

**NEWFOUNDLAND AND LABRADOR
BOARD OF COMMISSIONERS OF PUBLIC UTILITIES**

**AN ORDER OF THE BOARD
NO. P. U. 23(2009)**

1 **IN THE MATTER OF** the *Electrical Power*
2 *Control Act*, RSNL 1994, Chapter E-5.1 (the
3 "*EPCA*") and the *Public Utilities Act*, RSNL 1990,
4 Chapter P-47 (the "*Act*") as amended;

5
6 **AND**

7
8 **IN THE MATTER OF** an application by
9 Newfoundland and Labrador Hydro (Hydro)
10 for approval for the development of an on-line
11 Work Protection Code (WPC) training
12 software program (the "Application"),
13 pursuant to Section 41 of the *Act*.

14
15 **WHEREAS** Hydro is a corporation continued and existing under the *Hydro Corporation Act*, is
16 a public utility within the meaning of the *Act*, and is subject to the provisions of the *EPCA*; and

17
18 **WHEREAS** subsection 41(3) of the *Act* states that a public utility shall not proceed with the
19 construction, purchase or lease of improvements or additions to its property where:

- 20
21 a) the cost of construction or purchase is in excess of \$50,000; or
22
23 b) the cost of the lease is in excess of \$5,000 in a year of the lease,

24
25 without prior approval of the Board; and

26
27 **WHEREAS** in Order No. P.U. 36(2008) issued December 23, 2008 the Board approved, *inter*
28 *alia*, Hydro's 2009 Capital Budget of \$47,856,000; and

29
30 **WHEREAS** in Order No. P.U. 4(2009) the Board approved a supplementary 2009 Capital
31 Budget expenditure of \$351,000 for the replacement of the power transformer at the Wiltondale
32 terminal station due to a failure of the existing transformer; and

33
34 **WHEREAS** in Order No. P.U. 8(2009) the Board approved a further supplementary 2009
35 Capital Budget expenditure of \$1,092,900 for the replacement of programmable logic controllers
36 at the Holyrood Thermal Generating Station's Gas Turbine Plant; and

1 **WHEREAS** in Order No. P. U. 10(2009) the Board approved a further supplementary 2009
2 Capital Budget expenditure of \$703,700 for the upgrade of the continuous emission monitoring
3 system at the Holyrood Thermal Generating Station; and
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5 **WHEREAS** in Order No. P. U. 16(2009) the Board approved a further supplementary 2009
6 Capital Budget expenditure of \$93,000 to extend the parking lot at Hydro Place; and
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8 **WHEREAS** in Order No. P. U. 19(2009) the Board approved a further supplementary 2009
9 Capital Budget expenditure of \$191,600 for the installation of cold reheat condensate drains and
10 high-pressure heater trip on Unit 2 at the Holyrood Thermal Generating Station; and
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12 **WHEREAS** on May 11, 2009 Hydro applied to the Board requesting approval for the
13 development of an on-line WPC training software program at an estimated cost of \$160,800; and
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15 **WHEREAS** Hydro submits that the proposed WPC training program is an on-line learning
16 program that will ensure a consistent WPC training program is delivered to employees
17 throughout Hydro, allow practical application of the WPC in a non-life threatening environment,
18 and provide on-line accessibility to the information; and
19

20 **WHEREAS** Hydro states: i) Hydro's existing WPC training program consists of three full days
21 of classroom instruction which is delivered by nine facilitators throughout Newfoundland and
22 Labrador; ii) a recent WPC audit identified non-compliance issues and gaps indicating that
23 Hydro's current WPC training method is no longer adequate; and iii) Hydro's WPC compliance
24 rate is currently 50%-65%, compared to a target range of 90%-100%; and
25

26 **WHEREAS** Hydro states that the Canadian Standards Association (CSA) Z462 Lock Out/Tag
27 Out Standard and the complexity of the WPC necessitates the delivery of ongoing technical
28 training to ensure that all workers clearly understand the importance of consistent application of
29 the WPC; and
30

31 **WHEREAS** Hydro also states that it is responsible under the Occupational Health and Safety
32 legislation to ensure the health, safety and welfare of its workers and to provide a plan for
33 training workers and supervisors in workplace and job-specific safe work practices that are
34 necessary to eliminate, reduce or control hazards; and
35

36 **WHEREAS** the Board issued Requests for Information on May 13, 2009 requesting clarification
37 on several aspects of the Application, to which Hydro responded to on June 1, 2009; and
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39 **WHEREAS** the Board has considered the Application for approval of the development of an on-
40 line WPC training software program, including the report filed and the additional information
41 provided, and is satisfied that the Application should be approved.

1 **IT IS THEREFORE ORDERED THAT:**
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- 3 1. The capital expenditure of \$160,800 for the development of an on-line Work Protection
4 Code training software program is approved.
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6 2. Hydro shall pay all expenses of the Board arising from this Application.

DATED at St. John's, Newfoundland and Labrador, this 16th day of June 2009.

Andy Wells
Chair & Chief Executive Officer

Darlene Whalen, P.Eng.
Vice-Chair

Dwanda Newman, LL.B
Commissioner

Cheryl Blundon
Board Secretary