

YUKON UTILITIES BOARD

IN THE MATTER OF the *Public Utilities Act*

and

Yukon Energy Corporation application for the referral of the Electricity Purchase Agreement with Tlingit Homeland Energy Limited Partnership by its general partner Tlingit Homeland Energy Limited to the Yukon Utilities Board for review under subsection 18(1) of the *Public Utilities Act*

BEFORE: R. Buchan, Chair) February 1, 2022
B. King, Vice-Chair)
A. Fortin)
A. Middler)
L. McCullough)

BOARD ORDER 2022-01

WHEREAS:

- A. By way of letter dated May 18, 2021 (the Referral Letter), the Yukon Minister of Justice and Attorney General (the Minister) referred to the Yukon Utilities Board (the Board), for a public review under subsection 18(1) of the *Public Utilities Act* (the Act) an Electricity Purchase Agreement (EPA) between Yukon Energy Corporation (YEC) and Tlingit Homeland Energy LP by its general partner Tlingit Homeland Energy Limited (THELP). The EPA provides for the sale, by THELP to YEC, of electricity generated from the proposed Atlin Hydro Expansion Project (the Atlin Project).
- B. The Referral Letter attached Terms of Reference which stated that the general purpose of the review and hearing is to obtain a report and any recommendations of the potential benefits, costs, risks, and customer impacts that may influence whether the EPA should proceed, as proposed by YEC. The Minister directed the Board to hold a public hearing in a format to be determined by the Board and receive submissions from any person or groups or classes of persons who, in the opinion of the Board, have an interest in the matter.
- C. Pursuant to 50 of the Act, the Minister authorized the Board to conduct any public hearings that it considers necessary for its review and report, and she approved any necessary expenditures for that purpose.

- D. The Minister directed the Board to report on and make recommendations about the need for the agreement, its timing, and its proposed terms and conditions with particular regard to:
- (a) The public need for the agreement under various reasonable electric load forecasts;
 - (b) The effect of the proposed commitments on the rates of customers and the reliability of electricity service provided to customers;
 - (c) The capability of existing and currently committed and expected generation and transmission facilities including thermal generation facilities to provide reliable electric power generation to meet the forecast load requirements in subparagraph (a), and the effect the EPA would have on this capability;
 - (d) The risks associated with the agreement, including its potential impacts on YEC and rates for customers and on the reliability of electricity service provide to customers;
 - (e) Evidence that all reasonable alternative options have been considered, and that proposed spending commitments have been selected on reasonable grounds; and
 - (f) Whether it would be prudent to enter into the EPA as proposed at this time.
- E. The Minister further indicated that the Board may make any other recommendations or provide any other information that it considers advisable in the circumstances.
- F. The Minister directed the Board to submit its report and recommendations to the Minister no later than 180 days from the date the Board receives the finalized EPA from YEC. On January 20, 2022, the Board received delivery of the EPA from the Minister. Accordingly, the Board will deliver the report to the Minister on or before July 19, 2022.

NOW, THEREFORE, the Board orders that:

1. The following process schedule will be established for this proceeding:

Action	Date (2022)
YEC Public Information Workshop (virtual, 1:00 p.m.)	February 11
Interveners register with the Board	February 14
Information Requests (IRs) to YEC	February 24
IR Responses from YEC	March 9
Intervener evidence (if required)	March 22
IRs to interveners (if required)	March 29
IR Responses from interveners (if required)	April 5
Public notify Board of oral or written submissions	April 8
YEC rebuttal evidence (if required)	April 12
Public hearing – virtual or oral format to be determined	April 20-22
Written final argument	April 28
Written reply argument	May 5

2. YEC shall arrange to have published in display-ad format the attached Appendix A – Notice of Application, Workshop, and Hearing by February 8, 2022 in such appropriate local news publications in the service areas of YEC and ATCO Electric Yukon as well as provide brief information posts on YEC's social media platforms so as to provide reasonable notice to the public.
3. YEC shall make the Application and supporting materials available on YEC's website: www.yukonenergy.ca. YEC shall provide hard copies of the materials upon request.
4. The Application and supporting documents will also be available on the Board's website at www.yukonutilitiesboard.yk.ca.

DATED at the City of Whitehorse, Yukon, this 1st day of February 2022.

BY ORDER



Richard Buchan
Chair

YUKON UTILITIES BOARD NOTICE OF APPLICATION, WORKSHOP, AND HEARING

Summary of Application

The Yukon Energy Corporation (YEC) has filed an application with the Yukon Utilities Board (Board) for approval of its Electricity Purchase Agreement with Tlingit Homeland Energy LP by its general partner Tlingit Homeland Energy Limited (Application). YEC is the main generator and transmitter of electrical energy in the Yukon and provides electrical service directly to retail customers in and around Dawson City, Mayo, and Faro, and indirectly to retail customers on the joined Yukon integrated system.

Hearing

A public hearing is scheduled for this Application on April 20-22, 2022. The format for the hearing will be determined at a later date.

Schedule of Proceeding

The Board has established the following schedule for this written proceeding:

Action	Date (2022)
YEC Public Information Workshop (virtual, 1:00 p.m.)	February 11
Intervenors register with the Board	February 14
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Public Information Workshop

YEC will hold a Public Information Workshop on the Application virtually on Friday, February 11, 2022 at 1:00 p.m. YEC will provide a recording of this workshop to the Board and will also make the recording available on its website.

Interventions and public participation

Persons intending to participate in the hearing and other process steps are to register in writing with the Board's Executive Secretary by no later than Monday, February 14, 2022, indicating the nature of their interest and the issues of interest in relation to the Application.

Members of the public who do not wish to intervene but would like to provide their views may do so orally or in writing at the hearing. Persons intending to make oral or written submissions should inform the Board's Executive Secretary by no later than Friday, April 8, 2022. Guidelines for oral and written submissions will be available at a later date.

Application available

The Application and supporting documents are available on YEC's website:
www.yukonenergy.ca

The Application and supporting documents are also available on the Board's website:
www.yukonutilitiesboard.yk.ca

Clarification and Board Contact

Persons intending to participate, and who are uncertain as to the way in which to proceed, may contact Deana Lemke, Executive Secretary, Yukon Utilities Board, by telephone at (867) 667-5058, in writing at Box 31728, Whitehorse, Yukon Y1A 6L3, by email to yub@utilitiesboard.yk.ca or by fax at (867) 667-5059.