

**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 and
Yukon Energy Corporation
for a 2009 Joint Phase II Rate Application**

BEFORE: B. McLennan, Chair) April 28, 2011
 R. Laking)
 R. Hancock)
 J. Woodland)

BOARD ORDER 2011-05

WHEREAS:

- A. In Order 2010-13, dated December 30, 2010, the Yukon Utilities Board (“Board”) ordered:
 - 1. The Board directs the Yukon Energy Corporation and the Yukon Electrical Company Limited (jointly “the Companies”) to provide a compliance filing to the Board within 60 days of the issuance of this Board Order in accordance with the directions set out in the Reasons for Decision (Appendix A attached to this Board Order).
 - 2. The Board does not accept the Cost of Service Study (COSS) as filed by the Companies and does not require a COSS be filed in the compliance filing.
 - 3. The Companies are to include updated Rate Schedules, Bill Comparison Tables, and Terms and Conditions of Service as separate attachments reflecting the directions provided in the Reasons for Decision (Appendix A, attached to this Board Order).
- B. On February 28, 2011, the Companies filed with the Board their compliance filing in respect of their 2009 Phase II Rate Application.
- C. On March 7, 2011, the Board issued a memorandum outlining a process for the compliance filing whereby Intervenor were to comment on the compliance filing by March 17, 2011, and the Companies were to reply to those comments by March 24, 2011.
- D. The Utilities Consumers’ Group (“UCG”) submitted comments on March 17, 2011.

- E. The Companies submitted comments on March 24, 2011. As well, on March 24, 2011, UCG corrected the date referred to on page 1, line 6 of its March 17, 2011, submission to June 30, 2013, and not June 30, 2012, as was originally submitted.
- F. The Board has reviewed the Companies' compliance filing for its 2009 Phase II rate application, the comments from UCG and the reply of the Companies.
- G. The Board is of the opinion that the concerns raised by UCG were addressed in the reply from the Companies. Furthermore, the Board notes that some of the comments raised by UCG were outside the scope of this compliance filing.

NOW THEREFORE the Board orders as follows:

- 1. The Board finds the compliance filing consistent with the directions given to the Companies in the Reasons for Decision attached as Appendix A to Board Order 2010-13.
- 2. The Board approves the Rate Schedules attached as Appendix A to this Board Order effective June 1, 2011.
- 3. The Board approves the Terms and Conditions of Service attached as Appendix B to this Board Order effective June 1, 2011.
- 4. The Board is not persuaded with respect to the Cost of Service submissions of the Companies. Board Order 2010-13 stands with respect to Cost of Service; that is, the Board does not accept the COSS as filed by the Companies. The Board is of the view that any revenue-to-cost ratios derived from the application are without merit

DATED at the City of Whitehorse, in the Yukon Territory, this 28th day of April 2011.

BY ORDER



Bruce McLennan
Chair