

THE NEW BRUNSWICK ENERGY AND UTILITIES BOARD

IN THE MATTER OF an Application by New Brunswick Power Distribution and Customer Service Corporation for Approval of a Change in its Charges, Rates and Tolls.

ORDER

WHEREAS:

- (1) The New Brunswick Energy and Utilities Board (“the Board”) has received an application from New Brunswick Power Distribution and Customer Service Corporation (the “Applicant”) for approval of a change in the charges, rates and tolls for its services where such change exceeds the amount authorized under Section 99 of the *Electricity Act*, and;
- (2) The Board has also received from the Applicant notice of a motion and affidavits in support thereof with respect to the following preliminary matters (the “Preliminary Matters”):
 - (a) a request that the Board make an interim order pursuant to section 40 of the *Energy and Utilities Board Act*, Chapter E-9.18, R.S.N.B., 1973 approving a 9.6% increase to all electricity rate categories except water heater rental rates and connection fees where the increase will be 3% to be effective from the date of such interim order until further order of the Board; and
 - (b) a request that the Board make a determination whether, during the course of the hearing of this application, it is appropriate to consider evidence as to the reasonableness of the generation and certain other costs which underlie the Applicant’s revenue requirement for the test year (2007/08).
- (3) The Applicant has requested an order approving the schedule of charges, rates and tolls for the fiscal year 2007/2008 including rate realignment proposals which, together with additional evidence in support thereof, shall be filed with the Board on July 3rd, 2007, and;
- (4) Evidence was filed with the Board in support of the aforementioned request for an interim Order under section 40 of the *Energy and Utilities Act* (the “Initial Evidence”).

NOW THEREFORE IT IS ORDERED THAT:

- a) A Pre-Hearing conference shall be held at the Coastal Inn Fort Howe Hotel, Harbour Passage Room, in Saint John, N.B. on May 18, 2007 at 9:30 o'clock in the morning whereby the Applicant and Intervenors should attend the Pre-Hearing conference and be prepared to make representations to the Board with respect to:
- (i) the date of the public hearing to review the preliminary matters;
 - (ii) the date of the public hearing to review the request for changes that shall be filed on July 3rd, 2007;
 - (iii) the procedure to be followed prior to and at the public hearings; and
 - (iv) any other matters in respect thereto.
- b) The Application, the Initial Evidence, and affidavits in support of the motion, together with a copy of this Order, shall be placed on file for examination by interested parties, during normal business hours in the offices of this Board and in the Applicant's business offices in New Brunswick, not later than the 27th day of April, 2007.
- c) A Copy of the documents filed in respect of this matter may be obtained by contacting Ms. Lillian Gilbert, New Brunswick Power Distribution and Customer Service Corporation, 515 King Street, Fredericton, New Brunswick, E3B 4X1, (506) 458-4022 by email lgilbert@nbpower.com and nbpdiscoregulatory@nbpower.com by fax to (506) 458-4000 or by visiting the following website at <http://www.nbpower.com/en/customers/regulatory/regulatory.aspx>
- d) Anyone intending to intervene in this proceeding must notify both the Board at the address below and the Applicant at the address above, in writing on or before the 8th day of May, 2007 as follows:
- stating whether they wish to have formal or informal status;
 - indicating their choice of language for the hearing;
 - providing the reason for the nature of the proposed intervention; and
 - setting out the name of the person and any authorized representative of the person and the mailing address, civic address, email address, telephone number, and any other telecommunications numbers of the person or the person's authorized representative.
- e) The Applicant shall file its full evidence in support of the Application with the Board on or before noon on the 3rd day of July, 2007;
- f) Anyone who has not already registered as an Intervenor pursuant to (d) above shall have a further opportunity to do so after the Applicant has filed its full evidence and such parties intending to intervene at that time must notify the Board and the Applicant in writing on or before the 17th day of July, 2007 in the same manner as set out in (d) above;
- g) A Notice in substantially the form attached hereto marked "A" be published, 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

L'Acadie Nouvelle
The Daily Gleaner
The Telegraph Journal
Times-Transcript

Caraquet
Fredericton
Saint John
Moncton

and once in each of the following newspapers:

Weeklies

The Bugle Observer
Hebdo Chaleur
Kings County Record
L'Aviron
Le Madawaska
Miramichi Leader
Northern Light
Post Gazette
Sackville Tribune-Post
Saint Croix Courier
The/La Cataracte
Tribune
Victoria County Record

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

on or before the 27th day of April, 2007.

DATED at the City of Saint John, New Brunswick, this 19th day of April, 2007.

BY THE BOARD

Original Signed By

Lorraine R. Légère
Secretary
New Brunswick Energy and Utilities Board
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