

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

NOTICE OF APPLICATION

CHURCHILL RIVER WATER MANAGEMENT AGREEMENT

On November 10, 2009 the Board of Commissioners of Public Utilities (the “Board”) received an application from Nalcor Energy (“Nalcor”) to establish the terms of a water management agreement with respect to the use of the Churchill River for the production of power.

The application has been made by Nalcor under section 5.5 of the *Electrical Power Control Act*, which requires that the Board establish terms of an agreement for the purpose of achieving the policy objective that all sources and facilities for the production, transmission and distribution of power in the province should be managed and operated in a manner that would result in the most efficient production, transmission and distribution of power.

Pursuant to section 5.7 of the *Electrical Power Control Act* the water management agreement to be established by the Board is not to adversely affect a provision of a contract for the supply of power previously entered into with a third party, or a renewal of that contract.

The objective of a water management agreement and the matters to be addressed in it are set out in the *Water Management Regulations* made under the *Electrical Power Control Act*.

Nalcor has presented a proposed water management agreement with its application. The parties to the proposed agreement are Nalcor and the Churchill Falls (Labrador) Corporation Limited.

HOW TO SEE THE APPLICATION

Copies of the Application, the legislation and regulations are available for public viewing at the offices of the Board between the hours of 8:30 a.m. to 12:30 p.m. and 1:30 p.m. to 4:00 p.m. or upon request from the Board Secretary at (709) 726-8600 or on the Board’s website at www.pub.nl.ca.

HOW TO PARTICIPATE

Any person wishing to intervene in the application must apply in writing to the Board for standing to intervene. The request for intervenor status must be in the form required in *NEWFOUNDLAND AND LABRADOR REGULATION 39/96, Board of Commissioners of Public Utilities Regulations, 1996* under the *Public Utilities Act*. Requests for intervenor status and all supporting documents must be received by the Board at the address below by **12:00 noon on December 17, 2009**.

HOW TO CONTACT THE BOARD

All correspondence and requests for further information should be submitted to the Board Secretary at:

Office: Suite E210, Prince Charles Building, 120 Torbay Road, St. John's
Mail: P.O. Box 21040, St. John's, NL, A1A 5B2
Telephone: 709-726-8600 or 1-866-782-0006 (toll free)
Facsimile: 709-726-9604
E-mail: ito@pub.nl.ca

Dated at St. John's, Newfoundland and Labrador, this 18th day of November 2009.

Cheryl Blundon
Board Secretary