

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

AN ORDER OF THE BOARD

NO. P.U. 13(2024)

1 **IN THE MATTER OF** the **Electrical Power**
2 **Control Act, 1994**, SNL 1994, Chapter E-5.1
3 (the “**EPCA**”) and the **Public Utilities Act**, RSNL
4 1990, Chapter P-47 (the “**Act**”), as amended,
5 and regulations thereunder; and
6

7 **IN THE MATTER OF** an application by
8 Newfoundland and Labrador Hydro for
9 approval of a contribution towards the cost
10 of improvements from Iron Ore Company of
11 Canada, pursuant to section 41(5) of the **Act**.
12
13

14 **WHEREAS** Newfoundland and Labrador Hydro (“Hydro”) is a corporation continued and existing
15 under the **Hydro Corporation Act, 2007**, is a public utility within the meaning of the **Act**, and is
16 also subject to the provisions of the **EPCA**; and
17

18 **WHEREAS** section 41(5) of the **Act** states a public utility that intends to demand from its
19 customers a contribution towards the cost of improvements or additions to its property shall not
20 demand the contribution without the prior approval of the Board; and
21

22 **WHEREAS** Iron Ore Company of Canada (“IOC”) owns and operates a mine in Labrador City,
23 Labrador and receives electrical power through Hydro’s Wabush Terminal Station; and
24

25 **WHEREAS** in Order No. P.U. 2(2023) and Order No. P.U. 35(2023) the Board approved Hydro’s
26 2023 and 2024 Capital Budget Applications, including the following projects to replace certain
27 assets at the Wabush Terminal Station that function to provide service solely to IOC:

- 28 (i) replacement of two 46 kV circuit breakers, B3L5A and B4L5B, within the 2023–
29 2024 Circuit Breakers Renewal Program; and
30 (ii) the replacement of protective relays including the 46 kV Line 5 within the Terminal
31 Station Renewal Program (2023-2024); and
32

33 **WHEREAS** on April 11, 2024 Hydro filed an application with the Board requesting approval of a
34 contribution from IOC for the estimated capital expenditures in 2024 of \$1,210,200 associated
35 with the approved projects at the Wabush Terminal Station (the “Application”); and

1 **WHEREAS** the Application states Hydro’s practice regarding assets that serve only one customer
2 is that the costs of construction and of ongoing maintenance of those assets are the responsibility
3 of that customer and those costs are not borne by other customers through rates or otherwise;
4 and
5

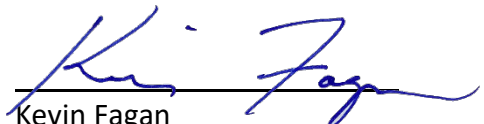
6 **WHEREAS** the Application also states that IOC has been provided with the project cost estimates
7 associated with these approved projects and acknowledged its responsibility for those costs; and
8

9 **WHEREAS** the proposed contribution by IOC is necessary to ensure that the costs of the approved
10 projects to replace certain assets at the Wabush Terminal Station are borne only by IOC as the
11 sole customer served by the assets.
12

13
14 **IT IS THEREFORE ORDERED THAT:**
15

- 16 1. The contribution by Iron Ore Company of an amount equal to the final 2024 capital costs
17 associated with the replacement of circuit breakers and protective relays at the Wabush
18 Terminal Station is approved.
19
20 2. Hydro shall pay all expenses of the Board arising from this Application.

DATED at St. John’s, Newfoundland and Labrador, this 25th day of April, 2024.



Kevin Fagan
Chair and Chief Executive Officer



Christopher Pike, LL.B., FCIP
Commissioner



Jo-Anne Galarneau
Executive Director and Board Secretary