (the "2003 General Rate Application"), by October 11, 2002; and

**WHEREAS** the effect of the Order is that there was no approved schedule of rates, tolls and charges for Newfoundland Power effective from and after January 1, 2003; and

**WHEREAS** Newfoundland Power filed its 2003 General Rate Application with the Board on October 11, 2002; and

**WHEREAS** Section 75 of the *Act* provides that the Board may make an interim order unilaterally and without public hearing or notice, approving with or without modification a schedule of rates, tolls and charges submitted by a public utility, upon the terms and conditions that it may decide; and

**WHEREAS** Newfoundland Power filed an application with the Board on December 16, 2002 for an order approving, on an interim basis from January 1, 2003, the current schedule of rates, tolls and charges (the “Interim Rate Order”) as approved in Order No. P.U. 22 (2002-2003) to remain in effect until further order of the Board following the hearing of the 2003 General Rate Application; and

**WHEREAS** the Intervenor in the 2003 General Rate Application have consented to the Board considering the application without a hearing; and

**WHEREAS** the Board is satisfied that granting the Interim Rate Order is necessary and appropriate in the circumstances.

**THE BOARD ORDERS THAT:**

Pursuant to Section 75 of the *Public Utilities Act*, RSN 1990, Chapter P-47, the Board approves, on an interim basis from January 1, 2003, the current schedule of rates, tolls and charges of Newfoundland Power as approved in Order No. P.U. 22 (2002-2003), which will remain in effect until a final order of the Board.

**DATED** at St. John's, Newfoundland and Labrador this 19<sup>th</sup> day of December 2002.

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Robert Noseworthy,  
Chair & Chief Executive Officer.

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Darlene Whalen, P.Eng.,  
Vice-Chairperson.

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John William Finn, Q.C.  
Commissioner.

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G. Cheryl Blundon,  
Director of Corporate Services and  
Board Secretary.