

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

AN ORDER OF THE BOARD

NO. P.U. 30(2020)

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

7 **IN THE MATTER OF** an application by
8 Newfoundland Power Inc. for consent to abandon
9 a part of its transmission line infrastructure
10 pursuant to section 38 of the *Act*.
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12

13 **WHEREAS** Newfoundland Power Inc. (“Newfoundland Power”) is a corporation duly organized
14 and existing under the laws of the Province of Newfoundland and Labrador, is a public utility
15 within the meaning of the *Act*, and is also subject to the provisions of the *EPCA*; and
16

17 **WHEREAS** customers of both Newfoundland Power and Newfoundland and Labrador Hydro
18 (“Hydro”) on the Baie Verte Peninsula are supplied by Transmission Line 363L, a radial line
19 originally constructed in 1963 that serves as the only supply to the area; and
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21 **WHEREAS** in Order Nos. P.U. 37(2017), P.U. 35(2018) and P.U. 5(2020) the Board approved
22 multi-year projects to rebuild Transmission Line 363L with the work expected to be completed in
23 November 2020; and
24

25 **WHEREAS** a section of Transmission Line 363L, extending 7.7 kilometres from the Seal Cove
26 Road Substation to an abandoned asbestos mine, has not been rebuilt as the mine closed in 1994
27 and the transmission line was de-energized; and
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29 **WHEREAS** on October 23, 2020 Newfoundland Power filed an application for approval for
30 abandonment of plant to remove from service this section of Transmission Line 363L (“the
31 Application”); and
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33 **WHEREAS** the Application states that, in places where this section of Transmission Line 363L
34 is adjacent to Routes 410 and 412, it is in a deteriorated condition and will soon pose a safety
35 hazard to the general public, and also that no customers will have their service reduced or adversely
36 affected by the removal from service of this section of Transmission Line 363L; and

1 **WHEREAS** the dismantling of this 7.7 kilometre section of Transmission Line 363L will not
2 commence until after the rebuild of the transmission line is complete; and

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4 **WHEREAS** Section 38 of the *Act* provides that the written consent of the Board to abandon part
5 of a line or works shall only be given after notice is provided to an interested incorporated
6 municipal body; and

7
8 **WHEREAS** Newfoundland Power notified the Town of Baie Verte as required by Section 38 of
9 the *Act* and has been advised that the Town of Baie Verte does not have any concerns with the
10 removal of the identified section of line; and

11
12 **WHEREAS** Newfoundland Power also notified the former Department of Natural Resources,
13 Government of Newfoundland & Labrador, of the removal of the identified section of line and has
14 been advised that there is no objection; and

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16 **WHEREAS** the Application was copied to Hydro and the Consumer Advocate, Dennis Browne,
17 Q.C.; and

18
19 **WHEREAS** on October 28, 2020 Hydro advised that they had no comments regarding the
20 Application; and

21
22 **WHEREAS** no other comments were received by the Board; and

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24 **WHEREAS** the Board is satisfied that the 7.7 kilometre section of Transmission Line 363L in the
25 Town of Baie Verte as set out in the Application will not be used and useful and that its removal
26 will not adversely affect service reliability.

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29 **IT IS THEREFORE ORDERED THAT:**

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31 1. The removal from service of the 7.7 kilometre section of Transmission Line 363L from the
32 Seal Cove Road substation to the former asbestos mine site in the Town of Baie Verte,
33 subsequent to the completion of the necessary 2020 capital work, is approved.

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35 2. Newfoundland Power shall pay all expenses of the Board arising from this Application.

DATED at St. John's, Newfoundland and Labrador, this 16th day of November, 2020.



Darlene Whalen, P. Eng., FEC
Chair and Chief Executive Officer



Christopher Pike, LL.B., FCIP
Commissioner



Cheryl Blundon
Board Secretary