

**IN THE MATTER OF the Public Utilities Act
Revised Statutes of Yukon, 2002, c. 186, as amended**

and

**An Application by Yukon Electrical Company Limited
for Approval of Revenue Requirements for 2008 and 2009**

BEFORE: W. Shanks, Chair) June 20, 2008
 R. Laking, Vice-Chair)
 R. Hancock)

BOARD ORDER 2008-5

WHEREAS:

- A. On April 30, 2008, Yukon Electrical Company Limited (YECL) filed with the Yukon Utilities Board (Board) an Application, pursuant to the *Public Utilities Act (Act)* and *Order-in-Council 1995/90*, for approval of its forecast revenue requirements for the 2008 and 2008 test years and approval of certain deferral accounts (General Rate Application or Application).
- B. The Application also requests approval of an Interim Refundable Rate Rider, Rider R, and Temporary Refund/Surcharge Rider, Rider G, commencing July 1, 2008, applicable to all YECL and Yukon Energy Corporation retail customers excluding Secondary Energy Rate 32 and Industrial Primary Rate 39 (Interim Application).
- C. On May 16, 2008, the Board issued Board Order 2008-4 providing Notice of the Application, setting a Pre-Hearing Conference for June 12, 2008, and proposing a proceeding schedule for the Application, including a proposed public hearing commencing on October 7, 2008.
- D. On May 20, 2008, the Minister of Justice authorized the Board to incur the expenses necessary to conduct a public hearing into the Application pursuant to Section 50 of the Act.
- E. By way of a letter dated June 5, 2008, the Utilities Consumers' Group (UCG) requested that the Application be postponed until such time as YECL files with the Board information respecting a performance-based regulation (PBR) mechanism and a Maximum Company Investment policy (UCG Motion).
- F. On June 10, 2008, the Board invited comments from parties on the UCG Motion by June 17, 2008, and reply by UCG by June 19, 2008;

- G. On June 10, 2008, the Board circulated an Agenda for the Pre-Hearing Conference, a Preliminary Issues List, and the requests for party status received by the Board.
- H. The Pre-Hearing Conference was held on June 12, 2008, in Whitehorse, at which the Board heard submissions from parties on the following matters:
- a. Issues List
 - b. Intervenor and Observer Status
 - c. Hearing Cost Process
 - d. Proceeding Schedule
 - e. Hearing Process
 - f. Interim Application
- I. At the Pre-Hearing Conference, Yukon Energy Corporation (YEC) requested that, prior to Information Requests to YECL, the Board direct YECL to provide certain historical information back to the time of YECL's last General Rate Application.
- J. The Board received comments from YECL in response to the UCG Motion on June 17, 2008, further comments from the UCG on June 17, 2008, and a reply by UCG on June 19, 2008.

NOW THEREFORE, the Board orders as follows, with Reasons attached in Appendix A:

1. Intervenor status is granted to the following parties for this proceeding:
Yukon Energy Corporation (YEC)
City of Whitehorse
Utilities Consumers' Group (UCG)
Yukon Conservation Society (YCS)
Department of Energy, Mines and Resources, Government of Yukon
John Maissan, Leading Edge Projects Inc.
2. Observer status is granted to the following party for this proceeding:
Paul Kishchuk, Vector Research
3. All parties intending to retain legal counsel and/or consultants shall submit to the Board signed retainer letters on or before **July 14, 2008**.
4. YECL shall file with the Board and distribute to all parties the following information on or before **July 4, 2008**:
 - a. All Schedules in the Application updated to include the same information for the year 2005;
 - b. The following Schedules from the Application updated to include the same information for the years 2003 and 2004:
Schedules 1.1, 2.1, 3.1, 3.2, 4.1, 4.2, 5.1, 5.3, and 8.1 to 8.6; and
 - c. A Maximum Company Investment Policy.

5. The Proceeding Schedule is revised as follows:

Action	Original Date (2008)	Revised Date (2008)
YECL to file additional information as per Order 2008-5	N/A	July 4
Information Requests to YECL	June 30	July 16
Information Responses from YECL	July 28	August 4
Intervenor Evidence Filed	August 18	August 19
Information Requests to Intervenors	September 2	September 2
Information Responses from Intervenors	September 15	September 15
YECL Rebuttal Evidence (if necessary)	September 22	September 22
Hearing	October 7-9 inclusive	October 7-9, inclusive
Argument and Reply	To Be Determined at Pre-Hearing Conference	To Be Determined at end of Public Hearing

6. Not later than **June 27, 2008**, YECL shall cause to be published, in display-ad format, a Revised Notice of Hearing, as per Appendix B to this Order, in such appropriate local news publications in YECL's service area so as to provide adequate notice to the public.
7. The Final Issues List for the Application is attached as Appendix C to this Order.
8. YECL's Interim Application will be considered according to the following written process:

Submissions from Intervenors	June 20, 2008
Reply by YECL	June 27, 2008

DATED at the City of Whitehorse, in Yukon, the 22nd day of June 2008.

BY ORDER



Wendy Shanks
Chair