

January 9, 2025

VIA E-MAIL jgalarneau@pub.nl.ca

Jo-Anne Galarneau
Executive Director and Board Secretary
The Board of Commissioners of Public Utilities
Prince Charles Building
120 Torbay Road, P.O. Box 21040
St. John's, NL A1A 5B2

Dear Ms. Galarneau:

Re: Newfoundland and Labrador Hydro - 2021 Capital Budget Supplemental Application Approval of the Construction of Newfoundland and Labrador Hydro's Long-term Supply Plan for Southern Labrador

Comments of NunatuKavut Community Council

We represent the NunatuKavut Community Council ("NCC"), an intervenor in the above-noted Application before the Board of Commissioners of the Public Utilities (the "Board").

Please accept this letter as comments on behalf of NCC in relation to this Application as requested in correspondence from the Board dated December 17, 2024.

NCC's position on this Application remains unchanged. NCC does not oppose the Application at this time. Further, NCC does not object to Newfoundland and Labrador Hydro's ("NL Hydro") intention to seek full approval.

NCC still expects a fulsome and engaging environmental assessment process, which prioritizes renewable energy development and integration. NCC looks forward to continued relationship building with NL Hydro to ensure that it is adequately consulted and accommodated through the development, construction, and operation of the Southern Microgrid Project (the "Project").

The above position has been reflected in prior correspondence on behalf of NCC to the Board and in the letter to Hydro's dated October 11, 2024 (attached to NL Hydro's submissions dated December 6, 2024 and enclosed for ease of reference).

Notwithstanding the above, NCC is cognizant of the recent announcement and ongoing debate of the Memorandum of Understanding between NL Hydro and Hydro-Québec relating to a number of significant projects proposed for development on the Churchill River (the "MOU").

NCC looks forward to NL Hydro's submissions regarding any expected impact or implications of the MOU (and the proposed projects within same) on this Application and the Project, including its analysis on how the Project may remain a cost effective, reliable, and environmentally responsible option given the circumstances.

Thank you for the opportunity to provide further comments on this Application.

All of which is respectfully submitted.

Yours very truly,

BURCHELL WICKWIRE BRYSON ^{LLP}

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Jason T. Cooke, K.C.

Encl.

October 11, 2024

VIA EMAIL

Jennifer Williams
President and CEO
Newfoundland Labrador Hydro
Hydro Place, 500 Columbus Drive
P.O. Box 12400
St. John's, NL A1B 4K7

Dear Ms. Williams:

Re: Newfoundland and Labrador Hydro - 2021 Capital Budget Supplemental Application Approval of the Construction of Newfoundland and Labrador Hydro's Long-term Supply Plan for Southern Labrador

We are writing further to the above-noted Application submitted by Newfoundland and Labrador Hydro ("Hydro") to the Board of Commissioners of Public Utilities (the "Board"). As you are aware, we represent the NunatuKavut Community Council Inc. ("NCC"), an intervenor in the Application.

NCC understands that it is Hydro's position that it requires (at least) conditional approval from the Board to commence the environmental assessment ("EA") and design stages of the proposed Southern Labrador Microgrid Project as outlined in the Application (the "Project"). Hydro states that it requires an EA in order to obtain sufficient information to adequately meet its duty to consult and accommodate NCC.

NCC wishes to emphasize its position that the duty to consult and accommodate NCC must be met before construction of the Project can begin. NCC acknowledges that Hydro has taken steps toward meeting this duty, including a commitment that any and all information that may be required for NCC to adequately understand any possible impacts arising from the Project will be provided once that information is available, and at the latest during the EA of the Project. Hydro has also agreed to engage NCC on all Southern Labrador projects requiring Provincial EA.

NCC remains optimistic that its objectives and concerns (including those of its communities) can be addressed through Hydro's commitments and through the development of a project-specific agreement with Hydro relating to the Project.

NCC is very cognizant of the importance of providing the Southern Labrador communities with a long-term source of reliable power as soon as possible. This is especially the case for Charlottetown and Pinsent's Arm, which have been served by mobile gensets since a fire rendered the Charlottetown Diesel Generating Station inoperable in October 2019.

As set out in its prior submissions to the Board, NCC does not oppose the Application at this time. Further, NCC does not object to Hydro's intention to seek full approval. NCC expects a fulsome and engaging EA process, which prioritizes renewable energy development and integration. NCC looks forward to continued relationship building with Hydro to ensure that it is adequately consulted and accommodated through the development, construction, and operation of the Project.

Yours very truly,

BURCHELL WICKWIRE BRYSON ^{LLP}

A handwritten signature in blue ink, appearing to read "J. Cooke". The signature is stylized with a large, looped initial "J" and a cursive "Cooke".

Jason T. Cooke, K.C.