

CANADA

NEWFOUNDLAND AND LABRADOR

**BOARD OF COMMISSIONERS  
OF PUBLIC UTILITIES**

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In the matter of an application by **Newfoundland and Labrador Hydro** for an Order approving: (1) its 2019 capital budget pursuant to s.41(1) of the Act; (2) its 2019 capital purchases, and construction projects in excess of \$50,000 pursuant to s.41(3) (a) of the Act; (3) its leases in excess of \$5,000 pursuant to s. 41(3) (b) of the Act; and (4) its estimated contributions in aid of construction for 2019 pursuant to s.41(5) of the Act; and for an Order pursuant to s.78 of the Act fixing and determining its average rate base for 2013 and 2014.

and

**IRON ORE COMPANY OF CANADA**, a corporation duly incorporated under the laws of Delaware having its head office at 1190 avenue des Canadiens-de-Montréal, in Montréal, province of Québec, H3B 0E3, and a place of business at 2 Avalon Drive, in Labrador City, province of Newfoundland and Labrador, A2V 2Y6,

(« **IOC** » or the « **Intervenor** »).

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**INTERVENOR SUBMISSION**

*(Section 9 of the Board of Commissioners of Public Utilities Regulations, 1996)*

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**IOC HEREBY GIVES NOTICE, THROUGH ITS UNDERSIGNED ATTORNEY, OF ITS INTENTION TO PARTICIPATE IN THE ABOVE-MENTIONED PROCEEDINGS, AS A LABRADOR INDUSTRIAL CUSTOMER OF THE APPLICANT NLH.**

**INTEREST OF INTERVENOR**

1. IOC owns and operates since 1949 an iron ore mine in Labrador together with railways operations connecting the mine in Labrador to a port in the province of Québec and a pelletizing plant and an ore concentrator in Labrador City.

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2. IOC is the primary operating mine in Labrador. It employs approximately 2,350 employees and contractors and supports the local economy with spending in excess of 1,000 m\$ per year in Canada with the majority of the expenditures in Labrador.
  3. In February 2017, IOC announced an additional investment of 79 million \$ to develop the Wabush 3 pit, extending the life of its operations in Labrador. First ore is expected in the second half of 2018, contributing a ramp up of IOC annual capacity from 19 towards 23 million tonnes.
  4. For its operations in Labrador, IOC is a major consumer of power purchased from the Applicant and is its largest customer in Labrador with a forecasted Power on Order of 250 MW, representing, according to the Applicant, around 60% of the peak demand on the Labrador Interconnected System.
  5. IOC has been an active participant in the 2018 NLH Capital Budget Application as the proposed expenditures directly impact its electricity rates and industrial competitiveness.
  6. IOC's interest as a Labrador Industrial Rate customer is distinct from other customers' classes.

#### **DISPOSITIONS SOUGHT**

7. IOC does not yet have sufficient information, and has not yet had sufficient opportunity, to formulate final or complete dispositions with respect to the various approvals sought by the Applicant.
8. Nonetheless, IOC is particularly concerned with the impact of capital investments as one of the main drivers of the Labrador Industrial Transmission Rate.

#### **FACTS AND REASONS SUPPORTING THE INTERVENTION**

9. There has not yet been sufficient opportunity for IOC to submit what facts it intend to show in evidence or for what reasons the Board should dispose of the various approvals sought by the Application in a particular manner.

#### **PARTICIPATION OF THE INTERVENOR**

10. IOC 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 technical conferences, pre-hearing conferences, and other processes associated with the Application;
  - (c) cross-examination of witnesses appearing on behalf of the Applicant or of any other participant in any hearing on the Application, as may be appropriate in the circumstances of any hearing on the Application that may be ordered by the Board;

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- (d) calling witnesses, including expert witnesses, as may be appropriate in the circumstances of any hearing on the Application that may be ordered by the Board; and
  - (e) making representations and submissions, through counsel, to the Board concerning the disposition of the Application, including without limiting the foregoing with respect to the awarding of costs with respect to their participation in the Application proceedings.

11. Documents relating to this hearing can be served on IOC in care of:

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Rio Tinto  
1190 avenue des Canadiens-de-Montréal  
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Respectfully submitted.

Montréal, August 23, 2018



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Benoît Pepin  
Solicitor for the Intervenor  
Iron Ore Company of Canada

**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**

Hydro Place  
500 Columbus Drive  
P.O. Box 12400  
St. John's NL, A1B 4K7

Attention: Michael S. Ladha, Legal counsel

**To: Office of the Consumer Advocate**

Attention: Dennis Browne, Q.C.

**To: Island industrial Group**

Attention: Paul L. Coxworthy  
Attention: Dean A. Porter  
Attention: Denis Fleming

**To: Newfoundland Power**

Attention: Gerald Hayes

**To: Labrador Interconnected Group**

Attention: Senwung Luk