

# Yukon Utilities Board

P.O. Box 31728 • Whitehorse, YT • Y1A 6L3

February 17, 2010

Honorable Marian Horne  
Minister, Department of Justice  
P.O. Box 2703  
Whitehorse, Yukon  
Y1A 2C6

Dear Minister Horne:

**Re: Yukon Energy Corporation (YEC) Mayo B Hydro Enhancement Project – YUB Hearing Scheduling**

The Yukon Utilities Board (Board) hearing process with respect to the Mayo B energy project and energy operation certificate is now well underway. The first Board Order (2010-1) was issued on January 25, 2010 in order to communicate both the Terms of Reference for the hearing, as outlined in your December 18, 2009 direction to the Board, as well as, to request that potential intervenors and observers make application for standing in the hearing by the date of February 8th. On February 12, the Board issued our second order (2010-2), in order to approve intervenor and observer status, as well as to identify the return dates for intervenor information request to YEC and the concomitant intervenor responses from YEC.

To date the Board has not issued the full hearing schedule. The Board felt it was prudent to wait for the applications for intervenor status so that we could gauge the scope of issues that intervenors might raise. It is evident from the intervenor applications received that the ranges of issues that intervenors have identified are varied and wide-ranging in their areas of interest. Based on the Board's review of these intervenor applications it is apparent to the Board that the full hearing process cannot occur within the March 31<sup>st</sup> deadline established by the Yukon Government's OIC, and at the same time ensure a fair, transparent and comprehensive review, including the requested oral hearing process.

In order to conduct a fair hearing, the Board has to provide intervenors with an opportunity to review the application, to ask questions, to file evidence and to allow time for the applicant and the intervenors to prepare for a hearing. All these process steps require time. After the hearing, the Board has to consider the evidence filed and prepare its report.

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Accordingly, the Board is requesting that the date for submitting the Board's report in this matter be extended to May 31, 2010. Even this time line will be challenging, but we anticipate that it can be met. In this regard we have prepared the attached schedule for the remainder of the process that the Board will issue so that the parties can plan their submissions and interventions around this proposed schedule.

Given that the application review process has already formally begun, it is imperative that the Board shares all correspondence with the applicant and intervenors to guarantee full transparency.

Sincerely,



Bruce McLennan

Chair

Attachment A: Process Steps For YEC Mayo B Application

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## Attachment A:

### Process Steps for YEC Mayo B Application

Below is the schedule for YEC's Mayo B application.

Process Step	Due Date (2010)
Issuance of Order 2010-1 (Notice)	January 25 (Order 2010-1)
Applications for Intervenor Status	February 8 (Order 2010-1)
Status Notification of Intervenor Applicants	February 12 (Order 2010-1)
Information Requests to YEC	February 26 (2010-2)
Information Responses from YEC	March 8 (2010-2)
Intervenors Evidence (if any)	March 16
Information Requests to Intervenors	March 23
Information Responses from Intervenors	March 30
Oral Public Hearing including oral argument and reply	April 6 to 9
Report to Minister of Justice	May 31

Note: This schedule represents a compressed schedule.

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