



NEWFOUNDLAND AND LABRADOR
BOARD OF COMMISSIONERS OF PUBLIC UTILITIES
120 Torbay Road, P.O. Box 21040, St. John's, Newfoundland and Labrador, Canada, A1A 5B2

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2017-03-24

Mr. Dennis Browne, Q.C.
Browne Fitzgerald Morgan & Avis
Terrace on the Square, Level 2
P.O. Box 23135
St. John's, NL A1B 4J9

Dear Sir:

Re: Newfoundland and Labrador Hydro & Newfoundland Power Inc. - Net Metering Applications - Consumer Advocate Request for Hearing - Board's Response to Consumer Advocate Request for Reconsideration

This in reply to your letter of March 17, 2017 in which you request that the Board reconsider its denial of your request for a joint public hearing in respect of the applications from Newfoundland and Labrador Hydro and Newfoundland Power for approval of net metering programs.

You request that the Board reconsider its decision on the basis that a hearing would demonstrate that:

- the 5 MW subscription limit is insufficient
- effective net metering would target specific areas and get the attention of target communities
- net metering would provide an affordable option which will be more of a necessity after integration with the Muskrat Falls generating station
- that net metering left in the hands of the utilities would most likely receive the same fate as the time of use rates

In accordance with Government's Net Metering Policy Framework the Board's responsibility in these applications is to review and approve the utilities' net metering proposals, ensuring the rules developed by the utilities are consistent with the *Public Utilities Act* and *The Electrical Power Control Act*. The Board acknowledges the role of the Consumer Advocate in representing the interests of domestic and general service customers. However the Board remains satisfied that customers of both utilities have had sufficient notice and opportunity to participate in the application process and that no issues have been raised that would warrant the necessity for a public hearing in the circumstances. In particular the Board notes that the 5 MW subscription limit is set by legislation and is not within the mandate of the Board to adjudicate. The concerns in relation to the other suggested grounds substantively relate to the implementation of the net metering programs and can, in the Board's view, be effectively addressed in written comments filed in this proceeding. Ultimately the success of these

programs and any particular concerns and issues that may arise after approval can be addressed as part of the general rate application process for each utility.

If there are any further comments that you would like to make on the merits of the applications, they should be filed no later than Wednesday, March 29, 2017.

If you have any questions, please do not hesitate to contact the Board's Legal Counsel, Ms. Jacqui Glynn, by email, jglynn@pub.nl.ca or by telephone 709-726-6781.

Sincerely,



Cheryl Blundon
Board Secretary

CB/cj

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