

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

And

**IN THE MATTER OF** capital expenditures and rate base of Newfoundland Power Inc.;

And

**IN THE MATTER OF** an Application by Newfoundland Power Inc. for an order pursuant to Sections 41 and 78 of the Act:

- (a) approving its 2010 Capital Budget of \$64,679,000; and
- (b) fixing and determining its 2008 rate base at \$820,876,000

**TO:** The Board of Commissioners of Public Utilities (the “Board”)

## **INTERVENOR’S SUBMISSION**

### **General**

1. The Consumer Advocate wishes to intervene in the Application.

### **Interests of the Consumer Advocate**

2. The Consumer Advocate represents the interests of domestic and general electricity customer of both utilities operating in the Province and therefore has an interest in Newfoundland Power’s proposed capital expenditures for 2010.

### **Disposition Advocated by the Consumer Advocate**

3. It would be premature for the Consumer Advocate to advocate a particular disposition of the Application at this time as the Consumer Advocate’s review of the

Application is continuing at this time in light of his recent appointment.

### **Facts and Reasons Supporting Intervention**

4. The reason for the Consumer Advocate's intervention is to receive and consider materials filed in support of the Application so as to be in a position to assess whether the record before the Board indicates that Newfoundland Power's proposed capital expenditures for 2010 are reasonably necessary for Newfoundland Power to meet its obligations to provide electrical service as required by the Act.

### **Participation of the Consumer Advocate**

5. In light of the recent appointment of the Consumer Advocate in this Application and the Consumer Advocate's ongoing review of the Application, the Consumer Advocate cannot state at this time whether or not he shall present evidence in relation to the Application. The Consumer Advocate may wish to participate in technical conferences, file requests for information and to avail of the right to cross-examine witnesses or to submit argument at a public hearing of the Application, all as the circumstances may require.

**DATED** at St. John's, in the Province of Newfoundland and Labrador, this 6<sup>th</sup> day of July, 2009.



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**THE CONSUMER ADVOCATE**

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