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YUKON UTILITIES BOARD ettjones.ca

EXHIBIT B-2

DAY ENTERED BY YEZC JUNE 17 108

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Our File No.: 12276-81

June 17, 2008

Yukon Utilities Board 19 - 1114 1st Avenue Whitehorse, Yukon Y1A 1A3

Att:

Ms. Wendy Shanks

Chair

Dear Ms. Shanks:

Re:

Yukon Electrical Company Limited ("YECL")

2008-2009 General Rate Application ("GRA")

Response to letter dated June 5, 2008

from the Utilities Commission Group ("UCG")

YECL has reviewed the above-referenced letter and at the outset submits that it does not satisfy the requirements of a Notice of Motion based on the criterion contained in the Board's Rules, specifically Rule 19(2).

The subject letter does not provide any basis or reasons for the relief requested and merely lists two directions the UCG wishes the Board to make. Merely by calling a letter a Notice of Motion does not make it a legitimate Motion and the filing can and should be dismissed on this basis alone.

Furthermore, item one relates to a "suggestion" made by the Board to the Commissioner in Executive Council in the context of its recommendations regarding the 20 Year Resource Plan filed by Yukon Energy Corporation ("YEC") dated January 15, 2007. This was <u>not</u> a direction to YECL; and neither could it be, as the "suggestion" clearly arose out of a proceeding regarding which YECL was <u>not</u> the applicant. Procedural fairness would prevent such a direction being given to YECL in these circumstances. As such, there is no order or direction that YECL has failed to fulfill. There is simply no basis for the order that is now requested by the UCG. This request should be denied on this basis.

The second item contained in the referenced letter also does not include any support or reasons that would justify the granting of this request. Furthermore, the issue of the Maximum Company Investment is a Phase II matter that is appropriately addressed in the Phase II filing that

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will follow the current Phase I process. The potential revenue requirement impacts could be explored in Phase I, but not the policy itself, which is reflected in the approved Electric Service Regulations. As such, this is not an issue that should be addressed as part of this Phase I filing. For these reasons, this request should also be denied.

Should you have any questions regarding the above, please do not hesitate to contact the undersigned.

Yours truly,

BENNETT JONES LLP

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