

Office of the Consumer Advocate

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October 17, 2017

Board of Commissions of Public Utilities
120 Torbay Road, P.O. Box 2140
St. John's, NL A1A 5B2

**Attention: G. Cheryl Blundon, Director of
Corporate Services / Board Secretary**

Dear Ms. Blundon:

**RE: 2017 GRA/NLH - Consumer Advocate's Submission to
NLH Objections to LAB-NLH RFI's**

Pursuant to Section 20 of the *Public Utilities Act* the Board made certain procedural regulations approved by O.C. 96-476 (the Regulations). Section 2(e) of these Regulations define intervenor and an intervenor is also a party as defined in 2(e).

Information Requests are made pursuant to 14.(1) of the Regulations. The Requests in issue were in compliance with 14.(1) as these Requests were (a) addressed to the party from whom the response was sought; (b) numbered consecutively in respect of each item of information requested; and (c) served. The Information Requests were also filed with the Board and served on all the parties.

The Requests are relevant to the proceeding. "Relevant" is defined in Black's Law Dictionary as follows: "**applying to the matter in question; affording something to the purpose**". "Relevant evidence" is defined in Black's Law Dictionary as follows: "**evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence... the test for admissibility of evidence is relevancy and testimony is relevant if a reasonable inference can be drawn therefrom regarding or if any light is shed upon a contested matter**".

The Consumer Advocate agrees with the October 11, 2017 submission of the Labrador Interconnect Customers (LIC) and in particular at page 3 as follows:

"we expect that this hearing will deal with whether the decrease in actual cost of service would be accounted for as a savings to be accumulated in a deferral account, or accounted for as a decrease in the cost of service".

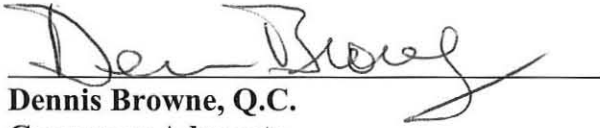
The submission points out that NLH has put the Deferral Account at issue which account will substantially over-collect near-horizon costs which will lead to price distortion. These distortions will effect the Rural Deficit. The LIC's are required to fund a portion of the Rural Deficit.

It appears that each of the LIC's impugned RFI's seek evidence that touch upon the Rural Deficit and the Deferral Account, which are issues that impact the LIC's interests. It is the Consumer Advocate's submission therefore that the LIC's RFIs comply with 14.(1) in its entirety.

Furthermore, the Replies to the Requests for Information will contribute toward the body of evidence. Therefore, the Replies will be helpful in developing our own case as well.

In short, it is the Consumer Advocate's position that the LIC intervenor is entitled to responses to the impugned Requests for Information. We support the Submission of the Labrador Interconnect Group in this matter.

Dated at the City of St. John's, in the Province of Newfoundland and Labrador this 17th day of October, 2017



Dennis Browne, Q.C.
Consumer Advocate

cc

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