



Newfoundland and Labrador

Board of Commissioners
of Public Utilities

1999 - 2000 Annual Report



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Mission Statement

Through our skilled staff and an investigative and monitoring process that invites full public participation, we ensure that the public of Newfoundland and Labrador are well served in a changing environment by achieving an equitable balance between the interests of consumers and service providers in the electric utility, automobile insurance and motor carrier industries.





NEWFOUNDLAND AND LABRADOR

BOARD OF COMMISSIONERS OF PUBLIC UTILITIES

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The Honourable Kelvin Parsons, Q.C.
Minister of Justice and Attorney General
Department of Justice
Government of Newfoundland and Labrador
4th Floor, East Block, Confederation Building
P. O. Box 8700
St. John's, NF.
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Dear Minister:

I am forwarding herewith the Annual Report of the Public Utilities Board for the year ended March 31, 2000. This year we have made a number of changes in the format of the Annual Report. The principal change is the addition of a Report on Board Activities which summarizes the activities of the organization in its various areas of responsibility. This shorter Report replaces the lengthier review of activities for each of our major activity fields such as electric power regulation and automobile insurance rates.

The Report includes a section on organizational objectives, which describes the progress made in achieving the goals set out in the previous Annual Report. New goals and objectives have been established for the coming year. This is a continuation of the strategic planning process and the rollover of the strategic goals and directions which were set out in the Strategic Plan published in 1998. The section on strategic planning is intended to report on progress made in the implementation of our Strategic Plan and as well as to identify specific goals for the coming year.

As in the past, the Annual Report provides our audited financial statements as well as a summary of the Orders issued by the Board during the past year. The major Orders of the Board have been

placed on our website and can be found at www.pub.nf.ca . The Annual Report to the Minister of Government Services and Lands pursuant to section 56 (1) of the *Automobile Insurance Act, R.S.N. 1990* is also to be found on our website.

We are pleased to report that our website has been substantially expanded and improved over the past year. The website is intended to provide an introduction to the role and mandate of the organization, to describe its most significant activities, and to assist people to make contact with the Board.

It is my pleasure to report that the organization has made good progress during the year. I am pleased to report as well that the members of this organization constitute an effective team of highly dedicated people. Our people are well trained and are highly effective in their jobs. I am proud to be a leader of this team. I am confident that over the coming year the organization will make further strides as it moves towards accomplishing the performance targets and objectives that are set forth in this Annual Report.

Yours truly,

David A. Vardy,
Chair and Chief Executive Officer

WHO WE ARE & WHAT WE DO

The Board, by statute, is comprised of the Chairperson and Chief Executive Officer, Vice-Chairperson, and one Commissioner, all full-time, and up to six part-time Commissioners.

The Board operates at arms length from Government as an independent, quasi-judicial regulatory agency appointed by the Lieutenant-Governor in Council, and operates primarily under the authority of the *Public Utilities Act, R.S.N.1990*. Statutory responsibilities include the administration of:

- i) *The Electrical Power Control Act;*
- ii) *The Public Utilities Acquisition of Lands Act;*
- iii) *The Automobile Insurance Act;*
- iv) *The Motor Carrier Act;*
- v) *The Motor Vehicle Transport Act; and,*
- vi) *The Expropriation Act*

The Board submits its annual report and budget to the Minister of Justice. Board orders and decisions are independent of any reporting structure. The Board is fully funded by assessments upon the industries it regulates and receives no funding from the consolidated revenue fund.

Primarily, the Board is charged with the general supervision of public utilities, as defined by the Act. The two major electric utilities operating in the province are Newfoundland Power Inc. and Newfoundland and Labrador Hydro Corporation. The Board is mandated to ensure legislative compliance, that the rates charged are reasonable and just, and that service provided is safe and reliable. The Board is also charged with the supervision of the rates charged by the 59 registered automobile insurance companies operating in the Province and has limited regulation of the motor carrier industry in relation to specified passenger and ambulance operations.

Regulatory activities include: monitoring compliance with reporting requirements and Board Orders; considering applications; managing complaints and responding to inquiries; conducting hearings on various matters; conducting investigations into particular matters or concerns; and inquiries requested by Government.

Besides the Board members, there are ten full time staff members who manage the administrative operations of the Board and provide professional and support services to the Board. The internal structure of the organization is comprised of two components, the Corporate Services Division and the Regulatory Affairs Division.

The Corporate Services Division manages the human and financial resources of the Board and its interface with the public. Responsibilities include: policy and planning activities; staffing; training; accounting and financial management; legal services; information systems and technology services; records management; internal and external communications; public interface; inventory control; and physical security. Staff include the Director of Corporate Services and Board Secretary, Legal Counsel, Executive Secretaries, Accountant, Information Technology Officer, and Clerk-Stenographer.

The Regulatory Affairs Division consists primarily of staff and consultants who: provide advice and recommendations on applications submitted to the Board; assess regulatory filings; complete compliance and financial audits; provide expertise in the areas of financial and economic regulation; and participate in customer complaint resolution. Staff members include the Director of Regulatory and Advisory Services, Economic and Financial Analyst, and Compliance Auditor.

As a relatively small organization, staff from both divisions work closely together to fulfill the Board's mandate. The Board encourages active staff participation in decisions that affect the organization, which helps to achieve the strategic goal of a team-based environment.

REGULATORY ACTIVITIES

The utilities are required to file monthly, quarterly and annual reports with the Board on matters that assist the Board in fulfilling its general supervisory responsibilities charged under the Board's legislative mandate. These reports are a combination of regulatory requirements resulting from existing legislation, Board orders and/or Board requests.

Another form of regulatory activity utilized by the Board has been quarterly meetings with the senior executives from the utilities. The Board remains cognizant of adhering to the principles of natural justice by ensuring that its independence is not compromised. Official recordings and transcripts are made available for the scrutiny of any interested person and/or party. It is important to note that the Board suspends the quarterly meetings with the utilities during hearings. There is also a professional agreement that contentious issues that may lead to formal investigations by the Board are not discussed during these meetings.

Communication between the utilities and the Board is an integral part of regulation. The Board and Utilities conduct open and effective communication. Normally, all official communication and correspondence is routed through the office of the Board Secretary. The Board Secretary is charged under the Public Utilities Act to keep a full record of the proceedings of the Board.

The Board is available to assist the public in the resolution of complaints with the utilities in the areas of utility policies and practices, customer billings, and disconnection of services. The Director of Regulatory and Advisory Services is the liaison with the utilities in the resolution of complaints from customers who are unable to resolve disputes with their respective utilities on their own. The Board has a specific policy when intervening on behalf of customers. The staff in the Regulatory Affairs division must be satisfied that the customer has made an attempt to resolve the matter, before intervening on behalf of the customer.

During the year, the Board dealt with numerous complaints. Over half of these complaints involved the termination or threatened termination of electricity service by the utility for non payment of account or excessive outstanding bills. In the majority of these cases, Board staff were successful in making payment arrangements, suitable to the customer and the utility.

COMMISSIONERS

April 1, 1999 - March 31, 2000

Chair & CEO



David A. Vardy was appointed as Chair and Chief Executive Officer of the Public Utilities Board for the Province of Newfoundland and Labrador in September of 1994. Mr. Vardy holds a Masters Degree in Economics from Princeton University in New Jersey. He has held a number of senior positions with the Province of Newfoundland and Labrador including that of Secretary to the Cabinet and Clerk of the Executive Council. Prior to that appointment he was President of the Newfoundland Institute of Fisheries and Marine Technology. He worked as an Economist with the Federal Departments of Fisheries and Finance. Mr. Vardy also taught as a Member of the Economics Faculty of Memorial University and Queens University in Kingston, Ontario.

Vice - Chair



Leslie E. Galway was appointed as Vice-Chair of the Board in January, 1995 and previously as Commissioner in March, 1990. Ms. Galway holds a Masters Degree in Business Administration and a Chartered Accountant designation. Prior to joining the Board, Ms. Galway was a senior manager with Clarkson Gordon/Woods Gordon and taught as a member of the Faculty of Business Administration of Memorial University of Newfoundland. Ms. Galway left the Board in October to take on a new position.



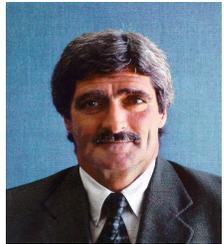
Raymond A. Pollett was appointed to the Board as a full time Commissioner on December 17, 1997, after serving four years as a part-time Commissioner. Prior to this full time appointment, he was elected as Mayor of the City of Corner Brook for three consecutive terms (1985-1997). He was also a self-employed Realtor from 1970-1990. He was awarded the Queens 25th Anniversary Medal for Community Service (1952-1977) and is an International Lifetime Member of the Corner Brook Lions Club. Since 1985 he was actively involved in the initial planning and construction of the "Corner Brook Canada Games Centre", and was a founding member of the "1999 Canada Winter Games" (Host Society) which were held in Corner Brook on behalf of the province of Newfoundland and Labrador.



William B. Crosbie was appointed part-time Commissioner of the Public Utilities Board in September of 1998. Mr. Crosbie graduated with a B.Eng. degree from Nova Scotia Technical College (now TUNS), in 1973. He has pursued a career in consulting engineering for twenty years and has been president of Crosbie Engineering Ltd. for ten years. He has volunteered with the Canadian Diabetes Association, the Newfoundland and Labrador Sailing Association and Topsail Anglican Church. He has particular interest in power generation, transmission and distribution systems.



William Finn was appointed as a part-time Commissioner of the Public Utilities Board in May, 1997. Mr. Finn is a graduate of St. Mary's University and Dalhousie Law School, Halifax, Nova Scotia. Mr. Finn has been involved in private law practice since 1975. He is a former member of the Board of Regents for Memorial University and was appointed Queen's Counsel in 1997.



Gerard Martin was appointed as a part-time Commissioner of the Public Utilities Board in October, 1999. Mr. Martin is a graduate of St. Francis Xavier University and Dalhousie Law School, Halifax, Nova Scotia. Mr. Martin has been involved in private law practice since 1974 and was appointed Queen's Counsel in 1989.



Fred Saunders was appointed as a part-time Commissioner with the Board in May of 1997. This is Mr. Saunders' second term with the Board having served in several senior level positions, including that of Commissioner, between 1968 and 1978. Mr. Saunders has held senior management positions in the private sector including that of President and CEO of Day & Ross (Nfld), Ltd. He has also been involved in several community activities having served for five years as Chairperson of the Janeway Children's Hospital Foundation Board of Directors.



Gary R. Vey was appointed as a part-time Commissioner in 1997. Mr. Vey is currently Executive Director of the Gander International Airport Authority Inc. He has held a number of positions in the financial industry and worked for 14 years as a small business and community development consultant. Mr. Vey is a graduate of the College of Trades and Technology and the University of Waterloo.



Darlene Whalen was appointed as a part-time Commissioner of the Public Utilities Board in May of 1997. Ms. Whalen holds a Bachelor of Engineering degree (Civil) and a Masters degree in Applied Science and Environmental Engineering, both from Memorial University. She is a registered professional engineer and has worked in the consulting field in the area of water resources engineering. Ms. Whalen currently works with the Faculty of Engineering and Applied Science at Memorial University where she manages the Co-operative Education Office and does sessional teaching in the area of environmental science and engineering.

REPORT ON BOARD ACTIVITIES

This report provides an overview of the regulatory and administrative activities of the Board over the past year. The year was a busy one, with a number of new issues coming before the Board in addition to ongoing regulatory activity. A complete summary of all orders issued by the Board under the Public Utilities Act, the Automobile Insurance Act, the Motor Carrier Act, and the Expropriation Act can be found starting on page 16 of this report.

REGULATORY ACTIVITY

ELECTRICAL INDUSTRY

During the 1999-2000 fiscal year the Board reviewed a number of applications concerning contributions in aid of construction, approval of leases, the annual adjustment of rates resulting from the application of the Rate Stabilization Adjustment and the Municipal Tax Adjustment, and changes to the system of accounts of Newfoundland Power. The Board also received a number of other applications which resulted in public hearings in order to comply with the *Public Utilities Act*.

Public hearings were held in the Fall to review and approve the 2000 capital budgets for Newfoundland and Labrador Hydro and Newfoundland Power. The hearing for Newfoundland Power also included an application to approve the revised values for rate base and invested capital for use in the automatic adjustment formula for the calculation of return on rate base. This automatic adjustment formula was approved for use by Newfoundland Power in 1998 and first implemented for rate setting in the fall of 1998 for 1999 rates. As a result of the adjustment formula and the changes in the long term Canada bond rates, a rate increase was granted to Newfoundland Power, effective January 2000.

The implementation of the automatic adjustment formula illustrates the complications that result from the use of rate of return on rate base instead of rate of return on equity. Not only is it necessary annually to review and recalculate the rate of return on equity to be used in the formula, it is also necessary to review the rate base upon which the return will be calculated. Any change in the proposed cost of capital for the upcoming year requires that the forecasted rate base reflect such changes. The use of the adjustment formula will be revisited by the Board in the fall of 2001.

As part of the communication of this decision to the public, Board staff undertook a survey of domestic electricity rates during the last week of November 1999, using rates that were effective as of January 1, 2000. This survey showed that the rates paid by domestic customers of Newfoundland Power are, on average, mid range of rates paid by all consumers across Canada. Although they are slightly above the national average, only three provinces and one city show rates that are consistently lower than in Newfoundland for the seven, monthly energy-consumption levels selected.

An application was received from Newfoundland and Labrador Hydro on November 16, 1999 requesting the Board's approval and consent for the abandonment of the Roddickton woodchip

fired thermal generating plant and the Roddickton diesel generating plant. A public hearing was held on February 3, 2000 in Roddickton, with the Town of Roddickton intervening. After hearing the evidence presented, the Board decided to sever the application into two components. It dealt with the issue of the woodchip fired thermal generating plant in Order P.U. 26(1999-2000) and deferred the issue of the diesel generating plant until further evidence could be heard at the continuation of the hearing in St. John's on March 14, 2000. Board Order P.U. 26(1999-2000) authorized the abandonment by Hydro of the Roddickton woodchip fired thermal plant, and the write-off of the undepreciated value of the assets that are no longer used and useful (approximately \$17 million), with the exception of the 450 kW diesel engine that was used for emergency start up purposes.

In December the Board approved, on an *ex parte* basis, an application from Newfoundland and Labrador Hydro for a reduction in Industrial Rates. This application was filed under section 3(a)(iv) of the *Electrical Power Control Act, 1994*, which required rates for industrial customers to be adjusted such that after December 31, 1999 these customers were no longer paying a portion of the rural deficit. The Board approved the application on an interim basis, ordering that the rates will have to be finalized by November 30, 2000. As part of this order, the Board also required Hydro to submit, by April 30, 2000, an updated Cost of Service Study using 1999 actual financial results with a view to determining the need for a general rate review and hearing for Hydro. At a meeting held March 29, the Board approved a delay in this filing to June 30, 2000.

On October 1, 1999 an application was filed by Newfoundland Power Inc. to vary existing Order P.U. 8 (1986) as it applies to Glovertown Cable's use of the applicant's poles. In Order P.U. 8 (1986) the Board had prescribed the conditions and compensation for the use of Newfoundland Power's poles by cable operators, including Glovertown Cable, in their respective territories. Order P.U. 1(1997-98) approved a settlement agreement between Newfoundland Power and nine cable operators in the province, excluding Glovertown Cable, which continued to be governed by the terms of Order P.U. 8(1986). After attempts between Newfoundland Power and Glovertown Cable to negotiate the conditions and compensation for use of the poles were unsuccessful, the application was filed under section 53 of the *Public Utilities Act*. At a public hearing on March 1, 2000, both parties agreed that the only two issues of contention were the compensation structure and the remedy in the event of non-payment, which included the right to disconnect. As of March 31 this matter is still under consideration.

Year 2000 Transition

Both Newfoundland and Labrador Hydro and Newfoundland Power Inc. provided to the Board monthly reports on their progress with regard to Y2K preparedness. In addition to co-ordinating their own efforts, both utilities also met with the Board in October to explain their contingency plans, and to answer any concerns that had arisen. Details were provided on the testing that had taken place, the documentation that had been created, the replacement of non-compliant hardware and software, the training of staff to deal with any unexpected occurrences, and the reviews by an outside consultant. The transition was completed without incident and both utilities continue to monitor systems into the new year.

Review of Filing Requirements

The Board also completed a review of filing requirements and the reporting calendar for the utilities with a view to determining what information is necessary to fulfill its legislative mandate and to ensure that the monitoring is both useful and cost-efficient for the utilities and the Board. The new filing and reporting schedule has been in place since the Fall of 1999. The revised requirements were positively received by both utilities and are working well for the Board in terms of meeting its legislated regulatory role.

Regulatory Costs

The reference, during the 1998 general rate hearing of Newfoundland Power Inc., to annual regulatory costs of \$4.1 million led the Board to review this issue. This review was further prompted by the request of Newfoundland Power Inc., during that same hearing, to amortize 1998 regulatory costs of \$1.15 million over three years. The data supplied during the hearing were supplemented by information provided in the 1998 Annual Review. The actual external regulatory costs incurred in 1998 by Newfoundland Power Inc. totaled \$1.63 million.

On the basis of this information, Board staff undertook to relate these figures to the everyday usage of electricity. Two scenarios were explored, and it was found that:

1. An all-electric household with an average monthly usage of 2200 kWh would incur a cost of \$0.45 per month, or \$5.40 per year, that can be directly attributed to regulation by the Board.
2. A household without electric heat, that has an average monthly usage of 700 kWh, would incur a cost of \$0.14 per month, or \$1.68 per year, that can be directly attributed to regulation by the Board.

AUTOMOBILE INSURANCE

The Board continues to fulfill its legislated role with respect to regulation of automobile insurance rates in the province. We are still awaiting the outcome of Government's decision with respect to the report and recommendations of the Select Committee of the House of Assembly on Insurance, which may change the role of the Board in the area of Automobile Insurance. A detailed report on operations relating to regulation of rates in the insurance industry will be submitted to the Minister of Government Services and Lands in June, 2000. A copy of this report will be available on our website (www.pub.nf.ca).

In response to concerns of the Board with respect to operating surpluses of the Facility Association, the Board commissioned a review by its actuarial consultants, which was completed in September 1999. After a review of this report the Board decided that the matter should be the subject of a public hearing. The hearing opened on March 27, 2000 and was adjourned on March 28, to be reconvened in June 2000.

Regulatory Costs

The review of regulatory costs for the electrical industry was extended to the costs of regulation of rates of the automobile insurance industry. Based on information from the records of the Board and from the Insurance Information Centre of Canada, the cost of regulation in Newfoundland is \$1.71 per insured vehicle per year.

EXPROPRIATION

The administration of the *Expropriation Act* became the responsibility of the Board on December 16, 1996. Pursuant to this Act, the Board has responsibility to set compensation for land expropriated by the Provincial Government or the City of St. John's. During 1999-2000 the Board dealt with three matters.

The first matter referred to the Board involved an expropriation of land for the Outer Ring Road. The parties settled for an undisclosed amount shortly before the hearing.

The Board also received an application from the Minister of Works, Services and Transportation to set the amount of compensation, if any, owing to the owners of the Airport Inn Hotel. While no land of the claimants was actually taken, there was a claim that the expropriation of surrounding land and subsequent road re-alignment caused injurious affection to land owned by Airport Inn Realty. The matter was heard in late fall of 1999 and in early 2000. As of March 31, 2000 this matter is still under consideration and a decision is pending.

The third matter referred to the Board was an application from the Minister of Works, Services and Transportation for compensation to be fixed for City Sand and Gravel Limited/O.D. Holdings Limited, the owners of property off Topsail Road which had been expropriated for use in constructing the Outer Ring Road. Before hearing evidence on the compensation issue the Board was asked to hear evidence and argument and render an interpretation of sections 28 and 30 of the Expropriations Act. Order E.A. 1 (1999-2000) was issued which dismissed the application and the Board has since been advised that the parties have since settled most of the outstanding issues.

MOTOR CARRIER

On October 1, 1998, the Board received an application from certain ambulance operators requesting that the Board fix and determine the level of compensation to be paid the operators by the Provincial Department of Health and Community Services. Following publication of notice of the application, the Board received an intervention from the Minister of Health and Community Services which raised a preliminary issue of the Board's jurisdiction to deal with the application. Following a hearing held November 18, 1999, Order M.C. 1 (1999-2000) was issued, which set out the legislative provisions of the Motor Carrier Act and Regulations, and rendered its decision that the Board had jurisdiction to deal with the application as presented.

In an Extraordinary issue of the Newfoundland Gazette, published January 11, 2000, Newfoundland Regulation 4/2000 was published. The intent of this regulation was to amend the provisions of paragraph 28(e) of the Motor Carrier Regulations by excluding ambulance service

rates from the prerogative of the Board, and implementing section 28.1, requiring the Board to fix rates, as a term of the certificates issued to ambulance operators, at the level established by the Minister of Health and Community Services. This change reduced the Board's jurisdiction in this matter.

ADMINISTRATIVE ACTIVITY

Information Technology

Throughout the year the Board has maintained a strong IT presence and has worked diligently to ensure the smooth transition into the year 2000. The Board continued to enhance its public awareness with a further development of its website to include, among other things, a Board hearing schedule, press releases and copies of Board orders. To remain technically strong, the Board has invested in the upgrade of computer systems, software and staff training. To accompany this investment, several internal programs and a local intranet were developed to assist in the flow of information and the administrative operations of the Board.

Personnel

In October the Board said good bye to Vice-Chair Leslie Galway, who had been with the Board since 1990. Leslie has taken over the helm of the Newfoundland Ocean Industries Association (NOIA) as President and CEO. While she will be truly missed at the Board, her experience and leadership qualities will certainly be an asset to NOIA as the oil and gas industry matures in the province. The Board also welcomed newly appointed commissioner Gerard Martin, Q.C., of Corner Brook. Jason Paul also joined the Board in a temporary capacity, replacing Leah Keating, the Board's staff accountant, who is on leave.

Education and Training

Education and training play an important role in the effectiveness and ability of the Board to carry out its mandate. Because of the nature of the work of the Board and the changes happening in the industries we regulate, especially the electrical industry, training and continuing education of staff and commissioners is critical. The Board is also an active member of CAMPUT (Canadian Association of Members of Public Utility Tribunals), with several staff and commissioners participating in committee work and leadership roles. The Board will continue to support education and training initiatives for staff and commissioners.

REPORT ON ORGANIZATIONAL OBJECTIVES

Over the last ten years there have been significant philosophical changes in the regulatory regimes across North America and around the world. With growing emphasis being placed on government deregulation, especially in the electrical power industry, regulatory boards, commissions and agencies have had to change the way they do business. Increased awareness by government, the regulated entities and the public has led to a higher level of accountability of regulatory agencies with respect to their legislative mandates. This has resulted in regulatory commissions embarking on strategic planning processes to ensure that the highest possible level of service and commitment is delivered.

The first phase of the strategic planning process resulted in the publication in 1998 of our Strategic Plan. This plan set out, for the first time, a set of goals and objectives for the Board. We knew, however, that in order to ensure that good sound business management practices were being followed, it was important that appropriate organizational goals were not only established and achieved but also measurable. To measure the performance of our goals and objectives with target dates it was decided that we would include in our annual report a section that would compare our objectives and performance of these objectives on a yearly basis.

In our 1999 annual report we began this process with the inclusion of the listing of the objectives to be completed during the fiscal year 1999-2000. This year we have decided to change the format of our annual report. Instead of providing a general summary of the Board's activities, which repeats the information contained in the listing of Board orders, we have chosen to provide an annual report, which provides a summary of the Board activities and gives a commentary on the commission's most significant accomplishments as they relate to our annual operational objectives, and the audited financial statements for the year ending March 31, 2000.

The following sections provide a summary of our accomplishments over the past year and outline the operating objectives for the upcoming year 2000-2001.

REPORT ON ORGANIZATIONAL OBJECTIVES
For the Year 1999-2000

REGULATORY OBJECTIVES

1. Continue to monitor Y2K compliance by public utilities.

Status: Completed. Monitoring program was a success. The Board was quite confident that when the clocks rolled over to January 1, 2000 that both Newfoundland Power and Newfoundland and Labrador Hydro had minimized the Year 2000 problem. Problems attributed to the Y2K computer problem will be reported on an incident-by-incident basis.

2. Implement new and harmonized filing requirements for Newfoundland Power and Newfoundland and Labrador Hydro.

Status: Completed. The reporting requirements and schedule were reviewed with a new quarterly reporting process starting in September 1999. This has resulted in harmonization of the requirements between the utilities, a more efficient reporting system and streamlining of regulatory costs. A review of the effectiveness of the new requirements and schedule is scheduled for 2001.

3. Review the scope and mode of regulation of electric utilities as an input by the Board into Government's Energy Policy Review.

Status: Remains outstanding, awaiting Government direction. As of March 31,2000, the Government's Energy Policy Review is still in progress. The Board is in the process of preparing a report to be submitted to government.

4. Review possible legislative changes to improve the efficiency of the automatic adjustment formula, which is designed to achieve an annual adjustment in the allowed cost of capital without the necessity of a costly hearing into the cost of capital.

Status: Remains ongoing, pending Energy Policy Review. The Board implemented an annual automatic adjustment formula in 1998, with a review of the formula scheduled for Fall 2001. The Energy Policy Review may also impact on any legislative changes. Up to March 31, 2000, this Policy Review had not addressed the issue of regulatory options.

5. Complete a comprehensive review of the system of accounting used by Facility Association in order to determine the extent, if any, of profits from Newfoundland operations.

Status: Completed. The Board completed an investigation that resulted in a hearing being called. The hearing began on March 27, 2000 and has adjourned until June 2000.

6. Report to Government with recommendations concerning intervenor funding.

Status: Remains ongoing. Objective placed on hold status, pending outcome of Government's Energy Policy Review.

7. Prepare new procedural regulations for the hearing of land value arbitration applications for approval by the Lieutenant Governor in Council.

Status: Completed, awaiting Government's response. Draft regulations have been completed and forwarded to Government for review and approval.

ADMINISTRATIVE OBJECTIVES

8. Implement key recommendations resulting from a review of internal controls conducted for the Board by its auditors.

Status: Completed. Review of Internal Control Report was completed. Recommendations have been reviewed and implemented. Currently completing policies to be incorporated in the policy manual.

9. Review the Board's records management and improve public access to the records and database maintained by the Board.

Status: Completed. Records management committee established. New filing system has been designed. Currently in the process of hiring records technician to help design computer database. Public access has improved through the availability of Board decisions and other important information being posted on the Board's website.

10. Prepare an ongoing Board calendar accessible to the public on our website.

Status: Completed. Board's website is fully operational - www.pub.nf.ca.

11. Develop a media and public relations plan so that the public can be better informed on the role and the activities of the Board.

Status: Completed. Process has been developed. Written documentation of policies to be completed in the upcoming year.

12. Improve the organizational structure to increase the Board's efficiency and provide greater administrative empowerment of staff.

Status: Completed. New objective for upcoming year to complete legislative changes. A thorough administrative review was completed, resulting in a management committee being established to deal with routine administrative issues.

13. Build upon the strength of the Board's human resources through an improved program of personal and professional development.

Status: Completed. New organizational structure completed, with supervisors having key roles in encouragement of personnel development with focus on enhancing computer skills and educational programs.

14. Improve communication as to the achievement of goals and objectives by each member of the organization and the organization as a whole.

Status: Completed. Internal communications improved through the establishment of intra-net and e-mail system. Weekly staff meetings now held to give individual status reports and review objectives for upcoming week.

15. Establish a regional office of the Board in Corner Brook with a mandate to address complaints and inquiries from automobile insurance customers, and customers of the electric power utilities, particularly the customers of Newfoundland and Labrador Hydro living in rural areas of the Province.

Status: Completed. Regional office established.

ORGANIZATIONAL OBJECTIVES
For 2000-2001

REGULATORY OBJECTIVES

1. Research alternative methods of regulation such as incentive based and performance based regulation and prepare a position paper for government.
2. Review Newfoundland and Labrador Hydro's 1999 Cost of Service Study with a view to determining the need for a general review and rate hearing.
3. Review with Government the role of the Board with respect to Motor Carrier Regulation.
4. Revisit drafted procedural Expropriation Regulations with intention to incorporate the Board's experience into the draft.
5. Review with the Board's Financial Consultants the continued applicability of the Automatic Adjustment Formula and its components in preparation for the three year review in the Fall of 2001.
6. Review 1998 Quality of Service Studies of Newfoundland Power and Newfoundland and Labrador Hydro to prepare for upcoming reviews.
7. Review legal implications for Board with respect to proposed corporate status of the Board.
8. Report to government with recommendations concerning intervenor funding.

ADMINISTRATIVE OBJECTIVES

9. Complete the implementation of new records management system for the organization.
10. Develop written policies with respect to the administrative Internal Controls Review.
11. Review organizational structure and draft necessary legislative changes for government approval.
12. Develop a written policy with respect to media relations and communication of Board decisions.
13. Implement a formal performance appraisal system that encourages professional and personal development of staff.
14. Review and re-tender for transcription services.
15. Review and re-tender for financial consulting services.
16. Review the actuarial services contract with a view to determine the need to re-tender.
17. Complete review of staff position descriptions to ensure they fall in line with the organizational structure approved in 1999.

**SUMMARY OF ORDERS OF THE BOARD ISSUED DURING 1999-2000
UNDER
THE PUBLIC UTILITIES ACT**

Newfoundland and Labrador Hydro

P.U.1 (1999 - 2000)

Application:

May 12, 1999

Ex Parte - Application for approval, pursuant to section 41 of the Act, to extend the term of a lease for office space in Labrador City.

Decision:

Approval granted, as requested, to the proposed lease for the said office space for the monthly amount of \$1200.00, and until September, 1999, as a result of a meeting of the Board.

Newfoundland and Labrador Hydro

P.U.2 (1999 - 2000)

Application:

May 28, 1999

Ex Parte - Application for approval, pursuant to section 41 of the Act, for the lease of further upgrades to certain computer equipment.

Decision:

Approval granted, as requested, to the proposed lease for the said computer upgrade equipment for the annual amount not to exceed \$40,000 and for the remainder of the term of the computer lease, being 34 of the 48 months, as a result of a meeting of the Board.

Newfoundland Power Inc.

P.U.3 (1999 - 2000)

Application:

June 16, 1999

Application for approval of a contribution in aid of construction for a line extension to serve the Town of Birchy Bay, pursuant to section 41(5) of the Act.

Decision:

Approval granted as requested, pursuant to section 41(5) of the Act, for the contribution in aid of construction in the amount of \$32,085, including HST, as calculated under the Policy, for a line extension to serve the Town of Birchy Bay, as a result of a meeting of the Board.

Newfoundland Power Inc.

P.U.4 (1999 - 2000)

Application:

June 24, 1999

Application for approval of rate stabilization and municipal tax adjustments to be applied to the rates of Newfoundland Power Inc. for the period July 1, 1999 to June 30, 2000, pursuant to section 71 of the Public Utilities Act.

Decision:

As a result of a Board meeting, approval was granted, as requested, pursuant to section 71 of the Act, for the Rate Stabilization Adjustment factor of 0.261 cents/kWh and the MTA factor of 1.02688 to be applied to all bills based on meter readings for the period July 1, 1999 to June 30, 2000. The Applicant is also ordered to place an insert in the next billing explaining the reasons for the adjustment and its magnitude.

Newfoundland Power Inc.

P.U.5 (1999 - 2000)

Application:

June 30, 1999

Application for approval of a contribution in aid of construction for a line extension to serve Mr. Gilbert George pursuant to section 41(5) of the Act.

Decision:

As a result of a Board meeting, approval was granted Pursuant to section 41(5) of the Act, the contribution in aid of construction in the amount of twelve thousand, six hundred and eighty-nine dollars and ten cents (\$12,689.10), including HST, as calculated under the Policy.

Newfoundland Power Inc. P.U.6 (1999 -2000)

Application: **June 30, 1999**
 Application for approval of Capital Expenditures in excess of \$50,000 pursuant to section 41(3) of the Act.

Decision:
 As a result of a Board meeting, approval was granted pursuant to section 41(3) of the Act for:
 The construction projects and capital purchases in excess of \$50,000 and (ii) the revised 1999 capital budget.

Newfoundland Power Inc. P.U.7 (1999 - 2000)

Application: **July 2, 1999**
 Application for approval of a Contribution in Aid of Construction for a line extension to serve Mr. Bert Power.

Decision:
 As a result of a Board meeting, approval was granted pursuant to section 41(5) of the Act, for the contribution in aid of construction in the amount of two thousand three hundred fifty-seven dollars and fifty cents (\$2,357.50) including HST, as calculated under the Policy.

Newfoundland Power Inc. P.U.8 (1999 -2000)

Application: **July 9, 1999**
 Application for approval of a contribution in aid of construction for Arthur Waye, Jr.

Decision:
 As a result of a Board meeting, approval was granted pursuant to section 41(5) of the Act, for the contribution in aid of construction in the amount of ten thousand six hundred and ninety five dollars (\$10,695.00) including HST, as calculated under the Policy.

Newfoundland Power Inc. P.U.9 (1999-2000)

Application: **July 9, 1999**
 Application for approval of a contribution in aid of construction for Edward Williams.

Decision:
 As a result of a Board meeting, approval was granted pursuant to section 41(5) of the Act, for the contribution in aid of construction in the amount of twenty-eight thousand, four hundred and sixteen dollars and fifty cents (\$28,416.50) including HST, as calculated under the Policy.

Newfoundland Power Inc. P.U.10 (1999-2000)

Application: **July 14, 1999**
 Application for approval of a contribution in aid of construction for Seasonal Customers, located in an area known as Goulds Pond Extension off the Trans Canada Highway, near Hodgwater Line.

Decision:
 Approval granted pursuant to section 41(5) of the Act, for the contribution in aid of construction in the amount of five thousand eighty-three dollars (\$5,083.00), including HST, as calculated under the Policy, as a result of a meeting of the Board.

Newfoundland Power Inc.

P.U.11 (1999-2000)

Application:

July 23, 1999

Application for approval of a contribution in aid of construction for a line extension to serve Ms. Janet Vardy , a Seasonal Customer, located in Milton, Trinity Bay, pursuant to section 41(5) of the Act.

Decision:

Approval granted pursuant to section 41(5) of the Act, for the contribution in aid of construction in the amount of one thousand two hundred sixty-five dollars (\$1,265.00), including HST, as calculated under the Policy, as a result of a meeting of the Board.

Newfoundland Power Inc.

P.U. 12 (1999-2000)

Application:

July 23, 1999

Application for approval of a contribution in aid of construction for a line extension to serve the Town of Kippens pursuant to section 41(5) of the Act.

Decision:

Approval granted pursuant to section 41(5) of the Act, for the contribution in aid of construction in the amount of one hundred one thousand six hundred fifty-four dollars (\$101,654), including HST, as calculated under the Policy, as a result of a meeting of the Board.

Newfoundland and Labrador Hydro

P.U. 13 (1999-2000)

Application:

Aug. 24, 1999

Application for approval of a contribution in aid of construction for the supply of three phase electrical service to the Sheshatshui Innu Band Council

Decision:

As a result of a Board meeting, approval was granted for a contribution in aid of construction for the supply of three phase electrical service *inter alia*.

Newfoundland and Labrador Hydro

P.U. 14 (1999-2000)

Application:

Sept. 24, 1999

Application for approval, pursuant to section 41 of the Act, for the lease of a mainframe computer printer.

Decision:

Approval granted as requested for the estimated annual amount of \$42,000 for a term of 60 months, as a result of a meeting of the Board.

Newfoundland and Labrador Hydro

P.U. 15 (1999-2000)

Application:

Sept. 24, 1999

Application for approval, pursuant to section 41 of the Act, for a ten-year lease for office space in Labrador City.

Decision:

Approval granted as requested for the proposed lease for the said office space, for the monthly amount of \$1,302.50 and for a ten-year term, as a result of a meeting of the Board.

Newfoundland Power Inc.

P.U. 16 (1999-2000)

Application:

Sept. 23, 1999

Application for amendment, pursuant to section 76, of the Act for an Order of the Board approving a contribution in aid of construction for a line extension to serve Mr. Edward Williams ("the Customer") pursuant to section 41(5) of the Act.

Decision:

Approval granted as a result of a meeting of the Board:

1. Pursuant to section 41(5) of the Act, for a contribution in aid of construction in the amount of \$8,313.00, including HST, as re-calculated under the Policy; and
2. Pursuant to section 76 of the Act, Order No. P.U. 9 (1999-2000) is amended accordingly.

Newfoundland Power Inc.

P.U. 17 (1999-2000)

Application:

Oct. 26, 1999

Application for approval of a contribution in aid of construction for a line extension to serve Mr. Gordon Woolfrey, pursuant to section 41(5) of the Act.

Decision:

Approval granted, pursuant to section 41(5) of the Act, for a contribution in aid of construction in the amount of nine thousand three hundred forty-nine dollars and fifty cents (\$9,349.50), including HST, as calculated under the Policy to provide single phase service to the residence of Mr. Gordon Woolfrey located off Mason Cove Road, Embree, as a result of a meeting of the Board

Newfoundland Power Inc.

P. U. 18 (1999-2000)

Application:

Nov. 25, 1999

Application, as amended, for an Order pursuant to sections 41, 78 and 80 of the Act,

- (a) (i) approving its 2000 Capital Budget;
 - (ii) approving leases for 2000 in excess of \$5,000 per year ; and
 - (iii) approving revisions to its 1999 capital budget;
- (b) (i) fixing and determining its average rate base for 1998 in the amount of \$488,204,000;
 - (ii) approving its revised forecast average rate base for 1999 in the amount of \$503,298,000; and
 - (iii) approving its forecast average rate base for 2000 in the amount of \$512,693,000; and
- (c) approving revised values for rate base and invested capital for use in the automatic adjustment formula for the calculation of return on rate base for 2000 pursuant to Orders No. P.U. 16 and 36 (1998-99)

Decision:

Approval granted as requested, after a public hearing held November 19, 1999

Newfoundland and Labrador Hydro

P. U. 19 (1999-2000)

Application:

Nov. 25, 1999

Application for approval of (1) its 2000 Capital Budget pursuant to s.41(1) of the Act; (2) its 2000 Capital purchases and construction projects in excess of \$50,000 pursuant to S.41(3)(a);(3)its leases for 2000 in excess of \$5,000 per year pursuant to s.41(3)(b) of the Act; and (4) its estimated contributions in aid of construction for 2000 pursuant to s.41(5) of the Act.

Decision:

Approval granted, as requested, as a result of a public hearing held November 16, 1999.

Newfoundland Power Inc.

P.U. 20 (1999-2000)

Application:

Dec. 9, 1999

In the matter of an automatic adjustment mechanism to adjust the rates of Newfoundland Power Inc. based on variations in rate base as established by the Board in Order No. P.U. 16 (1998-99) and Order No. P.U. 36 (1998-99)

Decision:

Approval granted, as requested, as a result of a meeting of the Board .

Newfoundland Power Inc.

P. U. 21 (1999-2000)

Application:

Dec. 2, 1999

Application for approval of a contribution in aid of construction for a line extension to serve seasonal customers, located on Spruce Brook Road near the community of Gallants, pursuant to section 41(5) of the Act.

Decision:

Approval granted, as requested, as a result of a meeting of the Board .

Newfoundland Power Inc.

P.U. 22 (1999-2000)

Application:

Dec. 2, 1999

Application for approval of a contribution in aid of construction for approval of:

1. a contribution in aid of construction to serve seasonal customers, pursuant to section 41(5) of the Act; and
2. the Applicant's 1999 Capital Expenditures in relation to the construction of a line pursuant to section 41(3) of the Act.

Decision:

Approval granted, as requested, pursuant to sections 41(3) and 41(5) of the Act, respectively, as follows:

- (i) The capital expenditure in relation to construction of the Line as set out in Schedule A of the Application; and
- (ii) The contribution in aid of construction in the amount of six thousand three hundred fifty-eight dollars and eighty-one cents (\$6,358.81), including HST, as calculated under the Policy, as a result of a meeting of the Board.

Newfoundland and Labrador Hydro

P.U. 23 (1999-2000)

Application:

Dec. 14, 1999

Ex Parte Application, pursuant to section 75 of the Public Utilities Act, for an interim Order to adjust the rates charged Hydro's Island Industrial Customers in accordance with the EPCA, 1994.

Decision:

As a result of an ex parte hearing on Dec. 3, 1999, the following interim order was approved:

1. An update of the 1994 cost of service study to reflect the 1999 operating and financial results be undertaken by the Applicant and submitted to the Board no later than April 1st, 2000, to allow the Board to determine the need for a general review and rate hearing.
2. Pursuant to section 75 of the Act, the Applicant's base energy rate charged to island industrial customers shall be 19.34 mills/kWh; their demand rate shall be \$7.36 per kW and their specifically assigned charges shall be reduced by amounts which effect reductions of 10.74% from their previous levels, with effect from January 1st, 2000 until November 30th, 2000, or such time prior to November 30th, 2000 as a final Order is issued, under section 70 of the Act.
3. All costs and expenses of the Board incurred in connection with the application shall be borne by the Applicant.

Newfoundland Power Inc.

P.U. 24 (1999-2000)

Application:

Dec. 23, 1999

For approval of the amortization and funding of pension liability associated with an early retirement program.

Decision:

As a result of a Board meeting:

1. Pursuant to section 58 of the Act, the Board approves the charging to operating account of the pension liability created in the plan by virtue of the Program in equal annual amounts over a ten-year period commencing in January, 2000; and the funding of the pension liability associated with the Program in equal annual amounts over a ten-year period commencing in January, 2000.
2. The Applicant file with the Board, as part of the 1st Quarterly Report, beginning in March 2001, and for each of the next two years, information on the effect that the early retirement Program has had on: the capital and operating expenses of the Applicant; the level of service; and, the reliability of power supply.

Newfoundland Power Inc.

P. U. 25 (1999-2000)

Application:

Jan. 27, 2000

For approval of changes to its System of Accounts pursuant to section 58 of the Act.

Decision:

Approval granted, as requested, as a result of a meeting of the Board

Newfoundland and Labrador Hydro

P.U. 26 (1999-2000)

Application:

Feb. 18, 2000

For approval pursuant to s. 38 of the Act, to abandon the Roddickton woodchip fired thermal generating plant and the Roddickton diesel generating plant.

Decision:

Following a public hearing in Roddickton on Feb. 3, 2000, the following order was issued:

1. Hydro be and they are hereby authorized under section 38 of the Public Utilities Act to abandon the Roddickton woodchip fired thermal plant and to write off the undepreciated value of the assets, with the exception of the 450 kW diesel engine which was used for emergency start up purposes.
2. Hydro will pay the costs of the Board.

Newfoundland Power Inc.

P.U. 27 (1999-2000)

Application:

Feb. 28, 2000

For approval pursuant to s. 38 of the Act, for written consent to abandon a part of its distribution line.

Decision:

Approval granted, as requested, as a result of a meeting of the Board.

Newfoundland Power Inc.

P.U. 28 (1999-2000)

Application:

March 29, 2000

To Amend Order No. P.U. 36 (1998-99) in respect of the time for filing a study on the appropriate policy for revenue recognition.

Decision:

Approval granted, as a result of a public hearing held March 29, 2000.

**SUMMARY OF ORDERS OF THE BOARD ISSUED DURING 1999-2000
UNDER
THE AUTOMOBILE INSURANCE ACT**

- Axa Canada** **A.I. 1 (1999-2000)**
Application: **April 14, 1999**
Application to implement revised rates for its private passenger class of business
Decision:
Approved as a result of a meeting of the Board
- Portage La Prairie Mutual Insurance Company** **A.I. 2 (1999-2000)**
Application: **June 2, 1999**
Application to implement rating programs for its private passenger, commercial, recreational vehicle, motorcycle & moped, all terrain & snow vehicle classes of business
Decision:
Approved as a result of a meeting of the Board
- Facility Association** **A.I. 3 (1999-2000)**
Application: **June 2, 1999**
Application to implement revised rates for its garage class of business
Decision:
Approved as a result of a meeting of the Board
- Metro General Insurance Corporation Ltd** **A.I. 4 (1999-2000)**
Application: **June 2, 1999**
Application for approval of a revised rating program for its private passenger class of business
Decision:
Rating program confirmed as a result of a meeting of the Board
- The Dominion of Canada general Insurance Company** **A.I. 5 (1999-2000)**
Application: **June 16, 1999**
Application for approval to implement revised rates for its interurban vehicle class of business
Decision:
Approved as a result of a meeting of the Board
- On the Board's Own Initiative** **A.I. 6 (1999-2000)**
Application: **June 16, 1999**
In the matter of the review of the Class 05, occasional, underage female operator differential applicable to the private passenger automobile insurance program of Royal & SunAlliance
Decision:
To implement as set out by the Board a Class 05, occasional, underage female operator schedule of premiums for third party liability and collision for all three territories.
The rates to be based on the difference between Royal's current third party liability and collision Class 02 and 03 differentials.
Implementation to be established on all policies renewed on and after July 1, 1999 in which an occasional, underage female operator is listed as a driver.

Royal & SunAlliance Insurance Company of Canada **A.I. 7 (1999-2000)**
Application: **June 16, 1999**

Application to extend the applicability of certain of its discounts approved by the Board to its uninsured motorist premium

Decision:

Approval granted as a result of a meeting of the Board with effect from June 16, 1999 for new business and renewals

Royal & SunAlliance Insurance Company of Canada **A.I. 8 (1999-2000)**
Application: **June 30, 1999**

Application for revision to its Class 05 differentials (underage female operators) as outlined in A.I. 6 (1999-2000)

Decision:

Approval granted as a result of a meeting of the Board to implement Class 05, occasional, underage-female-operator differentials, effective July 7, 1999 for new business and August 1, 1999 for renewals

Scottish & York Insurance Company **A.I. 9 (1999-2000)**
Application: **June 30, 1999**

Application for approval of a revised rating program for its private passenger class of business.

Decision:

Approval granted as a result of a meeting of the Board

Royal & SunAlliance Insurance Company of Canada **A.I. 10 (1999-2000)**
Application: **July 8, 1999**

Re: A.I. 8 (1999-2000) Request that the effective date for renewals be adjusted to September 1, 1999

Decision:

Approved as a result of a meeting of the Board

PriceWaterhouseCoopers **A.I. 11 (1999-2000)**
on behalf of: **July 9, 1999**

Cumis General Insurance Company

Application:

Application to implement rates for its private passenger class of business

Decision:

Approved as a result of a meeting with of the Board

Centennial Insurance Company **A.I. 12 (1999-2000)**
Application: **Sept. 23, 1999**

Application to implement rates for its commercial class of business

Decision:

Approved as a result of a meeting of the Board

CGU Insurance Company of Canada **A.I. 13 (1999-2000)**
Application: **Sept. 23, 1999**

Application to implement revised rates for its commercial class of business

Decision:

Approved as a result of a meeting of the Board

<p>Royal & SunAlliance Insurance Company of Canada Application: Application to implement new rates for its private passenger class of business Decision: Approved as a result of a meeting of the Board</p>	<p>A. I. 14 (1999-2000) Sept. 23, 1999</p>
<p>RBC Insurance Application: Application to implement rating programs for its private passenger, recreational vehicle, motorcycle & moped, all terrain and snow vehicle classes of business Decision: Approved as a result of a meeting of the Board</p>	<p>A. I. 15 (1999-2000) Oct. 6, 1999</p>
<p>Unifund Assurance Application: Application to implement rates for its miscellaneous classes of business Decision: Approved as a result of a meeting of the Board</p>	<p>A. I. 16 (1999-2000) Oct. 26, 1999</p>
<p>Sovereign General Insurance Company Application: Application to implement revised rates for its private passenger class of business Decision: Approved as a result of a meeting of the Board</p>	<p>A. I. 17 (1999-2000) Oct. 26, 1999</p>
<p>Centennial Insurance Company Application: Application to implement revised rates for its private passenger class of business Decision: Approved as a result of a meeting of the Board</p>	<p>A. I. 18 (1999-2000) Oct. 26, 1999</p>
<p>RBC General Insurance Company Application: Application to implement revised rates for its miscellaneous (motorhome) class of business Decision: Approved as a result of a meeting of the Board</p>	<p>A. I. 19 (1999-2000) Oct. 26, 1999</p>
<p>Royal & SunAlliance Insurance Company of Canada Application: Application to implement revised rates for its commercial class of business and certain changes to its miscellaneous vehicles' rating program Decision: Approved as a result of a meeting of the Board</p>	<p>A. I. 20 (1999-2000) Oct. 26, 1999</p>
<p>RBC General Insurance Company Application: Application to implement revised rates for its miscellaneous class of business Decision: Approval granted as a result of a meeting of the Board</p>	<p>A. I. 21 (1999-2000) Dec. 2, 1999</p>

- Gan Canada** **A. I. 22 (1999-2000)**
on behalf of: **Dec. 2, 1999**
 Gan Canada Insurance Company
 Gan General Insurance Company
Application:
 Application requesting correction to its short commute discount approved in A.I. 70 (1998-99) to 5% instead of 10%
Decision:
 Approval granted as a result of a meeting of the Board
- Canada Life Casualty Insurance Company** **A.I. 23 (1999-2000)**
Application: **Dec. 2, 1999**
 Application to implement Class 05 differentials for third party liability and collision portion of its private passenger class of business
Decision:
 Approval granted as a result of a meeting of the Board
- Non-Marine Underwriters at Lloyd's** **A.I. 24 (1999-2000)**
Application: **Dec. 2, 1999**
 Application to implement a rate for uninsured motorist applicable to its miscellaneous class of business
Decision:
 Approval granted as a result of a meeting of the Board
- PriceWaterhouseCoopers** **A.I. 25 (1999-2000)**
on behalf of: **Dec. 2, 1999**
 The Coseco Insurance Company
Application:
 Application to implement revised rates for its private passenger class of business
Decision:
 As a result of a meeting of the Board, application denied; Coseco Insurance Company shall continue to use rating program approved in Board Order A.I. 34 (1998-99)
- PriceWaterhouseCoopers** **A.I. 26 (1999-2000)**
on behalf of: **Dec. 2, 1999**
 Cumis General Insurance Company
Application:
 Application to implement revised rates for its private passenger class of business
Decision:
 As a result of a meeting of the Board, application denied; Cumis General Insurance Company shall continue to use rating program approved in Board Order A.I. 11 (1999-2000)
- On the Board's own Initiative** **A.I. 27 (1999-2000)**
Application: **Dec. 2, 1999**
 In the matter of Allianz Canada for Alliance Insurance Company of Canada
Decision:
 To establish Class 05 differentials for use with the rating program approved by the Board in A.I. 35 (1998-1999)

<p>On the Board's own Initiative Application: In the matter of Allianz Canada for Trafalgar Insurance Company of Canada Decision: To establish Class 05 differentials for use with the rating program approved by the Board in A.I. 36 (1998-1999)</p>	<p>A.I. 28 (1999-2000) Dec. 2, 1999</p>
<p>Centennial Insurance Company Application: In the matter of an application to implement rates for its commercial class of business Decision: Approval granted as a result of a meeting of the Board</p>	<p>A.I. 29 (1999-2000) Jan. 26, 2000</p>
<p>Lloyd's Underwriters Application: In the matter of an application to implement revised rates for its commercial class of business Decision: Approval granted as a result of a meeting of the Board</p>	<p>A.I. 30 (1999-2000) Jan. 26, 2000</p>
<p>Coseco Insurance Company Application: In the matter of an application to implement revised rates for its private passenger class of business Decision: Approval granted as a result of a meeting of the Board to implement changes to its private passenger automobile insurance rating program to:</p> <ol style="list-style-type: none"> 1. remove the previously-approved 10% surcharge on Driving-Record rates where the insured has one Traffic Act conviction, 2. establish the SEF # 44 premium at \$20.00, all limits, 3. establish the SEF # 13c premium at 60% of the Comprehensive premium, and 4. extend the Short-Commute discount to include Insureds' travelling distance of up to sixteen kilometres, one-way. 	<p>A.I. 31 (1999-2000) Feb. 28, 2000</p>
<p>Echelon General Insurance Company Application: Application to implement revised rates for its private passenger class of business Decision: Approval granted as a result of a meeting of the Board</p>	<p>A.I. 32 (1999-2000) March 29, 2000</p>
<p>Co-operators General Insurance Company Application: Application to implement revised rates for its private passenger class of business Decision: Approval granted as a result of a meeting of the Board</p>	<p>A.I. 33 (1999-2000) March 29, 2000</p>
<p>Chubb Insurance Company of Canada Application: Application to implement revised rates for its private passenger class of business Decision: Approval granted as a result of a meeting of the Board</p>	<p>A.I. 34 (1999-2000) March 29, 2000</p>

Citadel General Assurance Company

A.I. 35 (1999-2000)

Application:

March 29, 2000

Application to implement revised rates for its private passenger class of business

Decision:

Approval granted as a result of a meeting of the Board

Canada Life

A.I. 36 (1999-2000)

Application:

March 29, 2000

Application to implement rates for its all terrain (ATV) class of business

Decision:

Approval granted as a result of a meeting of the Board

Coseco Insurance Company

A.I. 37 (1999-2000)

Application:

March 29, 2000

Application that SEF#44 protection premium of \$20, all limits, approved in A.I. 31 (1999-2000) be changed to varying limits

Decision:

Approval granted as a result of a meeting of the Board

**SUMMARY OF ORDERS OF THE BOARD ISSUED DURING 1999-2000
UNDER
THE MOTOR CARRIER ACT**

**Kenneth Broughton,
operating as Broughton's Ambulance Service, et al.**

**M.C. 1 (1999-2000)
Dec. 21, 1999**

Application:

Application for an amendment to the Motor Carrier Certificates of certain ambulance service providers ("Ambulance Operators")

Decision:

As a result of a public hearing held November 18, 1999:

1. The Application of Kenneth Broughton, operating as Broughton's Ambulance Service, et al, for an amendment to the motor carrier certificates of certain ambulance service providers will be heard by the Board.
2. Pursuant to section 18 (2) of the Motor Carrier Act the expenses of the Board on the preliminary issue of jurisdiction shall be paid by the Department of Health and Community Services.

G. P. Fahey & Sons Ltd.

**M.C. 2 (1999-2000)
Feb. 28, 2000**

Application:

Application for cancellation of M.C. 6382

Decision:

Approval granted as a result of a meeting of the Board

**SUMMARY OF ORDERS OF THE BOARD ISSUED DURING 1999-2000
UNDER
THE EXPROPRIATION ACT**

**Her Majesty in Right of Newfoundland,
as represented by the Honourable the Minister of Works,
Services & Transportation (the “Applicant”)**

**E.A. 1 (1999-2000)
March 22, 2000**

**re: Expropriation - O. D. Holdings Limited and/or to City Sand & Gravel Limited
(the “Claimants”).**

Application:

To determine a preliminary question of law pursuant to regulation 27 of the Board of Commissioners of Public Utilities Regulations, 1996, in particular the issue to be determined was an interpretation of section 30 of the Expropriation Act.

Decision:

As a result of a public hearing on January 19, 2000, the Board found that it must construe the meaning of the word *adjoining* strictly and accord a wide construction to the meaning of that word favouring respect for the Claimants' rights; that *adjoining* means exactly what it says, that is, touching of contiguous, as distinguished from lying near to or adjacent to and that the lands sought to be exchanged for the lands expropriated are not adjoining the lands expropriated. It was therefore ordered that:

1. The Board, having no jurisdiction to order an exchange of land as proposed by the Applicant, hereby dismisses the Application.
2. The Applicant shall pay the cost of the Claimants in this Application.
3. The expenses of the Board arising from this Application shall be paid by the Applicant.

FINANCIAL STATEMENTS

Morrissey & Company

CHARTERED ACCOUNTANTS

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AUDITORS' REPORT

To the Members of the Board of Commissioners of Public Utilities:

We have audited the balance sheet of the **BOARD OF COMMISSIONERS OF PUBLIC UTILITIES** as at March 31, 2000 and the statements of revenue, expenditure and surplus and cash flows for the year then ended. These financial statements are the responsibility of the Board's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these financial statements present fairly, in all material respects, the financial position of the Board as at March 31, 2000 and the results of its operations and its cash flows for the year then ended in accordance with generally accepted accounting principles.

St. John's, Newfoundland
June 7, 2000

Chartered Accountants

**BOARD OF COMMISSIONERS OF PUBLIC UTILITIES
BALANCE SHEET**

As At March 31,	2000	1999
ASSETS		
Current		
Cash	\$ 370,840	\$ 210,769
Accounts receivable	42,242	90,951
Hearing costs recoverable (Note 3)	115,904	38,007
Prepaid expenses	<u>12,448</u>	<u>18,348</u>
	541,434	358,075
Designated pension funds (Note 4)	<u>660,586</u>	<u>699,878</u>
	<u>\$ 1,202,020</u>	<u>\$ 1,057,953</u>
LIABILITIES		
Current		
Accounts payable and accruals	\$ 80,011	\$ 77,028
Accrued vacation pay	<u>122,269</u>	<u>109,379</u>
	202,280	186,407
Accrued severance pay	117,997	124,070
Pension obligations (Note 4)	<u>411,200</u>	<u>435,000</u>
	731,477	745,477
EQUITY		
Surplus	<u>470,543</u>	<u>312,476</u>
	<u>\$ 1,202,020</u>	<u>\$ 1,057,953</u>

On behalf of the Board:

_____ Chairperson and CEO

_____ Vice-Chairperson

See Accompanying Notes

**BOARD OF COMMISSIONERS OF PUBLIC UTILITIES
STATEMENT OF REVENUE, EXPENDITURE AND SURPLUS**

Year Ended March 31,	2000	1999
Revenue		
Assessments	\$ 1,373,630	\$ 1,312,626
Hearings	2,250	17,250
Interest	23,599	16,438
Miscellaneous	4,927	406
Pension income (Note 4)	<u>26,153</u>	<u>27,305</u>
	<u>1,430,559</u>	<u>1,374,025</u>
Expenditure		
Advertising and notices	6,456	7,398
Furniture and equipment	9,918	28,092
Insurance	874	1,402
Leasehold improvements	2,350	29,626
Office supplies and printing	23,851	33,521
Pension obligations estimation adjustment (Note 4)	41,645	129,890
Postage and courier	4,758	4,649
Professional fees	81,058	216,088
Registration and training	29,691	19,579
Rent	128,645	126,001
Salaries and associated costs	854,353	772,258
Strategic planning	-	11,283
Telephone	27,944	24,863
Transcription	4,038	2,450
Travel	<u>56,911</u>	<u>40,666</u>
	<u>1,272,492</u>	<u>1,447,766</u>
Excess (deficiency) of revenue over expenditure	158,067	(73,741)
Surplus as at beginning of year	<u>312,476</u>	<u>386,217</u>
Surplus as at end of year	<u>\$ 470,543</u>	<u>\$ 312,476</u>

See Accompanying Notes

**BOARD OF COMMISSIONERS OF PUBLIC UTILITIES
STATEMENT OF CASH FLOWS**

Year Ended March 31,	2000	1999
Operating activities		
Excess (deficiency) of revenue over expenditure	\$ 158,067	\$ (73,741)
Changes in non-cash working capital balances		
Decrease (increase) in accounts receivable	48,709	(37,213)
(Increase) decrease in hearing costs recoverable	(77,897)	160,602
Decrease in prepaid expenses	5,900	2,782
Increase (decrease) in accounts payable and accruals	2,983	(301,350)
Increase in accrued vacation pay	12,890	14,051
(Decrease) increase in accrued severance pay	<u>(6,073)</u>	<u>22,891</u>
Cash flows from (used in) operating activities	<u>144,579</u>	<u>(211,978)</u>
Investing activities		
Decrease in designated pension funds	39,292	38,140
(Decrease) increase in pension obligations	<u>(23,800)</u>	<u>64,445</u>
Cash flows from investing activities	<u>15,492</u>	<u>102,585</u>
Increase (decrease) in cash resources during the year	160,071	(109,393)
Cash position as at beginning of year	<u>210,769</u>	<u>320,162</u>
Cash position as at end of year	<u><u>\$ 370,840</u></u>	<u><u>\$ 210,769</u></u>

See Accompanying Notes

BOARD OF COMMISSIONERS OF PUBLIC UTILITIES

NOTES TO THE FINANCIAL STATEMENTS

Year Ended March 31, 2000

1. Authority

The Board of Commissioners of Public Utilities is an independent, quasi-judicial regulatory agency constituted by the Lieutenant-Governor in Council pursuant to the *Public Utilities Act*. The Board is responsible for the regulation of electric utilities in the Province to ensure that rates charged are just and reasonable and that the service provided is safe and secure. Other responsibilities include the setting and regulation of the rates for automobile insurance; limited regulation of the motor carrier industry in relation to certain passenger and ambulance operations; and establishing the amount of compensation for matters referred to the Board pursuant to the *Expropriation Act*.

2. Summary of significant accounting policies

These financial statements have, in all material respects, been prepared in accordance with generally accepted accounting principles, the more significant of which are set out below:

(a) Operating revenue and expenditure

Operating revenue and expenditure are accounted for on the accrual basis. The Board estimates expenses annually which are assessed upon and borne by regulated concerns.

(b) Hearing costs recoverable

Recoverable expenses relating to specific enquiries held by the Board are accrued in hearing costs recoverable accounts until the Board orders payment. These reimbursements and related underlying expenses are not included as operating revenue and expenditure of the Board.

(c) Capital assets

Capital assets are reported as expenditure in the year the assets are acquired. A Schedule of Tangible Capital Assets is provided (Page 8) to inform users of the capital assets on hand and available for use by the Board. The historic cost of the assets is estimated in some cases. Amortization is calculated on a straight line basis over the following useful lives:

Furniture and equipment	- 5 years
Leasehold improvements	- 5 years
Computer hardware	- 3.3 years
Computer software	- 1 year

The effect of amortization of tangible capital assets is recognized only on the Schedule of Tangible Capital Assets and not on the Statement of Revenue, Expenditure and Surplus.

(d) Severance Pay

Severance pay is accounted for on an accrual basis and is calculated based upon years of service and current salary levels. The right to be paid severance pay vests with employees with nine years of continual service. No provision for severance pay is made in the accounts for employees with less than nine years of continual service. Severance pay for eligible employees is payable when the employee ceases employment with the Board.

BOARD OF COMMISSIONERS OF PUBLIC UTILITIES
NOTES TO THE FINANCIAL STATEMENTS

Year Ended March 31, 2000

3. Hearing costs recoverable

	2000	1999
Hearing costs recoverable - beginning of year	<u>\$ 38,007</u>	<u>\$ 198,609</u>
Add - specific enquiry costs incurred during the year		
Professional fees	118,703	407,893
Consumer Advocate	-	410,846
Transcription and printing	7,203	37,864
Salaries	28,040	71,513
Other	<u>19,200</u>	<u>44,678</u>
	<u>173,146</u>	<u>972,794</u>
	211,153	1,171,403
Less - costs recovered during the year	<u>95,249</u>	<u>1,133,396</u>
Hearing costs recoverable - end of year	<u><u>\$ 115,904</u></u>	<u><u>\$ 38,007</u></u>

4. Pension assets and liabilities

The Board maintains a defined benefit pension plan for two former commissioners. Other commissioners and employees of the Board are members of the public service pension plan.

Designated pension funds of \$660,586 (1999 - \$699,878) consist of investments maintained in trust with the Royal Trust Corporation of Canada on behalf of pensioners and are valued at market value.

Changes in designated pension funds are as follows:

	2000	1999
Balance, beginning of year	\$ 699,878	\$ 738,018
Add, earnings net of expenses	<u>26,153</u>	<u>27,305</u>
	726,031	765,323
Deduct, benefit payments	<u>65,445</u>	<u>65,445</u>
Balance, end of year	<u><u>\$ 660,586</u></u>	<u><u>\$ 699,878</u></u>

**BOARD OF COMMISSIONERS OF PUBLIC UTILITIES
NOTES TO THE FINANCIAL STATEMENTS****Year Ended March 31, 2000****4. Pension assets and liabilities (continued)**

Pension obligations of \$411,200 at March 31, 2000 represent the present value of accrued pension benefits as at that date, as calculated in an actuarial report dated June 7, 2000. The report indicates that a pension obligations estimation adjustment was required as at March 31, 2000 due to changes in actuarial assumptions. The estimation adjustment of \$41,645 (1999 - \$129,890) is included in expenditure in the fiscal year.

The Board is also committed to make pension payments to a former Commissioner in the amount of \$2,043 per month (\$24,516 per annum). These payments are paid directly by the Board out of operating expenditure and are included in salaries and associated costs. Direct pension payments for the year were \$10,217 (1999 - Nil). Salaries and associated costs also includes the Board's pension expenditure of \$36,606 (1999 - \$33,329) with respect to the public service pension plan.

5. Income taxes

The Board is a Crown entity of the Province of Newfoundland and as such is not subject to provincial or federal income taxes.

6. Lease commitments

The Board entered into the following leases for the rental of office space:

- (a) five year lease agreement in the amount of \$10,345 per month (\$124,140 per annum) commencing May 1998.
- (b) three year lease agreement in the amount \$500 per month (\$6,000 per annum) commencing July 1999.

BOARD OF COMMISSIONERS OF PUBLIC UTILITIES
SCHEDULE OF TANGIBLE CAPITAL ASSETS

As At March 31, 2000

	<u>Estimated Original Cost</u>			<u>Accumulated Amortization</u>			<u>Net Book Value</u>	
	Balance March 31, 1999	Additions Net of Disposals	Balance March 31, 2000	Balance March 31, 1999	Additions Net of Disposals	Balance March 31, 2000	Balance March31, 2000	Balance March31, 1999
Furniture and Equipment	\$ 134,119	\$ 9,487	\$ 143,606	\$ 103,738	\$ 6,907	\$ 110,645	\$ 32,961	\$ 30,381
Leasehold improvements	105,617	2,350	107,967	21,123	22,064	43,187	64,780	84,494
Computer hardware	84,930	5,099	90,029	47,839	18,615	66,454	23,575	37,091
Computer software	<u>2,953</u>	<u>6,450</u>	<u>9,403</u>	<u>2,953</u>	<u>6,450</u>	<u>9,403</u>	-	-
	<u>\$ 327,619</u>	<u>\$ 23,386</u>	<u>\$ 351,005</u>	<u>\$ 175,653</u>	<u>\$ 54,036</u>	<u>\$ 229,689</u>	<u>\$ 121,316</u>	<u>\$ 151,966</u>

See Accompanying Notes

REPORTS FROM REGULATED INDUSTRIES

Newfoundland Power Inc.

The actual electricity produced by the Company and purchased for resale during 1999 declined by 1.5% to 4,500 million kilowatt hours. Of this amount, 416 million kilowatt hours were generated in the Company's own plants, while 4,084 million kilowatt hours were purchased from Newfoundland and Labrador Hydro. However, after results are adjusted to reflect normal weather conditions, electricity produced and purchased increased by 1.1%.

The actual electricity sold in 1999 decreased by 1.1% to 4,274 million kilowatt-hours. However, after results are adjusted to reflect normal weather conditions, electricity sold increased by 1.4%.

The number of customers served in 1999 increased by 0.7% to 213,641.

Net fixed assets which include property, plant and equipment plus construction in progress less accumulated depreciation increased by 2.4% from \$507.4 million in 1998 to \$519.7 million in 1999.

Additional information on capital expenditures for 1999 are summarized as follows:

Newfoundland Power Inc.
Capital Expenditure
For the Year Ended December 31, 1999
000's

	<u>Approved by</u> <u>Board Order*</u>	<u>Actual</u>	<u>Variance</u> <u>Over (Under)</u>
	\$	\$	\$
Energy Supply	7,710	8,359	649
Substations	2,989	3,529	540
Transmission	2,114	2,149	35
Distribution	16,143	17,171	1,028
General Property	2,876	2,298	(578)
Transportation	1,946	1,797	(149)
Telecommunications	453	344	(109)
Computing Equipment	4,174	3,953	(221)
General Expenses Capital	2,626	2,682	56
	<u>\$ 41,031</u>	<u>\$42,282</u>	<u>\$ 1,251</u>

* As per Board Orders P.U. 36 (1998-1999), P.U. 6 (1999-2000) and P.U. 18 (1999-2000).

REPORTS FROM REGULATED INDUSTRIES

Newfoundland and Labrador Hydro

As of March 31, 2000, the total number of customers served by Hydro was 34,768 which included 34,761 rural customers, 1 wholesale customer (Newfoundland Power) and 6 industrial customers.

The total number of kilowatt-hours sold from April 1, 1999 to March 31, 2000 was 6,430,447,000 kilowatt-hours, (excluding sales to Hydro Quebec at the Newfoundland/Quebec border of power and energy recaptured under the CF(L)Co/Hydro Quebec Power Contract), 840,353,000 kilowatt-hours were sold to rural customers, 4,150,624,000 kilowatt-hours to Newfoundland Power and 1,439,470,000 kilowatt-hours to industrial customers. The rate of growth over the previous period was 6.86%.

New Construction

During the relevant period major construction projects were as follows:

TL228 Upgrade

The upgrading of TL228 of a 230 kV transmission line between Massey Drive and Buchans was completed in September, 1999 at a cost of \$890,000. This project involved the installation of additional structures at selected locations along the line to improve its reliability.

TL239 Insulator Replacement

The replacement of insulators on TL239 was completed in November, 1999, at a cost of \$880,000. This project was initiated as a result of extensive insulator failures due to heavy salt contamination on the 138 kV transmission line from Deer Lake to Berry Hill on the Great Northern Peninsula. Approximately 1100 higher insulation value insulators were replaced.

LaPoile Interconnection

The community of LaPoile was interconnected to the Provincial electrical grid in 1999 at a cost of \$1.6 million. The isolated diesel system in LaPoile required extensive upgrading due primarily to obsolescence. A review showed that savings would be achieved in the long term by interconnecting this electrical system to the main interconnected system.

This project involved the construction of approximately 14km of distribution line as well as the purchase and installation of 2 submarine cables totaling 7km in length. This project was completed on November 30, 1999.

TL217 Upgrade

Construction on the 230 kV Avalon transmission system upgrade program to increase ice loading capabilities was started February, 1999 on TL217, a steel structure line from Western Avalon to Holyrood. The first section was completed in November, 1999. Installation of additional structures and high strength conductor on the final section is in progress and will be completed by November, 2000. Total project cost is \$17.5 million.

Stephenville Gas Turbine Controls

A new micro-processor based control system was installed and commissioned on the Stephenville Gas Turbine during 1999 as the original control system had become obsolete. The project was completed August 8, 1999 at a capital cost of \$644,000.

Remote Diesel System

Diesel engines and generators were replaced at St. Brendans, Hopedale and Williams Hr. due to equipment obsolescence.

Holyrood Generating Station – Exciter and Governor Replacement

During the major outage conducted on Unit #2 at Holyrood in 1999, the existing exciter was replaced with a new ABB unit at an approximate cost of \$790,000. Also the electro hydraulic control system was replaced with a new GE Mark V Governor at an approximate cost of \$940,000. These replacements were required due to equipment obsolescence and unavailability of spare parts and service.

Rebuild Dump Pond Dam at Snook's Arm

The rebuild of Dump Pond Dam at the Snook's Arm Generating Station was completed in November, 1999 at a cost of approximately \$100,000. The rebuild of the Dam was necessary due to safety considerations and the dam had reached its design service life.

Replacement of Rip Rap - West Salmon Dam

New rip rap was replaced on the West Salmon dam at the Upper Salmon Generating Station during 1999 at an approximate cost of \$300,000. This rip rap was required to enhance the protection to the upstream face of the West Salmon dam and was recommended by Hydro's Dyke Board of Consultants.

STAFF
Year End - March 31, 2000



Left to Right

Standing: Helen Reddy, Barbara Thistle, Doreen Dray,
Cheryl Blundon, Colleen Wood, Leah Keating
Seated: Don Seaward, Robert Byrne, Randy Pelletier,
Mike McNiven

Director of Corporate Services and Board Secretary	<i>G. Cheryl Blundon</i>
Director of Regulatory and Advisory Services.....	<i>Robert Byrne</i>
Financial and Economic Analyst.....	<i>Doreen Dray</i>
Accountant	<i>Leah Keating</i>
Legal Counsel.....	<i>Randy Pelletier</i>
Senior Electrical Engineer.....	<i>Vacant</i>
Compliance Auditor	<i>Don Seaward</i>
Information Technology Officer	<i>Mike McNiven</i>
Secretary to the Chair	<i>Helen Reddy</i>
Assistant Board Secretary & Executive Secretary.....	<i>Barbara Thistle</i>
Clerk-Steno	<i>Colleen Wood</i>

For further information regarding the Public Utilities Board, please contact:

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