

1 **Volume 2: Cost of Service Study**
23 **Q. Accepted regulatory practice:**4 **a) Is it an accepted regulatory principle that each order issued by a regulator sets**
5 **regulatory precedence for subsequent orders? Is it accepted regulatory practice**
6 **in this jurisdiction?**7 **b) In this jurisdiction, what avenues are available to the Board to correct an error**
8 **made in an order? Once an erroneous order is issued by the Board, is the Board**
9 **required to carry forward the error in all subsequent orders?**10 **c) Please provide examples of instances when the Board has corrected an error in a**
11 **previous Order.**
1213 A. a) The *Public Utilities Act* (the “Act”) enables the Board with the general supervision of
14 public utilities. The Act is to be read liberally as providing the Board with all the
15 additional authority and powers appropriate or necessary for it to exercise its
16 authority. The Board has a broad discretion, and hence a large jurisdiction, in its
17 choice of the methodologies and approaches to be adopted to achieve the purposes of
18 the legislation and to implement provincial power policy as contained in the
19 *Electrical Power Control Act, 1994* (“EPCA”). In carrying out its functions under the
20 Act and the EPCA, the Board is circumscribed by the requirement to balance the
21 interests, as identified in the legislation, of the utility against those of the consuming
22 public as well as the obligation, imposed by the EPCA, to apply tests which are
23 consistent with generally accepted sound public utility practice.
2425 The authority granted to the Board includes the power to make, revoke and alter
26 decisions, requirements and orders on matters within its jurisdiction at the Board’s
27 own discretion.
2829 b) See part a) of this response.
3031 c) On February 16, 2022, the Board issued Order P.U. 03 (2022) which disposed of
32 Newfoundland Power’s *2022/2023 General Rate Application*. On February 25, 2022,
33 the Board issued Order P.U. 03 (2022) (Amended), which corrected the Board’s
34 directions with respect to hearing costs.