

**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 16, 2008
 R. Laking, Vice-Chair)
 R. Hancock)
 J. Woodland)
 K. Avery)

BOARD ORDER 2008-11

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 qualified its acceptance by adding as long as the responses to the IRs are complete and satisfactory and YECL's depreciation witness' affidavit does not expand on his evidence.
- I. On September 15, 2008, The City of Whitehorse (Whitehorse) filed a letter that supported the position of YEC.
- J. The Board has considered the request of YECL and the submissions of YEC and Whitehorse and is persuaded that a second round of IRs on depreciation may obviate the need for YECL's depreciation witness to appear at the October 7 to 9 oral hearing while ensuring procedural and process efficiency. However, before the Board grants YECL's request with respect to its depreciation witness, the Board must be satisfied that YECL has responded to the IRs on depreciation and has filed the affidavit of the testimony of Mr. Kennedy. Once the responses and affidavit are filed, the Board will decide on the request.

NOW THEREFORE, the Board orders that:

1. Interested parties may submit a second round of IRs on depreciation to YECL by 9:00 AM September 22, 2008.
2. YECL shall provide complete responses to the IRs by 5:00 PM September 25, 2008.
3. YECL shall file with this Board, the affidavit of the testimony of Mr. Kennedy by 5:00 PM September 25, 2008.

DATED at the City of Whitehorse, Yukon, the 16th day of September 2008.

BY ORDER



Wendy Shanks
Chair