

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

AN ORDER OF THE BOARD

NO. P. U. 29(2008)

1 **IN THE MATTER OF** the
2 *Public Utilities Act*, RSNL 1990,
3 Chapter P-47 (the “*Act*”)
4

5 **AND**
6

7 **IN THE MATTER OF** an Application by
8 Newfoundland Power Inc. (“Newfoundland Power”)
9 for consent to abandon a part of its distribution line
10 (the “Application”) pursuant to Section 38 of the *Act*.
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12 **WHEREAS** Newfoundland Power is a corporation duly organized and existing under the laws of
13 the Province of Newfoundland and Labrador, is a public utility within the meaning of the *Act*, and is
14 also subject to the provisions of the *Electrical Power Control Act, 1994*; and;
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16 **WHEREAS** on or about September 27, 2005 a severe rainstorm caused serious flooding in the
17 Town of Stephenville that resulted in catastrophic damage to approximately 100 homes (the
18 “Serviced Premises”) and to municipal infrastructure in a distinct area of the town (the “Flood
19 Zone”); and
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21 **WHEREAS** the Flood Zone has been designated a flood control area by the Province, all of the
22 residents of the Serviced Premises have been permanently relocated and there is no further
23 requirement for electrical service in this area; and
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25 **WHEREAS** prior to September 27, 2005, Newfoundland Power provided electrical service to all of
26 the Serviced Premises by means of an approximately 1.2-kilometre section of its Gallants
27 distribution feeder (the “Line”); and
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29 **WHEREAS** the Town of Stephenville has requested that Newfoundland Power remove the Line
30 from the Flood Zone, and Newfoundland Power proposed to remove the Line, as it is no longer
31 required for the provision of electrical service; and
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33 **WHEREAS** Section 38 of the *Act* provides that the written consent of the Board to abandon part of
34 a line shall only be given after notice is provided to an incorporated municipal body interested.
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1 **IT IS THEREFORE ORDERED THAT:**
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- 3 1. Pursuant to Section 38 of the *Act*, the Board consents to the removal of the Line from the
4 Flood Zone as proposed in the Application.
2. Newfoundland Power shall pay all expenses of the Board arising from this Application.

DATED at St. John's, Newfoundland and Labrador this 20th day of November 2008.

Andy Wells
Chair & Chief Executive Officer

Darlene Whalen, P.Eng.
Vice-Chair

Dwanda Newman, LL.B.
Commissioner

Cheryl Blundon
Board Secretary