

NEW BRUNSWICK ENERGY AND UTILITIES BOARD

IN THE MATTER OF an Investigation into the forecasted costs and revenues of the New Brunswick Power Distribution and Customer Service Corporation pursuant to section 24 of the *Energy and Utilities Board Act*

ORDER

WHEREAS the New Brunswick Energy and Utilities Board (the “Board”) has been directed by the Minister of Energy pursuant to section 24 of the *Energy and Utilities Board Act* (the “Act”) to make an investigation into the forecasted costs and revenues that the New Brunswick Power Distribution and Customer Service Corporation (“Disco”) has used to support the necessity for a 3% increase to its charges, rates and tolls;

AND WHEREAS the Board has determined that, as part of this investigation, there will be an opportunity for public participation;

AND WHEREAS the Board has set out a public participation process that will be used during the course of this investigation, a copy of which process is attached hereto as Exhibit “A”;

WHEREAS the Board intends, subject to such changes that may be required from time to time, to follow the process outlined in Exhibit “A”;

NOW THEREFORE IT IS ORDERED THAT:

(a) Disco shall respond to written questions submitted by registered participants. All responses shall be filed with the Board and with registered participants no later than May 15, 2008 at 4:00 p.m.

(b) In the event there is an issue with respect to the inadequacy of a response, registered participants must inform Disco and the Board in writing no later than May 16th, 2008 at 4:00 p.m. Disco must respond in writing to any objection that has been raised no later than May 20, 2008 at 4:00 p.m.

(c) Disco shall appear at a public hearing on May 28, 2008 commencing at 10:00 am in the forenoon at the Courtney Bay Inn, Saint John New Brunswick and from day-to-day thereafter as required. Disco shall present to the Board the witnesses that are able to explain the necessity for a 3% increase to its charges, rates and tolls.

(d) Further orders in relation to this matter will be issued as required from time to time.

DATED at the City of Saint John, New Brunswick, this 5th day of May, 2008.

BY THE BOARD

Lorraine R. Légère
Secretary
New Brunswick Energy and Utilities Board

EXHIBIT “A”

**INFORMATION WITH RESPECT TO THE PUBLIC PARTICIPATION
PROCESS TO BE USED BY THE NEW BRUNSWICK ENERGY AND
UTILITIES BOARD IN ITS INVESTIGATION**

The New Brunswick Energy and Utilities Board (the “Board”) is investigating the forecasted revenues and costs used by the New Brunswick Power Distribution and Customer Service Corporation (“Disco”) to support the necessity for a 3% increase to its charges rates and tolls.

This investigation is limited to Disco’s forecast of its revenues and costs and does not include an investigation of any other company.

The Board has set the schedule for the public participant segment of this investigation as follows:

- **Participants who register with the Board on or before April 25th, 2008 will be permitted to submit written questions to Disco and participate at the hearing by asking questions and making comments in accordance with the following schedule:**

Disco to file information with the Board and to make the information available at its business offices and on its website	April 30 th , 2008 at 4:00 p.m./ Wednesday
Written questions to be submitted to Disco with copies to the Board and all Participants registered	May 5 th , 2008 at 4:00 p.m./ Monday
Disco to respond to written questions	May 15 th , 2008 at 4:00 p.m./ Thursday
Participants inform Disco and the Board in writing if there is an issue with respect to the inadequacy of a response	May 16 th , 2008 at 4:00 p.m./ Friday
Disco responds in writing to any objection that has been raised	May 20 th , 2008 at 4:00 p.m./Tuesday
The Board provides written directions with respect to any response that has been challenged	May 21 st , 2008 at 4:00 p.m./Wednesday

Public Hearing commences	May 28 th , 2008 at 10:00 a.m./Wednesday
<p>Note:</p> <ul style="list-style-type: none"> ➤ Participants will be able to question witnesses and submit comments on the evidence. ➤ Questions will be confined to the issue of “Disco’s forecast of revenues and costs”. As such, questions related to rate design, cost allocation or outside the scope of this investigation will not be permitted. ➤ The Board notes that this is an investigation and not a rate application and as such, the process has been varied accordingly. 	

- Those who do not wish to participate at the hearing may provide written comments to the Board on or before May 21st, 2008.
- In addition to the above- noted schedule, the Board’s financial consultant, who is conducting a review, will provide a written report to the Board. Copies will be provided to Disco and all registered participants prior to the commencement of the hearing.
- Participants who register with the Board on or before April 25th, 2008 will have an opportunity to question the consultant in relation to his report during the hearing.
- Disco will also have the opportunity to question the Board’s consultant.

At the hearing on May 28th, 2008, the Board intends to proceed as follows:

<ul style="list-style-type: none"> ➤ Disco will present its evidence; ➤ Board Counsel will question Disco witnesses on their evidence; ➤ All other participants will be permitted to question Disco witnesses on issues not canvassed by Board Counsel; ➤ The Board’s consultant will present his evidence; ➤ Board Counsel will question the Board consultant on his evidence; ➤ Disco will question the Board consultant on his evidence; ➤ All other participants will be permitted to question the Board consultant on issues not previously canvassed by either Board Counsel or Disco. ➤ Participants may offer final comments and submissions.
