

1997-10

AN ORDER IN THE MATTER OF the Public Utilities Act
Revised Statutes, 1986, c. 143, as amended

and

A Joint Application by Yukon Energy Corporation and
The Yukon Electrical Company Limited

BEFORE: B. Morris, Chair)
 G. Duncan, Vice Chair)
 G. Leslie) October 23, 1997

ORDER 1997-10

WHEREAS:

- A. On April 11, 1997, Yukon Energy Corporation ("YEC") and Yukon Electrical Company Limited ("YECL") (the "Companies") filed submissions that:
1. Current rates for 1997 be made as interim refundable and retroactive to April 1, 1997, and that the Board direct the Companies to file an application with the Board by October 1, 1997, to finalize the 1997 rates and confirm new rates for 1998/99;
 2. The payment of Rider G rebates to Territorial and Federal Government General Service customers pursuant to Board Order #1996-8 be suspended effective for billings issued on or after May 1, 1997, until such time as the Faro mine resumes normal mine and mill operations as a Rate Schedule 39 customer of YEC, or until the Board determines final rates for 1997 and 1998/99 GRA, whichever is earlier;
 3. An interim refundable general rate surcharge of 20% be applied to the base rates for all classes of service effective for billings issued on or after May 1, 1997, and continuing thereafter until such time as the Faro mine resumes as a Rate Schedule 39 customer of YEC, or until the Board determines final rates for 1997 and the 1998/99 GRA, whichever is earlier; and
 4. The following be confirmed with respect to the application for existing approved rates for the purchase of power from YEC for use at the Faro mine:
 - a. In the event that the Faro mine ceases to take power from YEC for a period of less than 12 consecutive months and YEC is then asked to resume power supply

to the Faro mine, it is confirmed that the owner of the Faro mine is required to pay the minimum monthly bills set out in Rate Schedule 39 (Industrial Primary) for each month during such period, including months when the Faro mine ceased to take power from YEC.

b. Site Maintenance Energy (Rate Schedule 40) is available to the Faro mine only in the event that this facility continues after shut down to take power from YEC pursuant to Rate Schedule 39 for a period of at least six consecutive months, and in the event that all of the other conditions set out in Rate Schedule 40 are satisfied.

- B. The Board caused a Notice of Hearing to be published on April 25, 1997, requesting interested parties to register their intent to intervene at a public hearing scheduled for May 12, 1997.
- C. The following intervenors registered and were recognized by the Board:
 - Anvil Range Mining Corporation
 - Association of Yukon Communities
 - City of Whitehorse
 - Dawson City
 - New Era Electric
 - Peter Percival
 - Ross River Dena Development Corporation
 - Town of Faro
 - Utilities Consumers' Group
- D. The Board received applications for intervenor costs, pursuant to Section 56 of the *Public Utilities Act* (Chapter 143), from Peter Percival and the Utilities Consumers' Group ("UCG").
- E. The Board in considering an award of costs is charged by its Rules to consider, amongst other things, such questions as the effectiveness of the party's participation, its relevancy to the issues and the efficiency of the presentation and reasonableness of the costs incurred
- F. The applications for costs were distributed to the Companies and each application was then assessed on its own merits.

COST AWARDS

1. Peter Percival submitted an application for intervenor hearing costs totaling \$555.00 for 18.5 hours spent on preparation and attendance at the hearing.

Maintaining the Board's established maximum of \$25.00 per hour for all non-professional fees, Peter Percival's application is approved at \$462.50.

2. The UCG submitted a claim for fees and disbursements totaling \$1,354.00 in fees and \$664.47 in disbursements.

After a review of the claim submitted, the UCG claim is approved in the amount of \$541.60 for fees and \$664.47 for disbursements.

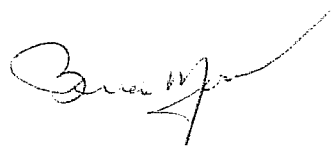
NOW THEREFORE the Board orders:

The Yukon Electrical Company Limited and the Yukon Energy Corporation shall pay the following amounts to the following parties and that such payments shall be forthcoming within 30 days of the issuance of this Order:

Peter Percival	\$ 462.50
Utilities Consumers' Group	\$1,204.47.

Dated at the City of Whitehorse, in the Yukon Territory, this 23rd day of October, 1997.

BY ORDER



Brian Morris
Chair