

**P.U. 24 (2004)**

**IN THE MATTER OF** the *Electrical Power Control Act*, R.S.N. 1994, c. E-5.1 (the “*EPCA*”) and the *Public Utilities Act*, R.S.N. 1990, c. P-47 (“the *Act*”) and their subordinate regulations;

**AND IN THE MATTER OF** an application by Newfoundland and Labrador Hydro (“Hydro”) for approval of, *inter alia*, rates to be charged its customers and resulting Order Nos. P.U. 14 (2004) and P.U. 17 (2004);

**AND IN THE MATTER OF** an award of costs to the Towns of Labrador City and Wabush.

**BEFORE:**                    **Robert Noseworthy**  
                                    **Chair and Chief Executive Officer**

**Darlene Whalen, P.Eng.**  
**Vice-Chair**

**G. Fred Saunders**  
**Commissioner**

**WHEREAS** Subsection 90(1) of the *Act* gives the Board the authority and discretion to award costs in a proceeding before the Board; and

**WHEREAS** in Order No. P.U. 14 (2004) the Board concluded that based on the potential significant impacts of Hydro's Application and in light of the Towns' responsible participation and contribution to the Board's understanding of the issues, an award of costs to the Towns of Labrador City and Wabush is fair and appropriate in the circumstances; and

**WHEREAS** the Board directed the Towns of Labrador City and Wabush to file a detailed statement of costs with the Board no later than May 28, 2004 for consideration of the Board in the exercise of its discretion to fix the amount of costs pursuant to subsection 90(1) of the *Act*; and

**WHEREAS** on May 19, 2004 the Towns of Labrador City and Wabush submitted to the Board a detailed statement of their costs along with supporting documentation seeking costs in the amount of \$93,053.87; and

**WHEREAS** the Board has reviewed the statement of costs and supporting documentation filed by the Towns of Labrador City and Wabush; and

**WHEREAS** based on the Board's knowledge and experience the Board is satisfied that the costs of the Towns of Labrador City and Wabush should be fixed in the amount of \$55,000.

**IT IS THEREFORE ORDERED THAT:**

1. The amount of the award of costs to the Towns of Labrador City and Wabush in this matter is fixed at \$55,000.
2. Hydro shall, within 30 days of the date of this Order, pay the award of costs of \$55,000 to the Towns of Labrador City and Wabush.

**DATED** at St. John's, Newfoundland and Labrador, this 8<sup>th</sup> day of July, 2004.

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Robert Noseworthy,  
Chair and Chief Executive Officer.

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Darlene Whalen, P.Eng.  
Vice-Chair.

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G. Fred Saunders,  
Commissioner.

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G. Cheryl Blundon,  
Board Secretary.