

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

AN ORDER OF THE BOARD

NO. P. U. 19(2008)

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

5
6 **AND**

7
8 **IN THE MATTER OF** an Application by
9 Newfoundland Power Inc. (“Newfoundland
10 Power”) for approval to proceed with the
11 construction and purchase of certain
12 improvements to its property pursuant to
13 Section 41(3) of the *Act* (the “Application”).
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15

16 **WHEREAS** Newfoundland Power is a corporation duly organized and existing under the laws of
17 the Province of Newfoundland and Labrador, is a public utility within the meaning of the *Act*, and is
18 also subject to the provisions of the *Electrical Power Control Act, 1994*; and
19

20 **WHEREAS** Section 41 of the *Act* requires that a public utility shall not proceed with the
21 construction, purchase or lease of improvements or additions to its property where the cost of the
22 construction or purchase is in excess of \$50,000 or the cost of the lease is in excess of \$5,000 in a
23 year of the lease without the prior approval of the Board; and
24

25 **WHEREAS** during the summer and fall of 2008 the City of St. John’s (“the City”) will complete
26 two phases of the Harbour Interceptor Sewer project, which project will involve street closures and
27 excavation along Water Street and Harbour Drive, and the placement of various conduits, pipes and
28 manholes under the roadways; and
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30 **WHEREAS** the City has offered to accommodate the installation of underground civil infrastructure
31 for utility power cables in the work associated with the Harbour Interceptor Sewer project; and
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33 **WHEREAS** Newfoundland Power proposes improvements and additions to its property to provide
34 for the installation of underground civil infrastructure for utility power cables in the Water Street
35 and Harbour Drive areas of St. John’s involving an estimated 2008 expenditure of \$1,930,000; and

1 **WHEREAS** the proposed expenditure is necessary for Newfoundland Power to provide service and
2 facilities associated with the underground distribution system in downtown St. John's which are
3 reasonably safe and adequate and just and reasonable as required pursuant to Section 37 of the *Act*.
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6 **IT IS THEREFORE ORDERED THAT:**
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- 8 1. The Board approves the additional 2008 capital expenditures of \$1,930,000 associated with
9 the installation of underground civil infrastructure for utility power cables in Water Street
10 and Harbour Drive areas of St. John's.
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12 2. Newfoundland Power shall pay all the expenses of the Board arising from this Application.

DATED at St. John's, Newfoundland and Labrador this 31st day of July 2008.

Andrew Wells
Chair & Chief Executive Officer

Dwanda Newman, LL.B.
Commissioner

Cheryl Blundon
Board Secretary