

YUKON UTILITIES BOARD

IN THE MATTER OF the *Public Utilities Act*

and

ATCO Electric Yukon and Yukon Energy Corporation Terms and Conditions of Service Application

BEFORE: L. McCullough, Chair) September 8, 2025
M. Johnson, Vice-Chair)
B. King)
R. Hancock)
A. Woroniuk)

BOARD ORDER 2025-13

WHEREAS:

- A. On December 20, 2024, ATCO Electric Yukon (AEY) and Yukon Energy Corporation (YEC) (jointly the Utilities) filed an Application with the Yukon Utilities Board (the Board), pursuant to the *Public Utilities Act* (the Act) and *Order-in-Council* 1995/90, requesting an order approving certain updates to the Terms and Conditions of Service (T&Cs). The Application seeks approval of:
 - Updates focussed on modernization of the T&Cs;
 - Updated Maximum Investment Levels (MIL) based on an MIL Cost Study and an inflation mechanism for future years; and
 - Updated Fees and Service Charges to reflect changes in operations and an inflation mechanism for future years.
- B. The Board issued Board Order 2025-01 on January 13, 2025, in which the Board set out a process schedule whereby the deadline for intervener registrations was set for February 3, 2025;
- C. On January 31, 2025 the Board received correspondence from the Utilities requesting a revision to the proceeding schedule. The Utilities stated that, due to pre-existing scheduled proceedings, the current public oral hearing dates create scheduling conflicts with key representatives from both companies. The Utilities suggested a full written process including a second round of information requests in lieu of the oral public hearing. However, if the Board

were to proceed with a public oral hearing, the Utilities suggested a two-day hearing set for June 16 to 17, 2025;

- D. On February 6, 2025, the Board issued Board Order 2025-02 granting intervenor status to John Maissan, Elena Ross, UCG, Nathaniel Yee, and Max Fraser. In that order the Board asked for comments from intervenors regarding the request from the Utilities for changes to the proceeding schedule. More specifically, it asked for intervenor comments on an oral public hearing versus a fully written process with two rounds of information requests. It further requested for comments on the proposed hearing dates if an intervenor preferred an oral public hearing. It also asked for comments on any other changes to the proceeding schedule such as later dates for the first round of information requests and potential dates for a second round of information requests if a fully written process was held. Comments from the intervenors were due on February 12, 2025 and reply comments from the Utilities were due February 17, 2025;
- E. On February 10, 2025, the Board received a request from Bipin Kothyari on behalf of the Tr'ondëk Hwëch'in Government for intervenor status;
- F. The Board received submissions from three intervenors in response to Board Order 2025-02 before the February 12, 2025 deadline. Mr. Maissan preferred a fully written process schedule that would be complete before July 1, 2025. The UCG accepted the Utilities request for a fully written process and accepted the timelines proposed by the Utilities. Mr. Yee supported the full process as outlined in Board Order 2025-01;
- G. The Utilities provided their reply to the intervenor comments on February 14, 2025. In their reply, the Utilities stated new information since the original filing and directions from Board Order 2025-01 drive the need to revisit the process schedule. New information such as:
 - 1. Number of interested parties granted intervenor status.
 - 2. The scheduling conflicts for the hearing dates.
 - 3. Support for a written process that includes two rounds of IRs from two of the three parties providing process comments.

The Utilities added that the written process provides a fulsome process, achieves cost efficiencies, and promotes a fair, expeditious and efficient determination of the issues. In response to Mr. Yee's submission, the Utilities stated that Mr. Yee did not provide any reason as to why an oral hearing is required nor did Mr. Yee's submission establish that any party would be prejudiced by the Utilities' proposal for a fully written process.

- H. In Board Order 2025-03, dated February 18, 2025, the Board granted intervenor status to the Tr'ondëk Hwëch'in Government. The Board also provided its decision to hold a written hearing after consideration of comments of the

interveners and reply comments of the Utilities. A revised process schedule was provided to parties which included two rounds of information requests and responses, the submission of intervenor evidence followed by a round of information requests and responses related to same, rebuttal evidence and simultaneous written final argument, followed by simultaneous written reply argument.

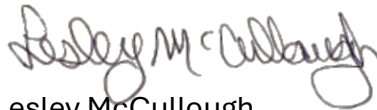
- I. In accordance with the schedule for this proceeding, the record for this proceeding closed June 24, 2025.
- J. In making its decision, the Board has carefully considered the evidence and submissions of the parties. For the reasons set out in Appendix A to this Board Order, the Board has not approved the Application as filed and directs as follows.

NOW THEREFORE, the Board orders that:

AEY and YEC shall submit a compliance filing to the Board within 30 days of issuance of this Board Order, in accordance with the directions set out in the reasons found in Appendix A to this Order.

DATED at the City of Whitehorse, Yukon, this 8th day of September 2025.

BY ORDER

A handwritten signature in dark ink, appearing to read 'Lesley McCullough', is written over the printed name.

Lesley McCullough
Chair