

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

AN ORDER OF THE BOARD

NO. P. U. 25(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
9 by Newfoundland and Labrador Hydro (“Hydro”)
10 for approval, pursuant to Section 41(3) of the *Act*,
11 of the purchase of a front end loader (the “Application”).

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15 **WHEREAS** Hydro is a corporation continued and existing under the *Hydro Corporation Act*, is
16 a public utility within the meaning of the *Act* and is also subject to the provisions of the *EPCA*;
17 and

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

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22 (a) the cost of the 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,

24
25 without the prior approval of the Board; and

26
27 **WHEREAS** in Order Nos. P. U. 30(2007), P. U. 31(2007), P. U. 9(2008) and P. U. 17(2008) the
28 Board approved Hydro’s estimated capital expenditure for 2008 totaling \$56,144,800; and

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30 **WHEREAS** Hydro owns and maintains approximately 450 km of roads dykes, and dams
31 associated with its Bay d’Espoir hydro-electric facilities and requires heavy equipment for the
32 purpose of maintaining those roads and facilities; and

1 **WHEREAS** on September 26, 2008 Hydro applied to the Board requesting approval to
2 purchase, at an estimated cost of \$220,000, a front end loader to replace a front end loader that
3 failed after 16 years of service and which was no longer economical to repair and maintain; and
4

5 **WHEREAS** Hydro filed with the Application a report describing the equipment to be purchased
6 and the justification for the acquisition; and

7 **WHEREAS** the Board has considered the Application for approval of the purchase and is
8 satisfied that the proposed expenditure is justified.
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10 **IT IS THEREFORE ORDERED THAT:**

- 11
- 12 1. Pursuant to Section 41(3) of the *Act*, the Board approves the additional capital
13 expenditures of \$220,000 for the purchase of a front end loader.
 - 14 2. Hydro shall pay the expenses of the Board arising from this Application.
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DATED at St. John's, Newfoundland and Labrador, this 1st day of October 2008.

Andrew Wells
Chair & Chief Executive Officer

Darlene Whalen, P.Eng.
Vice-Chair

Dwanda Newman, LL.B.
Commissioner

G. Cheryl Blundon
Board Secretary