

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

AN ORDER OF THE BOARD

NO. P.U. 3(2020)

1 **IN THE MATTER OF** the *Electrical Power*
2 *Control Act, 1994*, SNL 1994, Chapter E-5.1
3 (the “*EPCA*”) and the *Public Utilities Act*, RSNL
4 1990, Chapter P-47 (the “*Act*”), as amended, and
5 regulations thereunder; and
6

7 **IN THE MATTER OF** an application by
8 Newfoundland and Labrador Hydro for approval
9 of an account to defer the savings associated with
10 the Firm Energy Power Purchase Agreement with
11 Corner Brook Pulp and Paper Limited.
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14 **WHEREAS** Newfoundland and Labrador Hydro (“Hydro”) is a corporation continued and
15 existing under the *Hydro Corporation Act, 2007*, is a public utility within the meaning of the *Act*,
16 and is also subject to the provisions of the *EPCA*; and
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18 **WHEREAS** in Order No. P.U. 35(2019) the Board approved the Firm Energy Power Purchase
19 Agreement between Hydro and Corner Brook Pulp and Paper Limited (“CBPP”) and directed
20 Hydro to file a proposal for an account to defer the savings associated with the Firm Energy Power
21 Purchase Agreement; and
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23 **WHEREAS** on December 18, 2019 Hydro filed an application requesting approval of a Deferral
24 Account to defer the savings related to the Firm Energy Power Purchase Agreement between
25 Hydro and CBPP (the “Application”); and
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27 **WHEREAS** the Application stated that disposition of the proposed deferral account balance of
28 approximately \$1.5 million dollars, will be the subject of a future application by Hydro; and
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30 **WHEREAS** the Application was copied to Newfoundland Power Inc. (“Newfoundland Power”);
31 the Consumer Advocate, Mr. Dennis Browne, Q.C. (“the Consumer Advocate”); Corner Brook
32 Pulp and Paper Limited; NARL Refining Limited Partnership; Vale Newfoundland & Labrador
33 Limited (“the Industrial Customer Group”); the communities of Sheshatshiu, Happy Valley-
34 Goose Bay, Wabush, and Labrador City; Praxair Canada Inc.; and Teck Resources Ltd.; and
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36 **WHEREAS** the Board and the Industrial Customer Group issued requests for information which
37 were answered by Hydro on January 14, 2020; and

1 **WHEREAS** on January 27, 2020 the Industrial Customer Group stated that they reserved their
2 opportunity to make requests for information and submissions on the disposition of the balance in
3 the proposed deferral account; and
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5 **WHEREAS** the Consumer Advocate advised that he would not be intervening in the Application;
6 and
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8 **WHEREAS** Newfoundland Power advised that it would not be making comments on the
9 Application; and
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11 **WHEREAS** the Board did not receive any comments from the remaining parties on the
12 Application; and
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14 **WHEREAS** on January 29, 2020 Hydro filed a submission requesting that the Application be
15 approved as submitted; and
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17 **WHEREAS** the Board is satisfied that the proposed deferral account for the savings related to the
18 Firm Energy Power Purchase Agreement between Hydro and CBPP should be approved.
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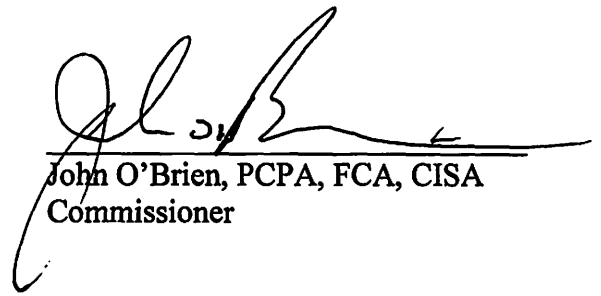
21 **IT IS THEREFORE ORDERED THAT:**
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- 23 1. The proposed deferral account for the savings related to the Firm Energy Power Purchase
24 Agreement between Hydro and Corner Brook Pulp and Paper Limited as set out in Schedule
25 A, is approved.
- 26 2. Hydro shall pay all expenses of the Board arising from this Application.
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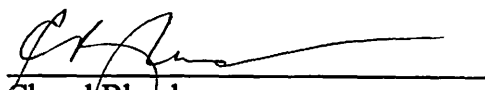
DATED at St. John's, Newfoundland and Labrador, this 10th day of February, 2020.



Darlene Whalen, P. Eng., FEC
Chair & CEO



John O'Brien, PCPA, FCA, CISA
Commissioner


Cheryl Blundon
Board Secretary

**Newfoundland and Labrador Hydro
Firm Energy Power Purchase Deferral Account Definition**

Newfoundland and Labrador Hydro (“Hydro”) shall record in the deferral account the net savings associated with the Firm Energy Power Purchase Agreement with Corner Brook Pulp and Paper Limited, in compliance with Board Order No. P.U. 35(2019). Disposition of the balance in this account shall be subject to a future application by Hydro.