

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

AN ORDER OF THE BOARD

NO. P.U. 27(2019)

1 **IN THE MATTER OF** the *Electrical Power*
2 *Control Act, 1994*, SNL 1994, Chapter E-5.1 (the
3 “*EPCA*”) and the *Public Utilities Act*, RSNL 1990,
4 Chapter P-47 (the “*Act*”), as amended, and regulations
5 thereunder; and
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7 **IN THE MATTER OF** an application by
8 Newfoundland and Labrador Hydro for an
9 exemption to Regulation 17 of its rules and
10 regulations.
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13 **WHEREAS** Newfoundland and Labrador Hydro (“Hydro”) is a corporation continued and
14 existing under the *Hydro Corporation Act, 2007*, is a public utility within the meaning of the *Act*,
15 and is also subject to the provisions of the *EPCA*; and
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17 **WHEREAS** in Order No. P.U. 36(2018) the Board approved a revision to Hydro’s rules and
18 regulations to permit a restriction on load additions in Labrador East for the 2018-2019 winter
19 season and in Order No. P.U. 18(2019) the Board extended the restriction until further order of the
20 Board; and
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22 **WHEREAS** Hydro’s Regulation 17 states in part:
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24 When Hydro has reason to believe there are special circumstances surrounding an application
25 for service in Labrador East that will result in the addition of load requirements of greater
26 than 100 kW, where it may be appropriate to approve service connections and upgrades,
27 Hydro may apply to the Board for a variance or exemption to this Regulation; and
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29 **WHEREAS** on July 12, 2019 Hydro filed an Application for an exemption to Regulation 17 for
30 Pomerleau Inc. for the supply of electricity needed for the construction of the Labrador Wellness
31 Centre and for the supply of electricity on a permanent basis thereafter (the “Application”); and
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33 **WHEREAS** the Application stated that the Labrador Wellness Centre will provide benefits for
34 the community including being a source of employment and providing access to a facility that
35 promotes health and well-being; and
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37 **WHEREAS** the Application stated that the Labrador Wellness Centre, in addition to containing a
38 licensed childcare centre, will host a 25 metre, six-lane swimming pool; a smaller leisure pool with

1 water slide; three change rooms; a conditioning centre with cardio, strength, and free weight
2 equipment; an indoor walking/running track; a multi-purpose gymnasium; and a judo/gymnastics
3 room; and

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5 **WHEREAS** the Application explained that Pomerleau Inc.'s request for temporary service from
6 Hydro indicated an estimated peak demand of 350 kW and the request for permanent service
7 indicated an estimated peak demand of 1079 kW; and

8
9 **WHEREAS** the Application stated that Hydro will have the capacity for the winter 2019-2020 to
10 serve both Pomerleau Inc.'s temporary connection needs, as well as the estimated peak load of the
11 permanent connection for the Labrador Wellness Centre; and

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13 **WHEREAS** the Application explained that while the Labrador Wellness Centre will cause a more
14 than minimal addition to load the benefits to the community would be considerable and therefore
15 Hydro believes that an exemption to Regulation 17 is warranted; and

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17 **WHEREAS** the Application was copied to: Newfoundland Power Inc. ("Newfoundland Power");
18 the Consumer Advocate, Dennis Browne, Q.C.; a group of Island Industrial customers: Corner
19 Brook Pulp and Paper Limited, NARL Refining Limited Partnership and Vale Newfoundland &
20 Labrador Limited; Iron Ore Company of Canada; and the communities of Sheshatshiu, Happy
21 Valley-Goose Bay, Wabush, and Labrador City (the "Labrador Interconnected Group"); and

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23 **WHEREAS** on July 18, 2019 Newfoundland Power submitted that it had no comments on the
24 Application; and

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26 **WHEREAS** on July 22, 2019 the Labrador Interconnected Group submitted that they supported
27 the Application stating that the project would provide significant benefits to the community by
28 providing childcare space, athletic facilities and community meeting spaces; and

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30 **WHEREAS** on July 24, 2019 Hydro filed a reply noting the support of the Labrador
31 Interconnected Group and requesting the Board approve the Application as submitted; and

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33 **WHEREAS** no other comments were received by the Board; and

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35 **WHEREAS** it is the assessment of the Board that an exemption to Regulation 17 to provide both
36 the temporary service connection and permanent service connection for the Labrador Wellness
37 Centre in Happy Valley-Goose Bay is warranted.

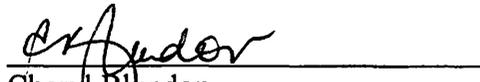
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40 **IT IS THEREFORE ORDERED THAT:**

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42 1. An exemption to Regulation 17 to allow for both temporary and permanent service to the
43 Labrador Wellness Centre is approved.
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45 2. Hydro shall pay all expenses of the Board arising from this Application.

DATED at St. John's, Newfoundland and Labrador, this 26th day of July, 2019.


Dwanda Newman, LL.B.
Vice-Chair


John O'Brien, FCPA, FCA, CISA
Commissioner


Cheryl Blundon
Board Secretary