

**THE BOARD OF COMMISSIONERS
OF PUBLIC UTILITIES OF NEW BRUNSWICK**

IN THE MATTER OF a Hearing to review the evidence to be provided by New Brunswick Power Corporation in connection with a proposal to refurbish its generating facility at Point Lepreau.

O R D E R

WHEREAS New Brunswick Power Corporation ("NB Power") applied to the Board of Commissioners of Public Utilities (the "Board") by Application dated the 8th day of January 2002 for a public hearing on the evidence to be provided in connection with the proposal to refurbish its generating facility at Point Lepreau.

AND WHEREAS NB Power is required, pursuant to Subsection 40.1(1.1) of the Public Utilities Act, Chapter P-27 RSNB ("the Act") to make application to the Board of Commissioners of Public Utilities ("the Board") before making an expenditure exceeding \$75 million for the maintenance or upgrading of a generating facility, and the Board is required to hold a public hearing to review such an application;

AND WHEREAS, NB Power is proposing refurbishment for an extended life of the Point Lepreau generating facility;

AND WHEREAS NB Power has applied to this Board to hold a public hearing to review its evidence and, pursuant to Subsection 40.1(3) of the Act, make a recommendation as to whether the project should be undertaken.

NOW THEREFORE IT IS ORDERED THAT:

- (a) The Board shall hold a public hearing to review the evidence to be filed by NB Power.**
- (b) A Pre-Hearing conference shall be held in the Spencer Room in the Trade and Convention Centre, One Market Square, Saint John, New Brunswick, on Tuesday the 12th day of March 2002 commencing at 10:00 o'clock in the forenoon and from day to day as necessary, when and where intervenors and NB Power should attend and make representations as to the date of the full public hearing and the procedure to be followed prior to and at the public hearing and as to any other relevant matters.**
- (c) Notice of the holding of the Pre-Hearing Conference in respect of the application and the procedure the Board intends to follow to facilitate the participation of intervenors, be published, in the form or substantially in the form attached hereto marked "A", in either the English or French language as may be appropriate having regard to the principal language of publication, twice in each of the following newspapers:**

Dailies

**Times-Transcript
L'Acadie Nouvelle**

**Moncton
Caraquet**

**The Telegraph Journal
Daily Gleaner**

**Saint John
Fredericton**

and once in each of the following newspapers:

Weeklies

**The Observer
Le Madawaska
The/La Cataracte
Kings County Record
Sackville Tribune-Post
Bugle (Henley Publishing Limited)
Saint Croix Courier
Tribune
L'Aviron
Victoria County Record
Miramichi Leader
Northern Light**

**Hartland
Edmundston
Grand Falls
Sussex
Sackville
Woodstock
St. Stephen
Campbellton
Campbellton
Perth-Andover
Miramichi
Bathurst**

on or before the 9th day of February 2002.

- (d) A copy of the Board's Order and NB Power's Load Forecast Evidence will be placed on file on Monday the 18th day of February 2002 and the Evidence for Point Lepreau Refurbishment will be placed on file on Monday the 25th day of February 2002, for examination by interested parties during normal business hours, in the offices of this Board and in all NB Power's business offices in New Brunswick. The Application and the Filing Memorandum were placed on file on Tuesday the 8th day of January 2002 and are available at NB Power's Website at www.nbpower.com. Copies of the Board's full Order may be obtained by calling (506) 658-2504 or in writing to:

**Board of Commissioners of Public Utilities
PO Box 5001
15 Market Square
Suite 1400
Saint John, NB
E2L 4Y9**

DATED at the City of Saint John this 24th day of January 2002.

BY THE BOARD

**Lorraine R. Légère
Secretary
New Brunswick Board of
Commissioners of Public Utilities**

“A”

**THE BOARD OF COMMISSIONERS
OF PUBLIC UTILITIES OF NEW BRUNSWICK**

IN THE MATTER OF a Hearing to review the evidence to be provided by New Brunswick Power Corporation in connection with a proposal to refurbish its generating facility at Point Lepreau.

NOTICE

New Brunswick Power Corporation ("NB Power") is required, pursuant to Subsection 40.1(1.1) of the Public Utilities Act, Chapter P-27 RSNB ("the Act") to make application to the Board of Commissioners of Public Utilities ("the Board") before making an expenditure exceeding \$75 million for the maintenance or upgrading of a generating facility, and the Board is required to hold a public hearing to review such an application; and,

NB Power is proposing refurbishment for an extended life of the Point Lepreau generating facility; and,

NB Power has filed an Application with the Board for a review of the evidence to support the proposal to refurbish the generating facility at Point Lepreau; and,

The relevant issues and the nature and scope of the evidence to be provided were established, following a Generic Hearing, by a Decision of this Board delivered on the 11th day of July 2001; and,

NB Power has applied to this Board to hold a public hearing to review its evidence and, pursuant to Subsection 40.1(3) of the Act, make a recommendation as to whether the project should be undertaken.

NOTICE IS HEREBY GIVEN that the Board has ordered the following:

- (a) That a public hearing shall be held to review the evidence filed by NB Power, together with any related matters.**
- (b) A Pre-Hearing conference shall be held in the Spencer Room in the Trade and Convention Centre, One Market Square, Saint John, New Brunswick, on Tuesday the 12th day of March 2002 commencing at 10:00 o'clock in the forenoon and from day to day as necessary, when and where intervenors and NB Power should attend and make representations as to the procedure to be followed at the public hearing and as to any other relevant matters.**
- (c) That the Load Forecast Evidence will be available on Monday the 18th day of February 2002. The Evidence on the Refurbishment of Point Lepreau will be available on Monday the 25th day of February 2002. Anyone who wishes to be served with a copy of either Evidence must notify the Applicant at 515 King Street, Fredericton, New**

Brunswick, E3B 4X1 Ph: (506) 458-4203 at least four (4) days prior to the dates that the Evidence will be available. The first set of interrogatories on the Point Lepreau Evidence will be due by noon on Monday the 25th day of March 2002 and the first set of interrogatories on the Load Forecast Evidence will be due by noon on Tuesday the 2nd day of April 2002.

- (d) That persons intending to intervene must notify the Board and the Applicant in writing stating whether they wish to have formal or informal status, their choice of language for the hearing and indicating the nature of their proposed intervention, at the address below, no later than Friday the 8th day of March 2002.
- (e) A copy of the Board's Order and NB Power's Load Forecast Evidence will be placed on file on Monday the 18th day of February 2002 and the Evidence for Point Lepreau Refurbishment will be placed on file on Monday the 25th day of February 2002, for examination by interested parties during normal business hours, in the offices of this Board, in all NB Power's business offices in New Brunswick. The Application and the Filing Memorandum were placed on file on Tuesday the 8th day of January 2002 and are available at NB Power's Website at www.nbpower.com. Copies of the Board's full Order may be obtained by calling (506) 658-2504 or in writing to:

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PO Box 5001
15 Market Square
Suite 1400
Saint John, NB
E2L 4Y9

DATED at the City of Saint John this 24th day of January 2002.

BY THE BOARD

Lorraine R. Légère
Secretary
New Brunswick Board of
Commissioners of Public Utilities