

# 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 ) July 12, 2022  
B. King, Vice-Chair )  
A. Fortin )  
A. Middler )  
L. McCullough )

### BOARD ORDER 2022-08

#### WHEREAS:

- A. On May 18, 2021, the Minister of Justice and Attorney General (the Minister) issued a letter to the Yukon Utilities Board (Board) referring the Electric Purchase Agreement (EPA) between Yukon Energy Corporation (YEC) and Tlingit Homeland Energy LP by its general partner, Tlingit Homeland Energy Limited (THELP), for review under Subsection 18(1) of the *Public Utilities Act* (PUA) and directing it to provide a report within 180 days of when the agreement is finalized and provided to the Board. The Minister attached terms of reference to review the EPA and directed the Board to report back to the Minister. The EPA is for the sale, by THELP to YEC, of electricity generated from the proposed Atlin Hydro Expansion Project (the Atlin Project);
- B. YEC filed its EPA application with the Board on January 20, 2022. The Board issued Board Order 2022-01 on February 1, 2022, which established the process schedule for the YEC-THELP EPA proceeding.
- C. On April 20, 2022, YEC submitted an amended EPA application and black-lined versions of revised documents to the Board. In Board Order 2022-05, issued on April 28, 2022, the Board set the schedule for the remainder of the proceeding.

- D. In a May 25, 2022 letter to the Board, YEC provided revised dates for certain conditions precedent under the EPA. YEC noted that except for the revised dates, the EPA remains in full force and effect, unamended.
- E. In accordance with the schedule, the Board and interveners filed information requests to YEC by June 6, 2022. YEC provided information responses on June 27, 2022.
- F. The Utilities Consumers' Group (UCG) submitted a motion on July 3, 2022 requesting that the Board defer the virtual oral proceeding until such time as the conditions precedent of the EPA were completed and made available for public scrutiny.
- G. The Board issued a July 5, 2022 memorandum providing a process schedule regarding the UCG motion. YEC responded to the UCG motion on July 6, 2022 and the UCG provided its reply to YEC on July 8, 2022.

**NOW THEREFORE**, the Board orders that:

Based on the reasons attached as Appendix A to this Order, the UCG motion is denied.

**DATED** at the City of Whitehorse, Yukon, this 12<sup>th</sup> day of July, 2022.

BY ORDER

A handwritten signature in blue ink, appearing to read 'Richard Buchan', with a stylized flourish at the end.

Richard Buchan  
Chair