

# Yukon Conservation Society INC. 1968

302 Hawkins St. ☪ Whitehorse, Yukon ☪ Y1A 1X6 ☎ (867)668-5678 ☎ fax: (867)668-6637 ☪ ycs@ycs.yk.ca

March 16, 2010

Yukon Utilities Board  
Box 31728  
Whitehorse, Yukon  
Y1A 6L3

Attn: Shay Smart, Executive Secretary

Re: Request for guidance from the Board regarding recent developments concerning Mayo B

Dear Ms. Smart:

The Yukon Conservation Society is writing with regard to the fact that representatives of YEC have been quoted in the local media saying that contractors have been engaged to construct the Mayo B project (available on the internet at <http://www.yukon-news.com/news/17226/>).

YCS wishes to draw to your attention that the terms of reference for the Mayo B hearing (dated December 17<sup>th</sup>, 2009) include the following under the section titled "Specific Aspects of the Project to be Reviewed"

- d. What, if any, alternatives to Mayo B might be advisable given reasonable load assumptions and risk assessments. In particular, the YUB shall report on:
  - i. possible alternative configurations for timing and structure of the Mayo B as proposed by YEC;  
and
  - ii. whether it is prudent to build Mayo B at this time."

Further, YCS wishes to draw your attention to section 37 of the Public Utilities Act which states "No person shall construct a regulated project except in accordance with an energy project certificate".

It is unknown whether it is prudent to build Mayo B at this time and no energy project certificate has been issued. However, Yukon Energy Corporation, a utility regulated by the Yukon Utilities Board, is in the view of the Yukon Conservation Society prematurely proceeding with awarding contracts for Mayo B.

The Yukon Conservation Society respectfully submits to the Yukon Utilities Board that direction be provided by the Board to all parties on how these facts affect this hearing.

Yours truly,



Karen Baltgailis  
Executive Director  
Yukon Conservation Society