

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

and

**An Application by Yukon Energy Corporation (YEC)
for Approval of The October 8, 2009 Compliance Filing for Revenue
Requirements for 2008 and 2009**

BEFORE: W. Shanks, Chair) November 5, 2009
 R. Hancock)
 J. Woodland)

BOARD ORDER 2009-10

WHEREAS:

- A. In Order 2009-8, dated September 8, 2009, the Yukon Utilities Board (YUB or Board) ordered:
 - 1. The Board directs YEC to provide a compliance filing to the Board within 30 days of the issuance of this Order in accordance with the directions set out in the Reasons for Decision (Appendix A attached to Board Order 2009-8).
 - 2. The Board approves the 2008 and 2009 revenue requirement for YEC with the changes directed in the Reasons for Decision (Appendix A attached to Board order 2009-8).
 - 3. The Board directs YEC, in conjunction with YECL, to file a complete Phase II (rate design and cost of services) with the Board within 60 days of the date of the decision on the above ordered compliance filing.
- B. On October 8, 2009 YEC filed with the Board its compliance filing with respect to its 2008-2009 General Rate Application (GRA).
- C. On October 14, 2009, the Board issued a memorandum outlining a process for the compliance filing whereby intervenors could comment on the compliance filing by October 19, 2009 and YEC could reply to those comments by October 28, 2009.
- D. Comments from the Utilities Consumer Group (“UCG”) were received on October 19, 2009; comments from John Maissan (Leading Edge Projects) were received on October 19, 2009; and comments from the City of Whitehorse were received on October 19, 2009.

- E. Reply comments from YEC were received on October 28, 2009.
- F. The Board has reviewed YEC's compliance filing for its 2008 and 2009 revenue requirement, the comments from intervenors and the reply by YEC.
- G. The Board notes that none of the intervenors have objected to the compliance filing, and is of the opinion that any concerns raised by intervenors were addressed in YEC's reply. Further, the Board notes that several of the comments by UCG were outside the scope of the compliance filing.

NOW THEREFORE, the Board orders as follows:

- 1. The Board finds the compliance filing consistent with the directions given to YEC in the Reasons for Decision attached to Order 2009-8.
- 2. The Board approves the request of YEC to:
 - A. Adjust the reduction in Rider J from negative 3.48% to negative 2.47% effective December 1, 2009;
 - B. Use the Faro Dewatering account to address the 2008 revenue deficiency of \$0.026 million; and
 - C. Use the Faro dewatering Account to address the 2009 revenue deficiency of \$0.355 million.

DATED at the City of Whitehorse, in the Yukon Territory, the 18th day of November, 2009.

BY ORDER



Wendy Shanks
Chair