

July 14, 2021

Board of Commissioners of Public Utilities
Prince Charles Building
120 Torbay Road, P.O. Box 21040
St. John's, NL A1A 5B2

Attention: Ms. Cheryl Blundon
Director of Corporate Services & Board Secretary

Dear Ms. Blundon:

**Re: Newfoundland Power's 2021 Electrification, Conservation and Demand Management
Application – Requests for Information**

Please find enclosed Newfoundland and Labrador Hydro's Requests for Information NLH-NP-001 to NLH-NP-003 in relation to Newfoundland Power's 2021 Electrification, Conservation and Demand Management Application.

Should you have any questions, please contact the undersigned.

Yours truly,

NEWFOUNDLAND AND LABRADOR HYDRO



Shirley A. Walsh
Senior Legal Counsel, Regulatory
SAW/sk

Encl.

ecc: **Board of Commissioners of Public Utilities**
Jacqui H. Glynn
PUB Official Email

Newfoundland Power
Dominic J. Foley
Regulatory Email

Consumer Advocate
Dennis M. Browne, Q.C., Browne Fitzgerald Morgan & Avis
Stephen F. Fitzgerald, Browne Fitzgerald Morgan & Avis
Sarah G. Fitzgerald, Browne Fitzgerald Morgan & Avis
Bernice Bailey, Browne Fitzgerald Morgan & Avis
Bernard M. Coffey, Q.C.

IN THE MATTER OF the *Public Utilities Act*, (the "Act"); and

IN THE MATTER OF an application by Newfoundland Power Inc., pursuant to sections 58 and 80 of the *Act*, for the approval of an economic test and a deferral account to provide for recovery of costs proposed to be incurred in 2021 for customer electrification programs; and

IN THE MATTER OF an application by Newfoundland Power Inc., pursuant to section 41(3) of the *Act*, for the approval of supplemental 2021 capital expenditures related to the construction of an Electric Vehicle Charging Network.

Newfoundland and Labrador Hydro

Requests for Information

NLH-NP-001 to NLH-NP-003

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1 **NLH-NP-001 Board Order No. P.U. 27(2020) at p. 5/19–28.**

2 In Board Order No P.U. 27(2020), the Board of Commissioners of Public Utilities stated:

3 Based on the evidence provided the Board is satisfied that the
4 regulation of the provision of EV charging services in this province is not
5 required at this time to protect the public interest or to be consistent
6 with sound public utility practice. The Board believes that the provisions
7 of the *Act* and the *EPCA* in their entire context and in the grammatical
8 and ordinary sense, and considering the object and intention of the
9 legislation, do not require that the Board approve rates, tolls or charges
10 for the provision of EV charging services. **The Board does not believe**
11 **that in the circumstances EV charging services are public utility**
12 **services which should be subject to the requirements set out in the**
13 **Act.** The Board does not make a finding as to whether EV charging
14 services are subject to the legislative authority of the province but finds
15 the Board's approval of a rate, toll or charge for EV charging services at
16 this time is not required.

17 [Emphasis Added]

18 Please explain how Newfoundland Power's proposal to record public charging assets as
19 a capital asset in its regulated rate base is consistent with the findings of Board Order
20 No. P.U. 27(2020), wherein it was determined that such assets were not considered
21 public utility services.

22 **NLH-NP-002** Please confirm that US GAAP would permit Newfoundland Power to charge the capital
23 costs associated with the Electric Vehicle Charging Network to a deferral account if so
24 directed by the Board of Commissioners of Public Utilities. If not, please cite the specific
25 provisions of the accounting standard which would prohibit this approach.

26 **NLH-NP-003** Over what useful life does Newfoundland Power intend to amortize its Electric Vehicle
27 Charging Network? Please provide the basis for this assumption and whether a third-
28 party depreciation expert has confirmed the reasonableness of this assumption.

DATED at St. John's, in the Province of Newfoundland and Labrador this 14th day of July, 2021.



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