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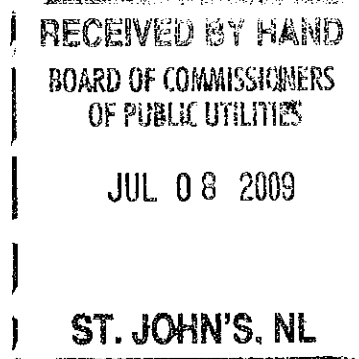
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July 8, 2009

Newfoundland and Labrador Board of
Commissioners of Public Utilities
120 Torbay Road
P.O. Box 21040
St. John's, NL A1A 5B2



Attention: Ms. Cheryl Blundon,
Director of Corporate Services and Board Secretary

Dear Ms. Blundon:

**Re: Newfoundland and Labrador Hydro - Application concerning the Rate Stabilization
Plan components of the rates to be charged to Industrial Customers**

Please find enclosed the original and eight (8) copies of the Intervenor's Submission of the Industrial Customers in the above Application.

We trust you will find the enclosed to be in order.

Yours truly,

Stewart McKelvey

Paul L. Coxworthy

PLC/dml

Enc.

Ms. Cheryl Blundon,
Director of Corporate Services and Board Secretary

July 8, 2009

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

Mr. Gerard Hayes
Senior Counsel
Newfoundland Power Inc.
55 Kenmount Road
P.O. Box 8910
St. John's, NL A1B 3P6

Mr. Geoffrey Young
Senior Legal Counsel
Newfoundland and Labrador Hydro
P.O. Box 12400
Hydro Place, Columbus Drive
St. John's, NL A1B 4K7

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

INTERVENORS’ SUBMISSION OF THE INDUSTRIAL CUSTOMERS

TAKE NOTICE that **Corner Brook Pulp and Paper Limited, North Atlantic Refining Limited, Teck Cominco Limited, and Vale Inco Newfoundland & Labrador Limited (the “Industrial Customers”)**, through their solicitors Stewart McKelvey and Poole Althouse, hereby give notice of their intention to intervene in the within Application, in their respective positions as actual or potential Industrial Customers of the Applicant Newfoundland and Labrador Hydro (the “Applicant”).

Interest of the Industrial Customers

1. Each of the Industrial Customers, with the exception of **Vale Inco Newfoundland & Labrador Limited**, presently own and operate on the Island of Newfoundland substantial industrial operations, each of which is a major consumer of power purchased from the Applicant. **Vale Inco Newfoundland & Labrador Limited** has joined with the other Industrial Customers as an Intervenor by reason of its intended industrial operations in the Province and its anticipated significant future power demands.

Disposition Sought by the Industrial Customers

2. Given the present significance and potential future implications for the Industrial Customers of the matters raised by the Application, the Industrial Customers 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, in addition to proposing a significant adjustment from the interim rates to final rates for **Teck Cominco Limited** and the approval of the interim rates charged to the other Industrial Customers as final rates, raises issues in respect of the Rate Stabilization Plan components of the rates to be charged to Industrial Customers which have long term implications for all the Industrial Customers.

Participation of the Industrial Customers

4. The Industrial Customers intend 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 the Industrial Customers in care of:

Mr. Paul L. Coxworthy
Stewart McKelvey
Suite 1100, Cabot Place
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AND

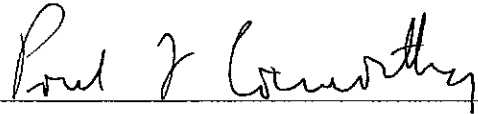
Mr. Joseph S. Hutchings Q.C.
Poole Althouse
Western Trust Building
49-51 Park Street
P.O. Box 812
Corner Brook NL A2H 6H7

Telephone: (709) 637-6425
Telecopier: (709) 634-8247


E-mail: jhutchings@pa-law.ca

DATED at St. John's, in the Province of Newfoundland and Labrador, this 8th day of July, 2009.

POOLE ALTHOUSE

Per: 
for Joseph S. Hutchings, Q.C.

STEWART McKELVEY

Per: 
Paul L. Coxworthy

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 & Labrador Hydro
P.O. Box 12400
500 Columbus Drive
St. John's NL A1B 4K7
Attention: Geoffrey P. Young
Senior Legal Counsel

TO: Thomas J. Johnson, Consumer Advocate
O'Dea, Earle
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