

# 2023 ANNUAL REPORT



**NORTHWEST TERRITORIES  
PUBLIC UTILITIES BOARD**



**THE NORTHWEST TERRITORIES**

**PUBLIC UTILITIES BOARD**

**ANNUAL REPORT**

**For the year ending  
December 31, 2023**

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# THE NORTHWEST TERRITORIES PUBLIC UTILITIES BOARD

## Mandate

The Northwest Territories Public Utilities Board (“**Board**”) is an independent regulatory agency of the Territorial Government operating under and administering the *Public Utilities Act* (“**Act**”). The Board is primarily responsible for the regulation of energy utilities in the Northwest Territories (“**NWT**”), to ensure that the rates charged for energy are fair, just and reasonable. It is also responsible for ensuring utility operators provide safe, adequate and secure services to their customers.

## Board Organization

The Board consists of a part time Chairperson and four part time members. The Board Secretary, who reports to the Chairperson, administers the office. As the chief executive officer, the Chairperson presides over sittings of the Board and supervises Board employees.

The Board requires specialized assistance and so has contracts for legal counsel and technical expertise. No changes are contemplated, as the arrangement is cost effective.

The Minister Responsible for the Board, upon the recommendation of the Executive Council, appoints members of the Board. At the end of 2023, the Board consisted of the following persons:

<b>Chairperson</b>	Gordon Van Tighem, Yellowknife, Northwest Territories
<b>Vice-Chairperson</b>	Tina Gargan, Fort Providence, Northwest Territories
<b>Member</b>	Danny Yakeleya, Tulita, Northwest Territories
<b>Member</b>	Myra Berrub, Yellowknife, Northwest Territories
<b>Member</b>	Joe Auge, Yellowknife, Northwest Territories

The Board is assisted by:

<b>Board Secretary</b>	Doris Minoza, Hay River, Northwest Territories
<b>Legal Counsel</b>	Ayanna Ferdinand Catlyn, Field Law, Yellowknife, Northwest Territories
<b>Consultant</b>	Raj Retnanandan, Energy Management & Regulatory Consulting Ltd., Calgary, Alberta

## **REGULATORY JURISDICTION**

Following are the utilities subject to the Board's jurisdiction:

Northwest Territories Power Corporation  
Head Office: Hay River, Northwest Territories

Stittco Utilities NWT Ltd.  
Head Office: Hay River, Northwest Territories

Northland Utilities (NWT) Limited  
Head Office: Hay River, Northwest Territories

Northland Utilities (Yellowknife) Limited  
Head Office: Yellowknife, Northwest Territories

AADR II Ltd.  
Head Office: Fort McPherson, Northwest Territories

Inuvik Gas Ltd.  
Head Office: Inuvik, Northwest Territories

## UTILITY REGULATION

The need for regulation arises because utilities generally provide service on a monopoly basis without the economic controls of competition. The Board is the proxy for competition and attempts to ensure efficiency and fair pricing. The principles of rate regulation rest on fairness to both the utility and the consumer.

Energy utilities, as defined in the *Act*, are subject to Board regulation. The Board's principal responsibility is to ensure that each utility provides safe, adequate service at rates which are just and reasonable. When it receives an application to set rates, primarily through a General Rate Application (“**GRA**”), the Board must balance the competing interests of consumers, and the utilities. Rates are set through a public hearing process. The Board's objective through the hearing process is to guarantee that the public interest is served and protected.

Public involvement is an essential component of the regulatory process. The Board ensures the opportunity for public participation by directing the applicant to publish a notice, approved by the Board, advising that a hearing is to be held to consider the application. The notice may be published in newspapers throughout the utility's service area, included in each customer's monthly billings, or such other method that the Board considers appropriate.

The Board has the authority to award costs at the conclusion of a hearing. Interveners before the Board may receive up to 100% of their reasonably incurred costs provided that, in the Board's opinion, the intervention contributed in a meaningful way to the Board's understanding of the application.

Interveners are interested parties who register with the Board and receive copies of the application and all written questions and answers.

Interveners may take an active role in the hearing process. They may submit written questions, give evidence, call expert witnesses, and cross-examine the applicant. The applicant, as well as other interveners, is provided the opportunity to cross-examine the intervener and the intervener's expert witnesses. Alternatively, the intervener may choose to not actively participate in the hearing, but simply receive all available information.

After hearing and reviewing the evidence, the Board issues its Decision on the application. The Board may reject the rate change, modify it, or approve it as requested.

The Board also approves major capital projects, the issuance of long-term debt and municipal franchise agreements.

## **2023 HIGHLIGHTS**

We had a busy year. The Town of Hay River had 2 Evacuation Orders for forest fires, one in May 14 to 25, 2023 and again in August 13 to September 18, 2023. The Board's major activities during 2023 were the General Rate Application's ("GRA") of Northland Utilities (NWT) Limited ("NUL NWT") and the Sale of Purchase of the Hay River Franchise Property.

### **2023 Northland Utilities (NWT) Limited**

Northland Utilities (NWT) Limited filed 2023 GRA dated September 22, 2022. The Board issued a schedule, and had public hearings and technical meetings on Jan 15, 2024.

In 2024 the Board will issue a decision.

### **Sale and Purchase of the Hay River Franchise Property**

On March 7, 2023 the following parties made submissions for the Sale and Purchase of the Hay River Franchise Property:

The Town of Hay River ("Town") hereby seeks approvals of the Northwest Territories ("NWT") Public Utilities Board ("PUB" or "Board") for an Order or Orders under the NWT *Public Utilities Act* ("*PU Act*") approving the transactions required for the issuance of a Hay River Electrical Franchise to Northwest Territories Power Corporation ("NTPC"). The Town seeks approvals under sections 18 and 68 of the *PU Act*, and/or such other sections as may be required, to enact the franchise transaction described in this application ("Town Application").

Specifically, the Town seeks approvals for the following matters:

- 1) Approval for the disposition of the Hay River Franchise property from Northland Utilities (NWT) Ltd. ("NUL") to the Town, in accordance with the Town's rights to acquire the same pursuant to subsection 91 (5) of the *Cities Towns and Villages Act*, SNWT 2003, c 22, Sch B ("*CTV Act*");
- 2) Approval to dispose of the Hay River franchise assets newly acquired from NUL to NTPC as of the effective date of the closing of the Agreement with NUL, also being the closing date of the Purchase and Sale Agreement with NTPC (NTPC/Town Agreement"); and

3) Approval that for all other matters connected with the transient ownership of the noted assets, the Town is to be declared to be not a public utility, pursuant to subsection 18(1) of the Act.

The Town is not seeking approval of the Board for the franchise agreement under subsection 38(1) of the *PU Act* but understands that NTPC will file a copy of the finalized franchise agreement with the Board pursuant to subsection 37(1) of the *PU Act*, once approved and executed by the Town.

The Northwest Territories Power Corporation (“NTPC” or the “Corporation”) hereby seeks the required approvals from the Northwest Territories Public Utilities Board (“Board”) for the acquisition of the diesel generation and power distribution assets (“Acquisition”) in the Town of Hay River, NWT (“Hay River”) and the commencement of retail service within the Hay River corporate boundaries. NTPC anticipates the final approvals and transition process will be concluded in early 2023, to permit the transfer of business and assets, as well as utility responsibilities from the existing service provider, Northland Utilities (NWT) Limited (“NUL”).

Northland seeks the following approvals from the Public Utilities Board (the “Board”):

- (a) Pursuant to Sections 66 and 68 of the *Public Utilities Act* (“*PUA*”), approvals to discontinue its operation in the Town of Hay River (the “Town”) pursuant to the Hay River Franchise Agreement (the “Franchise”) and to dispose of the Hay River Franchise Assets (the “Franchise Assets”), including approval to recover costs related to the discontinuation of the Franchise and disposition of the Franchise Assets to the Town (collectively, the “Hay River Disposition”), and a deferral account to address the timing of transfer of the Franchise Assets effective January 1, 2023; and
- (b) Such further and other relief as the Board may determine is appropriate.

The Board issued a schedule and had public hearings and technical meetings on January 16 and 17, 2024.

In 2024 the Board will issue a decision.



## **Other Matters**

The Board dealt with other regulatory matters that are detailed in the decision summary.

Board members participated in the Annual Conference and Annual General Meeting hosted by the Canadian Association of Members of Public Utility Tribunals (“**CAMPUT**”). CAMPUT is the Board’s primary resource for providing staff and Board Members with training and education in areas of utility regulation.

January 18, 2023, Board convened virtually for Northwest Territories Power Corporation 2022/23 General Rate Application to discuss summary of board findings.

May 31, 2023, Board convened virtually to discuss Proposed Directives to the PUB.

October 10, 2023, Board commenced upgrading their website to be more automated.

## **A LOOK AHEAD**

Following issuance of Decisions respecting the Northland (NWT) Limited 2023 GRA and the Sale of Hay River Franchise Assets application, there will be compliance filings for establishment of rates, by Northland and by NTPC in early 2024.

On November 24, 2023, Northland Utilities (Yellowknife) Limited filed an interim rate increase application for rates effective January 1, 2024. The Board, by letter dated December 5, 2023, denied Northland Utilities (Yellowknife) Limited's interim rate increase application because of uncertainties associated with its forecast 2024 revenue requirement pending release of the Board's Decision respecting Sale of Hay River Franchise assets. Northland Utilities (Yellowknife) Limited is expected to file an updated General Rate Application in 2024 following release of the above mentioned Board Decision.

Monitoring of price changes by Stittco Utilities NWT Ltd., based on a price index for propane, continues in 2024.

We are entering the final phase of upgrading the Board's Website to enable automation of document processing and to promote transparency and ease of access for the public.

Observing the evolution being experienced within the Energy Sectors, we continue to anticipate the opportunity to actively participate in a thorough review of our regulatory policies and legislative framework to develop recommendations to the GNWT anticipating and adapting to our future.

Ongoing development of our Board Members continues through our association with the Canadian Association of Members of Public Utility Tribunals and various international contacts to maintain their up-to-date industry knowledge.

## **Ongoing NWT Electricity Policy**

The nature and structure of the electric industry in the NWT continues to evolve. Consumers continue to consume energy from the grid, but are now producing energy to be put into the grid while distributed generation and community generation are necessitating changes to the network. On the system side, utilities and the communities they serve are indicating increased readiness to accept energy efficiency, demand response, renewable energy and energy storage, among other emerging trends.

As a unique jurisdiction, we continue to be invited to participate in National events representing the remote service area we regulate. We provide regular updates regarding the innovation and efficiencies we in the NWT have developed while serving our markets, some of which are being adopted in other areas.

## SUMMARY OF 2023 BOARD DECISIONS

### DECISION 1-2023

January 18, 2023

#### **Application:**

By letter dated March 30, 2022, the Northwest Territories Power Corporation (“**NTPC**” or the “**Corporation**”) submitted to the Northwest Territories Public Utilities Board (“**Board**”) its General Rate Application (“**GRA**”). The GRA outlines forecast costs for providing electricity service for the 2022/23 fiscal year (the “**Test Years**”).

By letter dated March 30, 2022, NTPC also submitted its 2022-23 Interim Rate Application. NTPC requested the following increases in rates effective May 1, 2022:

- Thermal Zone – 2.5% increase to all customer classes
- Snare Zone – 2.5% increase to all customer classes
- Taltson Zone – 10% increase to all customer classes
- Norman Wells - 10% increase to all customer classes

In Decision 2-2022 the Board approved a 2.5% across the board revenue increase for NTPC, effective May 1, 2022. By letter dated April 28, 2022 NTPC filed Revised Interim Rates as per the directions in Decision 2-2022. The Board issued Decision 5-2022 dated May 2, 2022 approving the Interim Rates effective May 1, 2022.

Pursuant to the provisions of section 13.(1) of the Rules of Practice and Procedure, the Board, by letter dated April 8, 2022, directed NTPC to publish notice of the proceedings in newspapers that circulate in the Northwest Territories.

The Towns of Hay River and Fort Smith (“**HRFS**”), the Thermal Generation Communities, comprised of the Town of Inuvik, Town of Norman Wells and Village of Fort Simpson (“**TGC**”), Stand Alone Energy System Ltd (“**SAES**”) and Northland Utilities Limited (“**NUL**”) were registered as interveners in the GRA proceedings.

The 2022/23 GRA proceedings to examine NTPC's application included a discovery process through exchange of written interrogatories and responses, intervener evidence and rebuttal evidence by NTPC. On September 8 and 9, 2022 the Board held a technical hearing which was followed by public consultations.

**Order:**

The Board directs NTPC to file with the Board and interested parties a Compliance application reflecting amendments to the 2022/23 GRA arising from this Decision, including all supporting information and MFR schedules within 7 business days of this Decision.

The Board directs NTPC to file proposed rates effective for January 1, 2023 based on the 2022/23 rate level revenue requirement set out in the Compliance filing, within 7 business days of this Decision

**DECISION 2-2023**

**February 20, 2023**

**Application:**

The Northwest Territories Public Utilities Board ("**Board**") received a project permit application dated February 10, 2023 from the Northwest Territories power Corporation ("NTPC") for adding a diesel genset in one of the Jackfish plants, in order to meet the current and forecast demand for the Yellowknife Area. NTPC indicates this addition (4MW to 5MW capacity) is needed to meet Required Firm Capacity (RFC) requirements in 2023/24. The total project cost is estimated at \$4.9 million.

NTPC states, the estimated project cost is slightly below the Section 54(1)(a) threshold requiring a project permit. However, considering the risk from the current inflationary climate, NTPC states it is proactively seeking Board approval as opposed to applying after-the-fact, if inflation pushes the project cost above the legislated threshold.

The Public Utilities Act provides that a public utility shall apply to the Board for a project permit before undertaking a capital project having a total cost projected to exceed a) \$5,000,000, or (b) 10% of the utility's rate base.

Section 54(4) of the Act provides that the Board, in reviewing an application for a project permit, shall consider any matter it considers relevant, including:

- a) the impact of the project on rates;
- b) the public need for the project; and
- c) the reliability of the public utility.

**Order:**

The Northwest Territories Power Corporation's Application for approval of project permit for the addition of a diesel genset in the 4MW to 5 MW range in one of the Jackfish plants, to meet the current and forecast demand for the Yellowknife Area is approved.

**DECISION 3-2023**

**March 13, 2023**

**Application:**

By letter dated March 6, 2023, the Northwest Territories Power Corporation ("NTPC", "Corporation") applied to the Northwest Territories Public Utilities Board ("Board") for approval to issue long-term debt in the amount of \$75 million. The proposed debt issue is forecast to have a 30-year term and interest rate in the range of 4.5% - 5.5% based on benchmark long Canada bond yields as of March 2, 2023 plus, a credit spread of less than 2.00%. NTPC states, the issue is anticipated to have semi-annual payments of interest and principal.

NTPC states, the Corporation finances its capital expenditures with a combination of short-term debt and internally generated cash flow. When market conditions are considered appropriate and short-term debt has accumulated to an amount sufficient to replace it with long-term debt, short-term debt is replaced by the issuance of long-term debt. NTPC states, given the current market conditions, the Corporation opted to temporarily increase its short-term debt facility in early 2023 from \$50 million to \$75 million instead of converting to long-term debt. NTPC states, the short-term debt and committed costs is approximately \$60 million as of February 28, 2023. As 80% of the short-term borrowing capacity is currently

utilized to finance capital, and with the Taltson Overhaul about to start, NTPC stated that it is necessary to convert the short-term debt to long-term.

NTPC states, the borrowing needs of NTPC are determined by the capital program and internal cash flow from operations, with the new long-term debt funding past and present capital projects that correspond to different fiscal periods. NTPC states, the last long-term debenture was issued in September 2020 for \$40 million and was undertaken to convert the short-term debt to long-term. NTPC states, the repayment of this debenture was fully supported by NTPC customers as it was reviewed by the Board and Interveners at the time of the 2022-23 General Rate Application (GRA) submission.

**Order:**

Northwest Territories Power Corporation's application for approval of \$75 million borrowing by way of a long term debt issue in accordance with NTPC's proposals, is hereby approved.

**DECISION 4-2023**

**March 13, 2023**

**Application:**

The Compliance Filing responding to the Board's directions was received on February 17, 2023.

In its Compliance filing NTPC proposed an effective date of March 1, 2023 for its new rates. NTPC proposed, in the event the 2022-23 rate adjustments cannot be implemented by March 1, 2023, that the new rates take effect April 1, 2023.

Concurrent with the Compliance filing NTPC filed a shortfall rider application pursuant to Section 43 of the Public Utilities Act and Board Decision 1-2023, effective April 1, 2023. With respect to the Shortfall Rider Application, NTPC states:

- NTPC indicated the need for a shortfall rider to address differences between the approved interim rates and final approved rates for

2022-23 in response to BR.NTPC-1 from the 2022-23 General Rate Application, stating:

- NTPC is not receiving sufficient revenue from interim rates to prevent the accrual of material deficits in 2022-23. Once final rates are approved, NTPC will address the need for a rate rider to collect any shortfall arising from the difference between final and interim rates.
- NTPC reiterated its intent to collect any shortfall between interim rates and final approved rates in its written submission dated November 18, 2022.<sup>1</sup>

**Order:**

The Board directs NTPC to file with the Board and interested parties a Second Compliance filing application reflecting further adjustments to the 2022/23 GRA Compliance filing dated February 17, 2023, as well as adjustments to the calculation of the shortfall rider, as set out in this Decision, including all supporting information and MFR schedules, within 7 business days of this Decision.

The Board directs NTPC to file proposed rates effective for April 1, 2023 based on the 2022/23 rate level revenue requirement in accordance with the Second Compliance filing, within 7 business days of this Decision.

The Board directs NTPC to file a proposed shortfall rider effective for April 1, 2023 in accordance with the findings in this Decision, within 7 business days of this Decision.

**DECISION 5-2023**

**March 20, 2023**

**Application:**

In Decision 2-2023 the Northwest Territories Public Utilities Board (Board) approved the Northwest Territories Power Corporation's (NTPC) request for



approval of a project permit for the addition of a 5 MW diesel generator at the Jackfish Plant in Yellowknife.

In an application for Review and Variance (R&V) of the above Decision, Stand Alone Energy Systems Ltd (SAES) stated that NTPC's project permit application was received on February 10, 2023 and the Board's Decision 2-2023 was issued in February 20, 2023. SAES states it was preparing to initiate a discussion with the Board and NTPC on this matter but due to the very short time between posting of the request and the lack of indication of timeframe of the Decision, and the speed of the final Decision, an important option to the proposal by NTPC was not considered by the Board.

SAES states, battery energy storage will be a significant part of any plans to increase the utilization of renewable energy and efficiency of fossil fuel use in the NWT in many communities. SAES submitted, consideration at all times must be given to the opportunities to demonstrate and develop the use of energy storage.

SAES submitted that all data respecting load profiles, times of peak energy use, thermal generation optimization, projected fuel costs, and costs associated with storage option should be included in the options presented to the Board as part of the subject project permit application. Further, SAES proposed that NTPC be instructed to hold this project in abeyance until the options for energy storage have been thoroughly examined by the Board.

The Board understands SAES' request to mean that the use of a battery option, as a full or partial alternative to the NTPC proposed generator option should have been considered as part of the project permit application.

**Order:**

The Board in Decision 3-95 held that it will normally exercise its discretion to review and vary its Decision in the following circumstances:

- (a) Where new evidence, which was not known or not available at the time evidence was adduced and which may have been a determining factor in the decision, became known after the Decision was made.
- (b) Where a decision is based on an error in law or in fact if such error is either obvious or is shown on a balance of probabilities to exist, and if correction of such error would materially affect the Decision.
- (c) Where correction of a clerical error or clarification of an ambiguity is required.
- (d) Where other criteria, particular to a given case, are shown to be valid.

Based on the information provided by NTPC, the Board considers that even if data respecting load profiles, times of peak energy use, thermal generation optimization, projected fuel costs, and costs associated with a storage option as specified by SAES in its R&V application, had been included as part of NTPC's original project permit application, that information would not have been relevant to the Board's approval of the project permit for the addition of a 5 MW diesel generator at the Jackfish Plant pursuant to Decision 2-2023, under the existing RFC criteria. Accordingly, SAES' request for R&V of Decision 2-2023 is denied.

The Board recognizes however, that the method of calculating Required Firm Capacity or RFC was established more than 20 years ago. In view of the growth in renewables, battery storage and possibly demand response, NTPC may need to revisit the existing RFC criteria with a view to optimizing energy, capacity and other services provided by an increasingly diverse set of energy resources. For example, the existing static model for RFC, using installed capacity, could potentially be replaced by an hour by hour resource adequacy assessment that takes into account the resource capabilities of novel resources such as renewable energy supply, battery storage, demand response and energy efficiency.

NTPC is therefore directed to review the existing RFC calculations in light of the above comments and, to the extent change is warranted, propose an alternative method that may help optimize overall resource requirements for capacity and energy, as a replacement for the existing RFC method, at the time of the next GRA.

**DECISION 6-2023**

**March 31, 2023**

**Application:**

By letter dated March 22, 2023 NTPC filed its second compliance filing. In its second compliance filing NTPC responded to the two matters that NTPC was directed to address in Board Decision 4-2023.

First, in Decision 4-2023 NTPC was directed to reflect the recalculated lease financing rate as set out in its response letter dated March 2, 2023 in the second Compliance filing. The Board has reviewed this calculation as provided in the second compliance filing and accepts NTPC’s revised revenue requirement proposal reflecting the revised lease refinancing rate calculation as directed in Decision 4-2023.

Second, NTPC was directed to recalculate its revenue shortfall amount intended to recover differences between the interim and final rates. In making this direction the Board expressed the view that the shortfall amount is only recoverable with respect to the period in 2022/23, following advance notification to customers, in some form, that the shortfall amount would be subject to recovery.

NTPC, in its second compliance filing indicated that its proposed approach to the calculation of the revenue shortfall amount did reflect the Board’s intentions as described above and as described in Decision 4-2023. The Board accepts NTPC’s proposed approach to calculation of the 2022/23 shortfall recovery amount as set out in the second compliance filing.

In its second compliance filing NTPC proposed a revised 2022/23 revenue requirement as follows:

	\$000
Snare Zone	43832
Taltson Zone	12880
Thermal Zone	63274
Total Revenue Requirement	119986
Fuel Savings Offset to Thermal Zone Costs	2600
Rate Level Revenue Requirement	117386

NTPC designed and proposed rates to recover the rate level revenue requirement as set out in Table 1.

The Board accepts the 2022/23 Revenue Requirement and Rate level Revenue Requirement to be as set out in Table 1.

**Order:**

The Northwest Territories Power Corporation's revised Rate Schedules attached hereto as Appendix 1 are approved, effective May 1, 2023.

**DECISION 7-2023****May 10, 2023****Application:**

By letter dated March 30, 2022, the Northwest Territories Power Corporation ("NTPC" or the "Corporation") submitted to the Northwest Territories Public Utilities Board ("Board") its General Rate Application ("GRA"). The GRA sets out NTPC's proposed revenue requirement for providing electricity service for the 2022/23 fiscal year (the "Test Year").

In Decision 1-2023 the Board set out its findings with respect to the issues raised during the proceedings. Following the above proceedings, NTPC and Interveners who actively participated, filed claims for costs.

The Board's Rule on Costs dated March 16, 2020 states:

Sections 32 and 33 of the Board's Rules of Practice and Procedure shall apply to all parties in respect of submitting cost claims to the Board. Parties' cost claims, including those applicable to external costs of counsel and consultants retained by the applicant, are to be submitted to the Board within 30 days of the close of record of the subject proceedings. Unless the Board directs otherwise, costs orders respecting parties' cost awards will be recoverable from ratepayers by assignment to the applicant utility's hearing cost reserve account.

This Decision will examine, determine and approve the cost claims filed by parties in accordance with the requirements set out in subsection 32(2), as follows:

- a) With respect to NTPC's external costs, made up of the costs of retaining external Counsel and Consultants involved in the preparation and processing of the GRA, the Board will determine the amount of prudently incurred costs directly related to the proceedings that are to be included in the Hearing costs reserve account for recovery from customers.
- b) With respect to Intervener costs made up of the costs of retaining Counsel and Consultants involved in the intervention, the Board will determine the amount of prudently incurred costs payable to each Intervener by NTPC and that are to be included in the Hearing costs reserve account for recovery from customers.

## Northwest Territories Power Corporation

The following Table 1 provides a summary of NTPC's claim for costs:

<b>NorthWest Territories Power Corporation</b>	<b>Cost Claim as Submitted</b>			
	<b>Fees</b>	<b>GST</b>	<b>Disbursements</b>	<b>Total</b>
Borden Ladner Gervais LLP	\$128,952.55	\$0.00	\$3,000.60	\$131,953.15
Bowman Economic Consulting Inc.	\$74,540.00	\$0.00		\$74,540.00
Concentric Advisors, ULC	\$76,780.00	\$0.00		\$76,780.00
InterGroup Consultants Ltd	\$473,752.50	\$0.00	\$5,788.36	\$479,540.86
Judy Goucher	\$44,250.00	\$0.00	\$2,350.95	\$46,600.95
KGS Group	\$13,500.00	\$0.00		\$13,500.00
Matt McDonald	\$24,307.50	\$0.00		\$24,307.50
McLennan Ross (Yellowknife)	\$245.00	\$0.00		\$245.00
NTPC	\$11,804.19	\$0.00	\$29,023.10	\$40,827.29
	\$848,131.74	\$0.00	\$40,163.01	\$888,294.75

A major component of NTPC's cost claim relates to external costs paid to the InterGroup. With regard to InterGroup's contribution to the proceeding NTPC stated as follows:

InterGroup has provided regulatory consulting advice to NTPC since 2000, and specifically Andrew McLaren since 2000 and Hayitbay Mahmudov since 2009. Like BLG, InterGroup also possesses significant and valuable historical knowledge as well as a detailed understanding of NTPC's operations and regulatory filings. As described at BR.NTPC-4, while NTPC was preparing and filing the 2022-23 GRA, NTPC's internal regulatory workgroup experienced significant turnover and vacancies which left it without a full complement of staff for the entire GRA process.

Mr. McLaren and Mr. Mahmudov provided invaluable assistance to NTPC during that time period. Without that assistance, NTPC would not have been in a position to file its GRA in March 2022.<sup>2</sup>

Subject to the above reductions the Board finds the NTPC submission and response to information requests provided satisfactory responses for all other consultants and Counsel. Accordingly, subject to the reductions for InterGroup and for NTPC's fees, the Board deems the remaining external hearing costs claimed by NTPC to be consistent with the value of assistance provided to the Board with respect to the proceedings and therefore accepts and approves NTPC's claim for costs in the amount of \$726,055.44 to be recovered through the hearing costs reserve account. Details of NTPC's external costs approved by the Board are set out in Table 2 below:

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<sup>2</sup> BR NTPC 1 (Costs)

<b>NorthWest Territories Power Corporation</b>	<b>Costs Awarded</b>			
	Fees	GST	Disbursements	Total
Borden Ladner Gervais LLP	\$128,952.55	\$0.00	\$3,000.60	\$131,953.15
Bowman Economic Consulting Inc.	\$74,540.00	\$0.00		\$74,540.00
Concentric Advisors, ULC	\$76,780.00	\$0.00		\$76,780.00
InterGroup Consultants Ltd	\$323,317.38	\$0.00	\$5,788.36	\$329,105.74
Judy Goucher	\$44,250.00	\$0.00	\$2,350.95	\$46,600.95
KGS Group	\$13,500.00	\$0.00		\$13,500.00
Matt McDonald	\$24,307.50	\$0.00		\$24,307.50
McLennan Ross (Yellowknife)	\$245.00	\$0.00		\$245.00
NTPC	\$0.00	\$0.00	\$29,023.10	\$29,023.10
	\$685,892.43	\$0.00	\$40,163.01	\$726,055.44

**Thermal Generation Communities (TGC)**

TGC participated as an intervener in the proceedings and filed a claim for costs which is summarized below in Table 3:

<b>Thermal Generation Communities (TGC)</b>	<b>Cost Claim as Submitted</b>			
	Fees	GST	Disbursements	Total
MLT Aikins LLP	\$21,060.00	\$1,053.00	\$72.19	\$22,185.19
Emrydia Consulting Corporation	\$118,759.50	\$5,937.98	\$0.00	\$124,697.48
	\$139,819.50	\$6,990.98	\$72.19	\$146,882.67

A significant component of TGC's cost claim relates to the consulting services provided by Mr. Madsen (Emrydia). Mr. Madsen filed evidence on capitalization policy, salvage, miscellaneous operating costs (including insurance costs), business cases and depreciation.

Mr. Madsen claimed a total of 439.85 hours for his services of which 104 hours relate to his depreciation evidence and 335.85 hours relate to other evidence. The breakout of hours claimed for non depreciation work was provided in TGC's response to BR-Interveners (Costs)-001. These hours are summarized below:

	Hours
Review or research	192.70
Analysis and/or modeling	27.75
Meeting with Counsel	6.40
Coordination of activities, tasks and hearing appearance	28.65
Writing or preparing input for production of evidence	80.35
Total Hours for non depreciation work	335.85

While the Board finds that Mr. Madsen's consulting services (depreciation and other) were of considerable assistance to the Board, in the Board's view Mr.

Madsen’s review or research hours for services related to non-depreciation matters to be high considering the scale and complexity of the proceedings. Accordingly, considering the value of assistance provided in the context of the NTPC GRA, the Board will reduce Mr. Madsen’s review or research hours (192.7 Hours) for non-depreciation services by 40%.

Accordingly, the Board has determined the amount of Mr. Madsen’s costs (Emrydia) payable to TGC by NTPC to be \$102,845.30.<sup>3</sup>

Subject to the above reduction to Mr. Madsen’s costs and having regard to the cost submission and response to information request the Board finds the remaining costs claimed by TGC to be consistent with the value of assistance provided to the Board and therefore approves TGC’s costs as follows:

<b>Thermal Generation Communities (TGC)</b>	<b>Costs Awarded</b>			
	<b>Fees</b>	<b>GST</b>	<b>Disbursements</b>	<b>Total</b>
MLT Aikins LLP	\$21,060.00	\$1,053.00	\$72.19	\$22,185.19
Emrydia Consulting Corporation	\$97,947.90	\$4,897.40	\$0.00	\$102,845.30
	\$119,007.90	\$5,950.40	\$72.19	\$125,030.49

**Town of Hay River and Fort Smith**

HR/FS participated as an intervener in the proceedings and filed a claim for costs which is summarized below in Table 5:

<b>Hay River Fort Smith (HR/FS)</b>	<b>Cost Claim as Submitted</b>			
	<b>Fees</b>	<b>GST</b>	<b>Disbursements</b>	<b>Total</b>
Thomas D. Marriott	\$23,152.50	\$0.00	\$89.84	\$23,242.34
Curtis Auch	\$1,080.00	\$0.00	\$0.00	\$1,080.00
Russ Bell	\$31,320.00	\$0.00	\$0.00	\$31,320.00
	\$55,552.50	\$0.00	\$89.84	\$55,642.34

A component of HR/FS’ cost claim relates to the consulting services provided by Mr. Bell. HR/FS and Mr. Bell addressed through filed evidence and Argument, issues related to affordability of power in the Town of Fort Smith, capital additions (asset health assessments and concerns with use of end of life criteria), forecast accuracy and work from home policy.

Mr. Bell claimed a total of 116 hours for his services of which 78.25 hours relates to review and research. Having regard to the value of assistance provided in the context of the NTPC GRA the Board will reduce Mr. Bell’s review and research hours by 40%.

<sup>3</sup> \$124697.48-(192.7\*.4\*\$270\*1.05)=102845.30

Accordingly, the Board has determined the amount of Mr. Bell's costs payable to HR/FS by NTPC to be \$22,869.00.<sup>4</sup>

Subject to the above reduction to Mr. Bell's costs and having regard to the cost submission and response to information requests, the Board finds the remaining costs claimed by HR/FS to be consistent with the value of assistance provided to the Board and therefore approves HR/FS's costs as follows:

<b>Table 6</b>				
<b>Hay River Fort Smith (HR/FS)</b>	<b>Costs Awarded</b>			
	Fees	GST	Disbursements	Total
Thomas D. Marriott	\$23,152.50	\$0.00	\$89.84	\$23,242.34
Curtis Auch	\$1,080.00	\$0.00	\$0.00	\$1,080.00
Russ Bell	\$22,869.00	\$0.00	\$0.00	\$22,869.00
	\$47,101.50	\$0.00	\$89.84	\$47,191.34

#### Stand Alone Energy Systems Ltd (SAES)

SAES participated as an intervener in the proceedings and filed a claim for costs which is summarized below in Table 7:

<b>Table 7</b>				
<b>Stand Alone Energy Systems Ltd (SAES)</b>	<b>Cost Claim as Submitted</b>			
	Fees	GST	Disbursements	Total
Jack Van Camp	\$10,200.00	\$0.00	\$0.00	\$10,200.00
Dennis Bevington	\$4,300.00	\$0.00	\$0.00	\$4,300.00
Persons Participation in Public Consultations	\$600.00	\$0.00	\$0.00	\$600.00
	\$15,100.00	\$0.00	\$0.00	\$15,100.00

SAES claimed \$600 related to costs for participation in the Public Consultations. The Board's Rules on costs do not contemplate any cost recovery by participants with respect to participation in public consultations. Accordingly, SAES' claim for costs with respect to the public consultations will not be approved for payment by NTPC.

Subject to the above reduction to public consultations costs, the Board finds the remaining costs claimed by SAES to be consistent with the value of assistance provided to the Board and therefore approves SAES' costs as follows:

<b>Table 8</b>				
<b>Stand Alone Energy Systems Ltd (SAES)</b>	<b>Costs Awarded</b>			
	Fees	GST	Disbursements	Total
Jack Van Camp	\$10,200.00	\$0.00	\$0.00	\$10,200.00
Dennis Bevington	\$4,300.00	\$0.00	\$0.00	\$4,300.00
Persons Participation in Public Consultations	\$0.00	\$0.00	\$0.00	\$0.00
	\$14,500.00	\$0.00	\$0.00	\$14,500.00

<sup>4</sup>  $\$31320 - (78.25 \times .4 \times \$270) = \$22869.00$



**Order:**

Northwest Territories Power Corporation shall forward payment of \$125,030.49 to the solicitor of the Thermal Generation Communities within 30 days of this Decision. These are the total costs approved by the Board with respect to the Application for Intervener Costs submitted by the Thermal Generation Communities with respect to the proceedings.

The Northwest Territories Power Corporation shall forward a payment of \$47,191.34 to the solicitor of the Towns of Hay River/Fort Smith within 30 days of this Decision. These are the total costs approved by the Board with respect to the Application for Intervener Costs submitted by the Towns of Hay River/Fort Smith with respect to the proceedings.

The Northwest Territories Power Corporation shall forward a payment of \$14,500.00 to Stand Alone Energy Systems Ltd within 30 days of this Decision. These are the total costs approved by the Board with respect to the Application for Intervener Costs submitted by Stand Alone Energy Systems Ltd with respect to the proceedings.

The Northwest Territories Power Corporation's external costs in the amount of \$726,055.44 together with the Board approved intervener costs are approved for recovery from customers through the mechanism of the Hearing Costs Deferral Account.

**DECISION 8-2023**

**May 18, 2023**

**Application:**

By letter dated September 22, 2022 Northland Utilities Limited (**Northland or NUL**) submitted a General Rate (**GRA**) for determination of Northland's 2023 Revenue Requirement for remaining Northland customers following sale of the Hay River franchise assets. By letter dated September 27, 2022, the Northwest Territories Public Utilities Board (**Board**) accepted Northland's application but, held it in abeyance until certain information is provided to the Board by the various parties involved in the Hay River sale transaction, if and when commercial agreements are concluded.

By letter dated January 25, 2023 Northland indicated it would file an Amended 2023 GRA Application that excludes the approval sought respecting the disposition of the Hay River Franchise property, by March 7, 2023. Accordingly, on March 7, 2023 Northland filed its amended 2023 GRA including a request for approval of interim rates effective May 1, 2023.

By letter dated March 13, 2023, the Board requested Northland to file an Interim Rate Application, assuming no sale of the Hay River Franchise. In this regard the Board stated:

For the above reasons, the Board cannot accept Northland's interim rates request as filed. Given the uncertainty over date for transfer of Hay River franchise assets, it is the Board's view that interim rates for Northland should be established on the basis of Northland's existing ownership of assets, prior to any sale and transfer of the Hay River Franchise assets to a buyer. Accordingly, the Board requests Northland to file an interim rate application assuming no sale of the Hay River Franchise, for the purposes of that filing.

By letter dated March 29, 2023, Northland filed its interim rate application in accordance with the Board's instructions and sought approvals as follows:

- 1) Approval of Northland's revenue requirement for the 2023 Test Year for the period of time that Northland is the owner and operator of the Hay River Franchise;
- 2) Approval of a return on equity risk premium of 55 basis points (assuming no Hay River Disposition); this is an increase relative to that approved at the last GRA for Northland<sup>5</sup>;
- 3) Interim Refundable Rates (Adjustment to Rider R) and updates to Riders A & F for implementation effective June 1, 2023;
- 4) Approval to collect the revenue shortfall between interim rates and final rates;
- 5) Amendment to the Hay River Transition Deferral; and
- (6) Such further and other relief as the Board may determine is appropriate.

5. Information requests with respect to the Interim Rate Application were filed. This was followed by Submissions on April 25, 2023. Submissions respecting the Interim Rate Application were received by the Board, from Northland and the Town of Hay River (Town).

**Order:**

Northland's application for interim rate increase through adjustment to Rider R is approved effective June 1, 2023. The Revised Riders R is attached.

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<sup>5</sup> NUL HR 3

Northland's proposed Rider A is approved effective June 1, 2023. The Revised Riders A is attached.

**DECISION 9-2023**

**May 18, 2023**

**Application:**

By letter dated May 10, 2023, Northland filed an application requesting approval for an adjustment to Rider F, applicable to the Hydro Rate Zone, effective June 1, 2023.

**Part A: True-up component**

Northland stated that as of April 30, 2023, Rider F balance is in a credit position of \$27,901 and the balance is forecast to be an under collection of \$7210 as of May 31, 2023.

Northland proposed a Rider F true-up component credit of \$0.0002 per kWh effective June 1, 2023.

**Part B: Ongoing component**

In its 2023 Interim Rate Application submitted on March 29, 2023, Northland noted that the increased revenue requirement, proposed to be collected using Rate Adjustment Rider R, included the Purchase Power rate of \$0.1228 per kWh at the time of the application. However, after the submission of Northland's Application, in Decision 6-2023, the Board approved a rate increase of \$0.0120 per kWh to NTPC's Taltson Wholesale rate (from \$0.1228 per kWh to \$0.1348 per kWh) effective May 1, 2023. After applying the 6.69% adjustment factor, the required increase to Northland's existing Rider F rate is \$0.0128 per kWh.

### Part C: Total Rider F

To true up Northland's Rider F balance and flow through NTPC's rate increase, Northland requested approval to change the Purchase Power Cost Adjustment Rider, Rider F, from \$0.0244 per kWh to \$0.0130, assuming Northland's Interim Rider R increase is approved as filed effective June 1, 2023.

Northland indicated that it may apply for future adjustments to Rider F for reasons including, but not limited to, the following circumstances:

- Northland's base rates are revised to include relevant Purchase Power rates; or
- NTPC receives approval for adjustments to the Snare Wholesale rates or riders; or
- Northland has reviewed its deferral balance and finds that an adjustment is required.

Northland stated that the impacts resulting from the requested Rider F change are provided in Table 2. Amounts reported include all riders and franchise tax but exclude GST.

**Table 2: Hydro Zone Customer Bill Impacts**

Rate Class	Hydro Zone	
	(\$)	(%)
Residential (600kWh)		
Non-Government	\$0.64	+0.3%
Government	\$0.65	+0.3%
General Service (5kW/1000kWh)		
Non-Government & Government	(\$1.83)	-0.6%

**Order:**

Northland Utilities (NWT) Limited's Rate Rider F, attached hereto is approved, effective June 1, 2023.

**DECISION 10-2023**

**May 18, 2023**

**Application:**

By letter dated May 10, 2023, Northland filed an application requesting approval of an adjustment to Rider F, applicable to the City of Yellowknife customers, effective June 1, 2023.

**Part A: True-up component**

Northland stated as of April 30, 2023, the Rider F balance is in a credit position of \$153,280. The balance is forecast to be a credit of \$18,776 as of May 31, 2023.

To true up the balance, Northland proposed to apply a Rider F True-up component of -\$0.0001 per kWh.

**Part B: Ongoing component**

In Decision 6-2023, the Board approved a rate increase of \$0.0098 per kWh to NTPC's Snare Wholesale rate (from \$0.2254 per kWh to \$0.2352 per kWh) effective May 1, 2023.

After applying the 4.5% loss factor to the Wholesale rate increase, the required increase to Northland's existing Rider F is \$0.0102 per kWh, for a total ongoing component of \$0.0894 per kWh.

**Part C: Total Rider F**

To true up Northland's Rider F balance and flow through NTPC's rate change, Northland requested approval to increase the Purchase Power Cost Adjustment Rider, Rider F, from \$0.0779 to \$0.0893 per kWh effective June 1, 2023.

Northland indicated it will apply for future adjustments to Rider F under the following circumstances:

- Northland’s base rates are revised to include relevant Purchase Power rates; or
- NTPC receives approval for adjustments to the Snare Wholesale rates or riders, or
- Northland has reviewed its deferral balance and finds that an adjustment is required.

Northland provided the impacts of the proposed Rider F changes on Residential and General Service customers’ monthly bills as shown in Table 2 below. The Residential bill impact was determined using a monthly consumption of 600 kWh. The General Service bill impact was determined using a monthly consumption of 1,000 kWh and a demand of 5 kW. Dollar amounts reported include all riders and franchise taxes but exclude GST.

**Table 2: Yellowknife Customer Bill Impacts**

Rate Class	Impact	
	\$	%
Residential (600kWh)	+\$7.02	+3.4%
General Service (5kW / 1,000kWh)	+\$11.70	+3.7%

**Order:**

Northland Utilities (Yellowknife) Limited’s Rate Rider F attached hereto is approved, effective June 1, 2023.

**DECISION 11-2023**

**July 7, 2023**

**Application:**

By letter dated April 28, 2023, NTPC submitted its cost claim for the 2022/23 GRA Compliance Filing and 2022-23 General Rate Application Second Compliance Filing. The total amount requested by NTPC is summarized below:

**NTPC Total Cost Summary - GRA Compliance Filings**

<b>Company</b>	<b>Fees</b>	<b>Disbursements</b>	<b>Grand Total</b>
Borden Ladner Gervais LLP (CAL)	\$ 3,955.00	\$ 16.60	\$ 3,971.60
InterGroup Consultants Ltd.	\$ 36,475.00	\$ 6.50	\$ 36,481.50
<b>Grand Total</b>	<b>\$ 40,430.00</b>	<b>\$ 23.10</b>	<b>\$ 40,453.10</b>

The Board’s Rule on Costs dated March 16, 2020 states:

Sections 32 and 33 of the Board’s Rules of Practice and Procedure shall apply to all parties in respect of submitting cost claims to the Board. Parties’ cost claims, including those applicable to external costs of counsel and consultants retained by the applicant, are to be submitted to the Board within 30 days of the close of record of the subject proceedings. Unless the Board directs otherwise, costs orders respecting parties’ cost awards will be recoverable from ratepayers by assignment to the applicant utility’s hearing cost reserve account.

In determining whether costs should be awarded in a particular application, the Board considers a number of factors including the nature of the application, the extent of participation and the actual costs.

Having reviewed the cost claim submitted by NTPC, the Board approves NTPC’s claim for costs in the amount of \$40,453.10 to be recovered through the hearing costs reserve account.

**Order:**

The Northwest Territories Power Corporation’s external costs in the amount of \$40,453.10 are approved for recovery from customers through the mechanism of the Hearing Costs Reserve Account.

**DECISION 12-2023**

**July 7, 2023**

**Application:**

By letter dated April 14, 2023, NTPC submitted its cost claim for the project permit application. The total amount requested by NTPC is summarized below:

## NTPC Total Cost Summary Project Permit Application

Company	Fees	Disbursements	Total
Judith Goucher Consulting	\$ 16,905.00	\$ -	\$ 16,905.00
	<b>\$ 16,905.00</b>	<b>\$ -</b>	<b>\$ 16,905.00</b>

The Board's Rule on Costs dated March 16, 2020 states:

Sections 32 and 33 of the Board's Rules of Practice and Procedure shall apply to all parties in respect of submitting cost claims to the Board. Parties' cost claims, including those applicable to external costs of counsel and consultants retained by the applicant, are to be submitted to the Board within 30 days of the close of record of the subject proceedings. Unless the Board directs otherwise, costs orders respecting parties' cost awards will be recoverable from ratepayers by assignment to the applicant utility's hearing cost reserve account.

In determining whether costs should be awarded in a particular application, the Board considers a number of factors including the nature of the application, the complexity of the proceeding and the actual costs.

Having reviewed the cost claim submitted by NTPC, the Board approves NTPC's claim for costs in the amount of \$16,905.00 to be recovered through the hearing costs deferral account.

### **Order:**

The Northwest Territories Power Corporation's external costs in the amount of \$16,905.00 are approved for recovery from customers through the mechanism of the Hearing Costs Reserve Account.

### **DECISION 13-2023**

**September 7, 2023**

By letter dated April 4, 2023, Mr. Gerry Balmer, a residential customer in the Northland Utilities (NWT) Limited (NUL, Northland) service area, requested variance to the Public Utilities Board (Board) Net Metering guidelines to allow connection of a 39.6 KW solar facility to NUL's system on a net metered basis. Mr. Balmer noted that his request for net metering of the output from a 39.6KW solar facility was denied by NUL as the solar installation capacity exceeded the 15KW limit for net metering installations stipulated in the Government of Northwest Territories (GNWT) net metering guidelines dated July 11, 2018.

In an email response to Mr. Balmer on April 5, 2023, the Board Chair Mr. Van



Tighem stated that Decision 1-2014 provides grounds for an increase in the renewable generation cap on a case-by-case basis, and, thus, should be sufficient for Northland to reconsider Mr. Balmer's request.

In response to the above correspondence Northland, by way of letter dated May 9, 2023, stated:

..on April 10, 2015, the GNWT issued a set of policy directions to the Board concerning NTPC's 2012/14 General Rate Application (GRA) Phase II and Northland's 2014/15 GRA Phase II that related specifically to Net Metering. These policy directions ultimately formed the GNWT's Net Metering Guidelines, issued on July 11, 2018, the purpose which are "to provide certainty to allow NWT resident[s] to recover their investments in renewable energy." The guideline regarding the size of installations is as follows:

The capacity for **individual systems taking part in Net Metering should be no greater than 15 kilowatts** to ensure all residents and businesses have an opportunity to participate in the Net Metering program. [emphasis added]

Northland notes the Net Metering Guidelines were signed by the Minister Responsible for the Public Utilities Board and are posted to Public Utilities Board's website. Given this series of events, Northland believes, absent other direction by the proper authority, the Net Metering Guidelines should be followed with a maximum size of Net Metering projects at 15 kW.

Northland stated that it believes that it is bound by the direction of the GNWT's Net Metering Guidelines and cannot accept the Customer's (Mr. Balmer's) installation as designed, absent direction from the Board. Accordingly, Northland requested guidance and/or direction from the Board regarding this unique situation, with particular consideration for how this may impact future Net Metering developments.

By letter dated July 14, 2023, the Board initiated a Complaint proceeding. The Board stated that the purpose of the proceeding is to complete the record of all correspondence to date including those between Mr. Balmer and NUL and to evaluate all relevant facts, prior to providing any guidance in the matter. Accordingly, NUL was requested to respond to the Board's Information Request, to which, NUL responded on July 28, 2023.

In its responses to the Board Information Request, Northland submitted that it is only appropriate for 15kW of the Photo Voltaic (PV) system to be eligible for the Net Metering program. Northland stated, this was communicated in an email on September 12, 2022, to Mr. Balmer. In this communication Northland also indicated that Mr. Balmer could still connect the system to the grid outside of the

net metering program provided it meets NUL's interconnection guidelines.

Northland stated further that it discussed an option with the Customer whereby the solar installation could be split into three separate services in order to have each service be less than the 15kW maximum, without proposing an electrical configuration. Northland stated, the Customer took away the proposal to install three services, decided on a configuration that was non-compliant with the Canadian Electrical Code which was rejected by the electrical inspector.

In response to Northland's comments, Mr. Balmer stated in a letter dated August 10, 2023 as follows:

March 22, 2023: Attended local NUL offices to get information regarding what we needed to know and do to complete the project. For us, ***it is at this point*** we became aware of the 15 KW limit of the net metering program. I was very distressed to discover this situation at this late stage in the project. It was extremely difficult to accept the reality of the situation we were facing.

Trying to discover how this could have happened, we contacted Jason Newton at NUL. He stated we had been notified by email or letter on Sept. 12, 2022, but he was not sure which method of communications had been used because he was having difficulty locating the letter sent to us. We asked him to e-mail a copy to us once he had located the letter. A short time later we received an e-mail including 2 attachments.

We were only able to open the original application attachment. The rejection letter attachment will not open. We could not find an app that would open the .mso e-document. We informed Mr. Newton of this during one of our telephone conversations, but none of us followed through to open the document.

**NOTE:** As of today, August 8, 2023, neither Susan or myself have actually seen the rejection letter NUL says they sent. We have no e-mail record showing the arrival or receipt of the letter and we do not have, nor are we aware of any such letter arriving in the mail.

**Order:**

Mr. Balmer's request for approval of Net Metering for the entire 39.6kW Solar installation is denied.

The Board accepts Northland's proposal for 15kW of Mr. Balmer's Solar PV system to be eligible for the Net Metering program while allowing Mr. Balmer to connect the solar PV installation, to the grid, outside of the net metering program provided it meets Northland's interconnection guidelines.

**Application:**

By letter dated November 24, 2023 Northland Utilities Limited (**Northland or NUL**) requested continuation of the interim rates approved by the Board in Decision 8-2023. In this regard Northland stated:

As a final decision on Northland's 2023 Amended General Rate Application (GRA) is not expected until Q2 of 2024, Northland respectfully requests to remain on its approved 2023 interim base rates, as set out in the 2023 Amended GRA and as approved by the Board in Decision 8-2023, until the Board issues its decision in the GRA proceeding.<sup>1</sup> Northland submits that the continuation of the 2023 interim rates into 2024 will help mitigate future true-ups and reduce rate impacts to customers. Northland commits to providing a fulsome, multi-year Test Period GRA, once the impacts of the 2023 GRA and the Hay River Disposition can be incorporated.

Northland further submits that the unprecedented wildfire situation in the Northwest Territories in 2023 provides clear justification for a further interim order pursuant to the Board's authority under sections 28(1) and 44 of the Public Utilities Act. Please refer to Attachment 1 for Northland's requested interim rates effective January 1, 2024. In order to implement the rate changes to Rider R effective January 1, 2024, Northland kindly requests approval on or before December 15, 2023.

The Board's examination of the above request is set out in this Decision.

**Order:**

The Revised Rider R attached hereto is approved effective January 1, 2024 on an interim refundable basis.

