

YUKON UTILITIES BOARD

IN THE MATTER OF the *Public Utilities Act*

And

Review and Variance Application of Nathaniel Yee

BEFORE: R. Buchan, Chair) July 6, 2023
L. McCullough)
B. King)
A. Fortin)
M. Johnson)

BOARD ORDER 2023-12

WHEREAS:

- A. On April 17, 2023, the Yukon Utilities Board (Board) issued Board Order 2023-08 — ATCO Electric Yukon and Yukon Energy Corporation Rate Rebasing Application and Appendix A to this Board Order: Reasons for Decision (Original Proceeding).
- B. On May 3, 2023, Nathaniel Yee filed a Review and Variance Application of Board Order 2023-08 (Review Application). He submitted that the Board made an error in fact in paragraph 58. He argued that the counterexample provided in his Review Application “rigorously disproves the Utilities claim” that total charges on a customer bill will not differ from what is currently determined under Option 4.
- C. Section 62 of the *Public Utilities Act* (Act) states that the Board may review, change, or cancel any decision or order made by it, and may re-hear any application or complaint before deciding it.
- D. Rule 31 of the Board’s Rules of Practice (Rules) deals with applications for review. In considering a review application, the Board uses a two-phase system. Such a process enables applications to be dealt with expeditiously and economically. An application for review is subject to an initial screening phase (phase 1) where the applicant must establish a *prima facie* case sufficient to warrant full consideration by the Board. If the application for review alleges error, the applicant also must show that the error has significant material implications.
- E. As Rule 31(5) involves a summary screening review, the Board determined it did not need comments from the registered parties to the Original Proceeding.

NOW THEREFORE, the Board orders that:

In accordance with the reasons set out in its Reasons for Decision (Appendix A) to this Order, the Board dismisses the Review Application.

DATED at the City of Whitehorse, Yukon, this 6th day of July 2023.

BY ORDER

A handwritten signature in blue ink, appearing to be 'Richard Buchan', written in a cursive style.

Richard Buchan
Chair