

IN THE MATTER OF the *Public Utilities Act*

and

**General Rate Application by Yukon Energy Corporation
for Approval of Revenue Requirements for 2017-18**

BEFORE: R. Laking, Chair) October 18, 2017
B. King)
M. Hannam)
A. Fortin)
P. Fitzgerald)

BOARD ORDER 2017-08

WHEREAS:

- A. On June 22, 2017, Yukon Energy Corporation (YEC) filed an application with the Yukon Utilities Board (Board), pursuant to the *Public Utilities Act*, and Order-In-Council 1995/90, requesting an order approving a forecast revenue requirement for 2017 and 2018 (Application);
- B. July 27, 2017, the Board issued Board Order 2017-05, which granted intervener status to:
 - ATCO Electric Yukon (AEY);
 - City of Whitehorse (CW);
 - Utilities Consumers' Group (UCG);
 - Yukon Conservation Society; and
 - John Maissan;
- C. The Board issued a letter on September 22, 2017 requesting comments from parties regarding the Yukon Court of Appeal judgement, *Yukon Energy Corporation v Yukon Utilities Board, 2017 YKCA 15*, and any impact that judgement may have on YEC's 2017-18 General Rate Application (GRA); and
- D. Comments were received from the following parties by September 28, 2017:
 - AEY;
 - CW;
 - UCG; and
 - John Maissan.

NOW THEREFORE, based on the reasons set out in Appendix A to this Order, the Board orders that:

1. YEC is to file a separate two-part application to comply with the direction from the Yukon Court of Appeal and the further directions of the Board within 30 days of the issuance of the order from the Yukon Court of Appeal. The first part of the application is to address 2012 Energy Reconciliation Adjustment (ERA) issues. The second part of the application is to address how YEC proposes to address Diesel Contingency Fund (DCF), ERA, wholesale rates, and long-term hydro generation for the period 2017 forward;
2. Effective January 1, 2017, YEC is to continue to treat the DCF as a placeholder to be adjusted upon final determination of the Board in the separate application to be established in response to the Yukon Court of Appeal decision;
3. YEC is to provide an alternative GRA forecast, using a short-term hydro-electric forecast for the test period in question and any consequential changes to the thermal generation forecast, removing any DCF references in that alternative forecast and filing the alternative forecast within 60 days of the issuance of this order; and
4. The GRA process schedule established in Order 2017-04 and revised by the October 4, 2017 letter from the Board to all parties is suspended and the process schedule will be revised as outlined in Appendix A to this Order.

DATED at the City of Whitehorse, Yukon, this 18th day of October 2017.

BY ORDER



Robert Laking
Chair