



PUBLIC INTEREST ADVOCACY CENTRE

LE CENTRE POUR LA DEFENSE DE L'INTERET PUBLIC

ONE Nicholas Street, Suite 1204, Ottawa, Ontario, Canada K1N 7B7

Tel: (613) 562-4002 ext 26

Fax: (613) 562-0007

e-mail: mjanigan@piac.ca

<http://www.piac.ca>

March 10, 2014

Yukon Utilities Board
Box 31728
Whitehorse, Yukon Y1A 6L3

Attention: Mr. Bruce McLennan, Chair

Re: Yukon Energy Corporation – Application for an Energy Project Certificate and an Energy Operation Certificate regarding the Proposed Whitehorse Diesel to Liquefied Natural Gas Conversion Project – UCG Reply to YEC Comments on UCG Motion Regarding Responses to Information Requests

Dear Mr. McLennan:

Our client, the Utilities Consumers' Group ("UCG") is in receipt of the March 7, 2014 comments by Yukon Energy Corporation ("YEC") regarding UCG's motion for more complete responses to information requests.

1. UCG-YEC-1-8(d)

UCG notes YEC's response that there have not been any spill risk assessments completed for the proposed facilities and related transport activities conducted by YEC.

UCG also assumes that YEC's referenced technical studies regarding the results of vapour dispersion modeling and thermal radiation calculations undertaken as required by CSA Z276-11 will now form part of the record of the YUB's proceeding and subject to cross-examination during the oral hearing.

UCG requests that YEC be directed to submit the studies referenced in its comments to the record of the YUB proceeding so that they may be readily referenced during the oral hearing.

2. UCG-YEC-1-9(c)

UCG notes that YEC continues to provide no evidence to support its positions that alternative systems considered are not viable versus the proposed project and that YEC has "has no information to indicate that any alternative to the Project other than diesel generation might be advisable given what is known today". This is UCG's point exactly.

UCG submits that YEC is completely wrong to assert there is "no basis, or requirement,

for YEC to provide a formal business case for alternatives that YEC is not proposing”.

UCG questions how the YUB and other parties will be able to evaluate the alternative systems (e.g., renewable generation, demand side management, bi-fuel conversion kits that enable current diesel equipment to run on a combination of LNG and diesel, purchase of new diesel generators with no changes to warehouse, purchase of second-hand diesel generators requiring no changes to warehouse, etc.) if no data or evidence is provided to allow all parties to determine if they are viable alternatives.

UCG submits that it will be impossible for the YUB to adequately respond to the Minister’s direction to determine if any alternatives to the proposed project are advisable without having the evaluation evidence on the record of this proceeding. UCG submits that without these evaluations on the record of this proceeding, the YUB would not be able to make a determination in this regard.

UCG requests that YEC provide the requested evaluations of the alternatives to the proposed project.

3. UCG-YEC-1-11(a)

YEC again ignores one of the drivers of this proceeding by stating that “YEC is not seeking approval of any costs in the Application, and therefore sees no basis in the context of this proceeding for providing the detail requested on Planning Costs to date”.

UCG repeats its argument that the Minister’s Terms of Reference clearly requires the YUB to review the costs and customer impacts of the proposed project. UCG questions how the costs can be evaluated if details of the level and reason for costs being incurred is not provided.

UCG repeats its request that YEC provide the requested information in UCG-YEC-1-11(a).

4. UCG-YEC-1-12(d - f)

While YEC provides an electronic link to the requested presentations, UCG requests that YEC be directed to submit the referenced presentations to the record of the YUB proceeding so that they may be readily referenced during the oral hearing.

5. UCG-YEC-1-15(c)

While YEC provides an electronic link to the requested assessments, UCG requests that YEC be directed to submit the referenced assessments to the record of the YUB proceeding so that they may be readily referenced during the oral hearing.

While a consolidated, cross-referenced copy of YEC's responses to information requests is now available on the YUB web site, it does not appear to have been posted until at least 4 or 5 days after the responses were submitted. UCG submits that parties should be notified when submissions of this type are made and when the documents are publicly available for use. Given the restricted time frame for intervenors to determine whether additional evidence was required, UCG submits it is not fair to intervenors not to have all the information available as scheduled and directed.

Yours truly,

A handwritten signature in black ink, appearing to read 'Michael Janigan', with a long horizontal flourish extending to the right.

Michael Janigan
Counsel for UCG