

**IN THE MATTER OF** the *Public Utilities Act*,  
R.S.N.L. 1990, Chapter P-47 ((the “Act”); and

**IN THE MATTER OF** an Application by  
Newfoundland and Labrador Hydro for the  
approval, pursuant to Sections 70(1) and 76 of the  
*Act*, of the Rate Stabilization Plan components of  
the rates to be charged to Industrial Customers

**INTERVENOR’S SUBMISSION OF ABITIBI-CONSOLIDATED  
COMPANY OF CANADA**

**TAKE NOTICE** that Abitibi-Consolidated Company of Canada (“ACCC”), through its solicitor Colm St. Roch Seviour of Stewart McKelvey, hereby gives notice of its intention to intervene in the within Application, in its position as a former Industrial Customer of the Applicant Newfoundland and Labrador Hydro (the “Applicant”).

**Interest of the Industrial Customers**

1. ACCC formerly owned and operated substantial pulp and paper enterprises on the Island of Newfoundland, each of which was a major consumer of power purchased from the Applicant, and ACCC purchased power from the Applicant at the interim Industrial Customer rate until early 2009.

**Disposition Sought by ACCC**

2. Given the present significance to ACCC of the matter of the potential treatment of the Rate Stabilization Plan components of the rates charged to the Industrial Customers which are raised by the Application, ACCC will require the reasonable opportunity to consider information obtained by Requests for Information, and possibly by other pre-

hearing and hearing processes, before advocating specific dispositions in respect of the Application.

**Facts and Reasons Supporting Intervention**

3. The Application, *inter alia*, raises certain issues in respect of the Rate Stabilization Plan components of the rates charged to Industrial Customers, which issues have significant implications for ACCC as a former Industrial Customer which has paid substantial rates to the Applicant and thereby contributed to the amounts presently in credit under the Rate Stabilization Plan.

**Participation of ACCC**

4. ACCC intends to participate in the various procedures associated with the Application, including without limitation:
  - (a) directing Requests for Information and other information requests to the Applicant as may be permitted by the Board;
  - (b) participating in any technical conferences, pre-hearing conferences, and other processes which may be associated with the Application;
  - (c) if a hearing is necessary, the cross-examination of witnesses appearing on behalf of the Applicant or of any other participant in any hearing on the Application, and the of calling witnesses, including expert witnesses; and
  - (d) making representations and submissions, through counsel, to the Board concerning the disposition of the Application.

Documents relating to this hearing can be served on ACCC in care of:

Mr. Colm St. R. Seviour  
Stewart McKelvey  
Suite 1100, Cabot Place  
100 New Gower Street  
P.O. Box 5038  
St. John's NL A1C 5V3  
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**DATED** at St. John's, in the Province of Newfoundland and Labrador, this 16<sup>th</sup> day of March,  
2010.

**STEWART MCKELVEY**

Per:



Colm St. R. Seviour

TO: The Board of Commissioners of Public Utilities  
Suite E210, Prince Charles Building  
120 Torbay Road  
P.O. Box 21040  
St. John's, NL A1A 5B2

Attention: Board Secretary

TO: Newfoundland and Labrador Hydro  
P.O. Box 12400  
Hydro Place, 500 Columbus Drive  
St. John's, NL A1B 4K7

Attention: Mr. Geoffrey Young  
Senior Legal Counsel

TO: Mr. Thomas Johnson, Consumer Advocate  
O'Dea, Earle  
323 Duckworth Street  
P.O. Box 5955  
St. John's, NL A1C 5X4

TO: Newfoundland Power Inc.  
55 Kenmount Road  
P.O. Box 8910  
St. John's, NL A1B 3P6

Attention: Mr. Gerard Hayes  
Senior Counsel

TO: Poole Althouse  
Western Trust Building  
49-51 Park Street  
P.O. Box 812  
Corner Brook NL A2H 6H7

Attention: Mr. Joseph S. Hutchings Q.C.  
Counsel for Industrial Customers

TO: Stewart McKelvey  
Suite 1100, Cabot Place  
100 New Gower Street  
P.O. Box 5038  
St. John's NL A1C 5V3

Attention: Mr. Paul L. Coxworthy  
Counsel for Industrial Customers