

**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) September 24, 2008
 R. Laking, Vice-Chair)
 J. Woodland)
 K. Avery)

BOARD ORDER 2008-12

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 2009 test years and approval of certain deferral accounts (Application).
- B. On June 20, 2008, the Board issued Order 2008-5 which, among other matters, established a proceeding schedule for the Application.
- C. Information Requests (IRs) were submitted to YECL by the Board, Yukon Energy Corporation (YEC), the City of Whitehorse (Whitehorse) and the Utilities Consumers' Group.
- D. Pursuant to a request by YECL, on July 17, 2008, the Board issued Board Order 2008-7 extending the time for YECL to file responses to these IRs and making minor adjustments to the balance of the proceeding schedule.
- E. YECL filed IR Responses on August 4, 2008.
- F. By way of letter dated September 8, 2008, YECL requested that their depreciation witness not appear as a witness at the October 7 to 9 oral hearing and proposed to present an affidavit to adopt his evidence as well as proposed a second round of IRs on depreciation if the YUB and interested parties required such.
- G. By way of a memorandum dated September 10, 2008, the Board invited comments on the YECL request from interested parties by September 15, 2008.

- H. On September 15, 2008, YEC filed a letter in response to the YECL request and submitted that YECL had not fully responded to its depreciation questions and supported a second round of interrogatories on depreciation. YEC also submitted that it intended to ask policy-related questions on depreciation at the oral hearing and if YECL staff witnesses are prepared to answer those questions then YEC would not see a need for the depreciation witness (Mr. Kennedy) to attend the oral hearing. YEC further qualified its acceptance by making it conditional on responses to the IRs being complete and satisfactory and YECL's depreciation witness' affidavit not expanding on his evidence.
- I. On September 15, 2008, Whitehorse filed a letter that supported the position of YEC.
- J. On September 18, 2008, YECL filed a letter stating that in order to be helpful it will provide responses to additional IRs pertaining to depreciation. YECL also stated that given that it still expected depreciation questions during the hearing, it would be unable to achieve the process efficiency YECL sought and would need to present its depreciation consultant as a witness.
- K. On September 22, 2008, YECL filed a letter requesting an extension to the deadline for responses to the IRs on depreciation from September 25, 2008, to September 30, 2008. YECL also requested that its expert witnesses on capital structure and return on equity, and depreciation be scheduled to appear on October 9, 2008.
- L. The Board has considered the request of YECL and reviewed the IRs submitted to YECL on September 19, 2008.

NOW THEREFORE, the Board orders that:

- 1. YECL shall provide complete responses to the IRs by 9:00 AM September 30, 2008.
- 2. YECL shall present its panel on capital structure and return on equity, and depreciation on October 8, 2008, during the hearing.

DATED at the City of Whitehorse, Yukon, the 25th day of September 2008.

BY ORDER



Wendy Shanks
Chair