

NEWFOUNDLAND AND LABRADOR
BOARD OF COMMISSIONERS OF PUBLIC UTILITIES

AN ORDER OF THE BOARD

NO. P.U. 9(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*,
4 RSNL 1990, Chapter P-47 (the “*Act*”), as
5 amended, and regulations thereunder; and
6

7 **IN THE MATTER OF** an application by
8 Newfoundland Power Inc. for approval to
9 issue Series AQ First Mortgage Bonds
10 pursuant to section 91 of the *Act*.
11

12
13 **WHEREAS** Newfoundland Power Inc. (“Newfoundland Power”) is 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** on March 5, 2020 the Board received an application from Newfoundland Power
18 to issue Series AQ First Mortgage Bonds in an amount of up to \$100,000,000 with a term of up
19 to 40 years, and coupon rate of up to 5% (the “Application”); and
20

21 **WHEREAS** pursuant to Section 91 of the *Act*, a public utility may not issue bonds until it has
22 obtained approval from the Board for the proposed issue; and
23

24 **WHEREAS** Newfoundland Power states that the proceeds of the bonds will be used to repay
25 short-term bank indebtedness and to refund the existing 9.00% Series AG First Mortgage Bonds
26 of Newfoundland Power; and
27

28 **WHEREAS** the Application was circulated to Newfoundland and Labrador Hydro and the
29 Consumer Advocate, Mr. Dennis Browne; and
30

31 **WHEREAS** the Board did not receive any comments in relation to the Application; and
32

33 **WHEREAS** the Board has reviewed the Application and supporting material and finds that
34 approval of the issue of Series AQ First Mortgage Bonds in an amount of up to \$100,000,000
35 is in accordance with law and for a purpose approved by the Board.

1 **IT IS THEREFORE ORDERED THAT:**
 2

3 1. Newfoundland Power's proposal to issue Series AQ First Mortgage Bonds in an amount of
 4 up to \$100,000,000 to repay short term indebtedness and to refund the existing 9.00% Series
 5 AG First Mortgage Bonds of Newfoundland Power is approved subject to the following
 6 conditions:

7
 8 a) The Series AQ First Mortgage Bonds shall be issued on or before December 31, 2020.
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10 b) Newfoundland Power shall file with the Board a report specifying the terms and
 11 conditions of the bond issue within five (5) days after closing, setting out the following:
 12

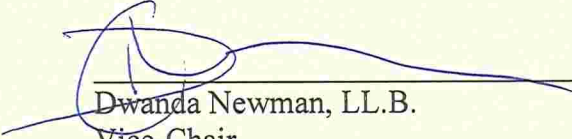
- 13 i. date of issue;
 14 ii. term;
 15 iii. maturity date;
 16 iv. principal amount;
 17 v. coupon rate;
 18 vi. particulars of sinking fund, if any;
 19 vii. price to public and to the underwriters;
 20 viii. yield to the public;
 21 ix. underwriting fee;
 22 x. actual cost (i.e. yield) to Newfoundland Power; and
 23 xi. any other material terms or conditions.
 24

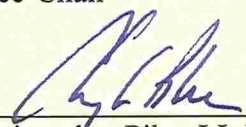
25 c) Newfoundland Power shall file with the Board a copy of the Underwriting Agreement
 26 relating to the bonds within five (5) days after closing.
 27

28 d) Newfoundland Power shall file with the Board a report on the disposition of the proceeds
 29 no later than six months from the date of the closing.
 30

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

DATED at St. John's, Newfoundland and Labrador, this 24th day of March, 2020.


 Dwanda Newman, LL.B.
 Vice-Chair


 Christopher Pike, LL.B., FCIP
 Commissioner


 Cheryl Blundon
 Board Secretary