

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

and

**an Application by Yukon Energy Corporation for an Energy Project
Certificate and an energy Operation Certificate regarding the
Proposed Mayo Hydro Enhancement Project (Mayo B)**

BEFORE: B. McLennan, Chair) February 11, 2010
 R. Hancock)
 R. Laking)
 K. Avery)

BOARD ORDER 2010-02

WHEREAS:

- A. On December 18, 2009, the Minister of Justice required that the Yukon Utilities Board (YUB or the Board) carry out a review and hold a public hearing on Yukon Energy Corporation's (YEC) Mayo Hydro Enhancement Project (Mayo B) per Part 3 of the *Public Utilities Act* (Energy Project Certificate and Energy Operation Certificate Application). The Minister of Justice's letter is in relation to an application submitted by YEC on December 11, 2009 under Part 3 of the *Public Utilities Act* for an energy project certificate and an energy operation certificate regarding Mayo B.
- B. Mayo B has been referred to the Yukon Environmental and Socio-Economic Assessment Board (YESAB) in a proposal submitted in February of 2009 under the *Yukon Environmental and Socio-economic Assessment Act* (Canada).
- C. Mayo B has been designated, in OIC 2009/220, as a regulated project under Part 3 of the *Public Utilities Act* pursuant to section 36 of that *Act*.
- D. On December 18, 2009, the Minister of Justice of the Government of Yukon directed the Board to review the application for the certificates and conduct an oral hearing as part of the review. The Board is to provide a report and recommendations on the potential benefits, costs, risks and customer impacts that influence whether Mayo B should proceed as proposed by YEC. Specific items the Board is to report on are contained in the Terms of Reference which are attached to the December 18, 2009 letter from the Minister of Justice.
- E. The Board is directed to submit its report and recommendations to the Minister of Justice no later than March 31, 2010. The Board shall provide a recommendation on whether YEC should be granted an energy project certificate and an energy operation certificate for Mayo B and whether the certificates should be subject to any terms and conditions and what these terms and conditions should be, and the

Board may make any other recommendations or provide any other information that it considers advisable in the circumstances.

- F. On January 28, 2010 parties wishing to seek intervenor status were ordered to provide such information as required in Board Order 2010-1 by February 5, 2010 and that the Board would notify said parties of their status in this proceeding by February 12, 2010.

NOW THEREFORE, the Board orders as follows:

1. Intervenor status is granted to the following parties for this proceeding:

Yukon Electrical Company Limited (YECL)
City of Whitehorse
John Maissan
Yukon Conservation Society

The Board notes that issues in this proceeding are to be focused on those identified in the Minister of Justice's letter of December 18, 2009.

2. Observer status is granted to the following parties for this proceeding:

Department of Energy, Mines and Resources, Government of Yukon
Yukon Chamber of Commerce

3. The Proceeding Schedule is amended to include the following:

Information Requests to YEC	February 26, 2010
Information Responses from YEC	March 8, 2010

The remaining schedule for the proceeding will be issued at a later date.

DATED at the City of Whitehorse, in the Yukon Territory, this 11th day of February, 2010.

BY ORDER



Bruce McLennan
Chair