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**ATCO Electric Yukon (AEY) and Yukon Energy Corporation (YEC)
2025 Terms & Conditions of Service
Compliance Filing Application**

SECTION 1: OVERVIEW

1. On October 8, 2025, AEY and YEC (the Utilities) submitted a Compliance filing and Responses to the Yukon Utilities Board (Board) directions as set out in Board Order 2025-13 (Board Decision).
2. On October 16, 2025, the Board issued Order 2025-15 seeking intervener comments on the Compliance Filing. The Board later granted an extension to file intervener comments by November 7, 2025, and reply from Utilities by November 17, 2025.
3. On November 7, 2025, Mr. John Maissan submitted comments and recommendations with respect to the Utilities' Compliance filing. No comments were received from other Interveners.
4. In accordance with the schedule established by the Board, the Utilities are hereby submitting reply to Mr. Maissan's comments on the Compliance filing. Silence on any specific aspect of Mr. Maissan' submission should not be interpreted as acceptance.

SECTION 2: RESPONSES TO MR. MAISSAN'S COMMENTS

Board Direction 2¹

5. Mr. Maissan indicates that there will be regulatory efficiencies by including T&Cs, MILs, and Schedule D changes in the General Rate Application (GRA) process;² however, Mr. Maissan provides no rationale as to what the efficiencies maybe.
6. In contrast to Mr. Maissan's position, YEC and AEY may file for intervention in each other's GRAs; however, the fact remains that the T&Cs, MILs, and Schedule D Fees

¹ Compliance Application, PDF p. 4.

² Mr. Maissan Submission, PDF p. 2.

are common to both AEY and YEC while General Rate Applications (GRAs) are distinct to each utility.

7. T&Cs, MILs, and Schedule D reviews have been treated as separate proceedings or combined with Phase 2 proceedings due to the unique nature of the proceeding. This process enables proper scoping and avoids unnecessary delays by expanding the scope of GRA proceedings. Combining the Phase 1 GRA and T&Cs, MILs, and Schedule D review has a high potential to lead to delays in setting final rates through the GRA process, while continuing to have an immaterial mismatch as seen in the current process. Furthermore, contra to Mr. Maissan’s recommendation, reviewing the combined T&C, MILs, and Schedule D would have both Utilities as an “applicant” not “intervener” in regard to common matters items such as T&Cs, MILs, and Schedule D, while acting as a “intervener” on other GRA matters. This would create confusion and an ineffective process. This would also create regulatory inefficiencies, unnecessary delays in the proceedings, and incremental cost to ratepayers. The Utilities made clear their position in the Compliance filing that any interested party can still raise concerns regarding the T&Cs, MILs, and Schedule D Fees during either utility’s GRA proceeding, and the Board can decide whether to establish a limited scope proceeding following completion of the GRA. However, it should not be part of the Phase 1 GRA proceeding.

8. As such, the Utilities recommend that the status quo be maintained, whereby T&Cs, MILs, and Schedule D Fees are reviewed separately in a limited scope proceeding or as part of a Phase II Application. Therefore, Mr. Maissan’s recommendation should be dismissed.

Board Direction 3³

9. Mr. Maissan recommends that bill presentation be reviewed as part of the GRA process, as Mr. Maissan does not believe that this will cause regulatory inefficiency due to the fact the Utilities are typically interveners in each other GRA proceeding.⁴

³ Compliance Application, PDF p. 4.

⁴ Mr. Maissan Submission, PDF pp. 2-3.

Mr. Maissan, like in the recommendation made for Board Direction 2 above, did not elaborate or provide any rationale to support this position.

10. Similar to the Utilities comments above regarding Mr. Maissan’s recommendation for Board Direction 2, to avoid expanding the scope of future GRAs, delays in setting final rates through the GRA process, and having one utility being both an “applicant” for common matter items and an “intervener” in a GRA proceeding, the Utilities recommend that bill presentation issues are reviewed as part of a joint submission, such as a future Phase II and/or a separate limited scope proceeding. Therefore, Mr. Maissan’s recommendation should be dismissed.

Board Direction 5⁵

11. Mr. Maissan states that the proposed definition for Micro-Generation Customer does not align with the Yukon Government’s Micro-Generation Policy.⁶ For ease the Utilities provide the following comparison between the definition proposed in the Compliance filing and the definition in the Yukon Government’s Micro-Generation Policy:

Micro-generation Policy definition:⁷

Micro-generation – The small-scale generation of electric power by individuals, small businesses and communities to meet their own needs, as alternatives or supplements to traditional centralized grid-connection power.

Utilities proposed definition:⁸

“Micro-Generation Customer” – an individual, small business, or community who owns a small-scale generating unit of electric power intended to meet the customer’s energy needs.

12. As can be seen above, the definition used by the Utilities is consistent to the definition used in the Yukon Government’s Micro-Generation Policy, and provides clear

⁵ Compliance Application, PDF p. 5.

⁶ Mr. Maissan Submission, PDF p. 3.

⁷ Yukon Government, Micro-Generation Policy, as last updated in June 2021, Section DEFINITIONS, PDF p. 7. Available at <https://yukon.ca/sites/default/files/emr/emr-micro-generation-policy.pdf>

⁸ Compliance Application, PDF p. 27.

guidance for the users of the T&Cs. Therefore, Mr. Maissan’s recommendation should be dismissed.

Board Direction 7⁹

13. Mr. Maissan recommended that the term “Electric Service Regulations” be entirely purged from the Terms and Conditions of Service in any future updates.¹⁰

14. The Utilities note that the term “Electric Service Regulations” shows up in the Section 1, as a reference to the prior naming convention of the T&C’s as that term was used in the documents prior to changing to T&Cs. For example, the Power Purchase Agreement between Yukon Energy and Alexco [Hecla Yukon], which was prepared in 2010 and is still active, used the term “Electric Service Regulations”. Therefore, the Utilities submit to maintaining the reference as is. Maintaining it does not adversely impact the T&Cs.

Board Direction 14¹¹

15. Mr. Maissan makes two recommendations for Section 4.5, specifically, remove the wording “or as otherwise communicated by the company”¹² and reducing the notice period for residential customers from 90 days to 30 days.¹³

16. While Mr. Maissan supports the requirement for customers to give prior written notice to the Company of changes to load greater than 20 percent, Mr. Maissan recommends that this be a “hard and fast” rule, eliminating flexibility for the utility to work with customers depending on various circumstances such as regional system capabilities. As iterated by the Utilities throughout the original proceeding, the proposed clause is intended to enable the Utilities and customers to work together to address the energy transition while maintaining safe and reliable service. While the “greater than 20 percent”

⁹ Compliance Application, PDF p. 6.

¹⁰ Mr. Maissan Submission, PDF p. 3.

¹¹ Compliance Application, PDF p. 8.

¹² Mr. Maissan Submission, PDF p. 4.

¹³ Mr. Maissan Submission, PDF p. 4.

can provide clarity, flexibility is required as different circumstances may come up that can be regional dependent, influenced by such things as system limitations, customer usage changes and behaviors. The phrase “or as otherwise communicated by the Company” is intended to provide this flexibility and transparency to the users of the T&Cs, where the utility and customers can work together to ensure safe and reliable service is maintained during the upcoming energy transition. Given the need for flexibility, Mr. Maissan’s recommendation of making the 20 percent a “hard and fast” rule should be dismissed.

17. Furthermore, Mr. Maissan finds the 90-day notice period to be unreasonable for Residential customers and indicated a 30-day notice period is the outer limit for a company response. The 30-day period was specified based on the assumption the Utilities have extensive load monitoring at transformer and feeder levels. Mr. Maissan did not oppose to the 90-day period to other customer types.

18. The Utilities note that the intent has always been to work with the customers to meet their desired energization date. The 90-day period is a guide which accommodates the fact that not all requests are the same in terms of complexity and sets appropriate expectations for the users of the T&Cs. For example, a simple request with no significant engineering assessment needed, which is not known until notification is given, can be approved prior to the 90 days. Recognizing that all requests are the same in terms of complexity by setting a timeframe as recommended by Mr. Maissan of 30 or 14 days will lead to expectations that the utility cannot always fulfill. Given the forgoing, Mr. Maissan’s recommendation of changing the notice period from 90 days to 30 days for residential customers should be dismissed.

Board Direction 18¹⁴

19. Mr. Maissan appears to be taking issue with the application of the General Service rate for common areas for multi-dwelling complexes. Contra to the Board Direction, Mr. Maissan recommends that a revenue meter that measures the electricity input into

¹⁴ Compliance Application, PDF p. 10.

such heating systems be installed and all the metered energy be allocated equally to each dwelling unit and paid for by unit owners / occupiers at Residential rates.¹⁵ This recommendation was proposed by Mr. Maissan in the original proceeding and not accepted in the Board Decision.

20. The Utilities note that the proposed wording in the Compliance filing is consistent to other jurisdictions, in particular the ones referenced by the Board in its Decision, and is consistent to the Boards direction that each unit in multiple dwelling should be metered separately as it is a better identifier of costs for cost causation purposes, appropriately makes customers responsible for electrical energy consumption, and enables each customer to individually reap the rewards and benefits from DSM initiatives.¹⁶

21. As outlined in the Compliance filing, common areas such as parkades, elevators and common heating have different electrical system demands / requirements which are more akin to commercial use from a cost causation standpoint. This is consistent to how other jurisdictions including Hydro Quebec treats these services. Furthermore, common area consumption would not have a link to a specific customer who would be responsible for electrical energy consumption, which would enable each customer to individually reap the rewards and benefits from DSM initiatives.

22. Given the forgoing, the Utilities submit that it has complied to Board Direction 18 fully and Mr. Maissan's recommendation, which was originally not accepted in the Board Decision, be dismissed.

Board Direction 25¹⁷

23. Please refer to Board Direction 14 above.

24. For the same reasons presented in Direction 14 above, the request to reduce the notice period for residential customer from 90 days to 30 days should be dismissed.

¹⁵ Mr. Maissan Submission, PDF p. 5.

¹⁶ Board Order 2025-13 (Appendix A), PDF p. 32, para. 125 (4.6.18 Board Findings).

¹⁷ Compliance Application, PDF p. 13.

Board Direction 26¹⁸

25. Mr. Maissan recommends that the wording in Section 8.3 be altered to be more prescriptive between regarding system costs for shared transformers versus customer costs for dedicated transformers.¹⁹

26. The Utilities submit that Mr. Maissan’s recommendation to create a “hardline” between system versus customer costs goes against the Board’s acknowledgment that found circumstances for upgrades to Company facilities are unique, and the classification of a cost upgrade is best dealt with on a case-by-case basis.²⁰

27. The Utilities submit that the proposed wording in the Compliance filing appropriately strikes the balance between guidance and the acknowledgment by the Board that costs for upgrades is best dealt with on a case-by-case basis. Therefore, Mr. Maissan’s recommendation should be dismissed.

Board Direction 27²¹

28. Mr. Maissan recommends that the T&Cs set priorities when it comes to events that result in an interruption. Specifically placing a second order to customers who have Micro-Generation systems.²²

29. As outlined in the Compliance filing, flexibility is required to manage an event, which includes assessing all options to ensure safe and reliable service. Each event, location, and the events that led to the interruption event vary greatly. Setting priorities and being bound to these priorities can hinder the utility from performing its duties in such events and prevent the utility from addressing or operating the system in such a way that prevents addressing the root cause of the interruption at the time. This can also cause customer confusion as the fix to one interruption event may be different than the next.

¹⁸ Compliance Application, PDF p. 15.

¹⁹ Mr. Maissan Submission, PDF p. 5.

²⁰ Board Order 2025-13 (Appendix A), PDF p. 43, para. 174.

²¹ Compliance Application, PDF p. 15.

²² Mr. Maissan Submission, PDF p. 6.

Thus, Mr. Maissan's prioritization recommendations must be denied. Furthermore, as indicated in the Utilities Compliance filings, the impact of Micro-Generating customers on the grid stability is significant, as reviewed by studies and reviews conducted by Utilities and the Yukon Government, which led to the pause to the Micro-Generation Program by the Yukon Government. Therefore, flexibility is needed.

30. Mr. Maissan also recommends that the Utilities review the reconnect/disconnect process as well as to update the Intermittent Renewable Integration Study. The Utilities submit that both are beyond the scope of this proceeding and should be denied by the Board.