

**YUKON UTILITIES BOARD  
2020-21 ANNUAL REPORT**

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### THE BOARD

The Yukon Utilities Board was established pursuant to the *Public Utilities Act*, Revised Statutes, 1986. c. 143, as amended. Section 2 of the Act defines the Board as comprised of not less than three and not more than five members. Section 4 provides for the appointment of a substitute member to act in the absence of a member of the Board. The Chair, Vice-Chair and members are appointed by the Minister of Justice for terms of three years. Members can also be appointed to serve subsequent terms, at the discretion of the Minister of Justice.

The Board office is located at Unit 19, 1114 Front Street (second floor of the Horwood's Mall) in Whitehorse, Yukon. Our mailing address is:

Yukon Utilities Board  
Box 31728  
Whitehorse, Yukon Y1A 6L3

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The Board retains independent legal advisors and qualified technical consultants, and it contracts with a part-time Executive Secretary.

The Board regulates two electrical utilities in Yukon, the Yukon Energy Corporation (YEC) owned by the Government of Yukon, and the privately owned ATCO Electric Yukon. The Board carries out such other functions as are required by the *Public Utilities Act* and as directed by the Minister of Justice as ordered through the territorial government's Orders-in-Council.

Under Section 52 of the *Public Utilities Act*, and following the principles of natural justice, the Board may, with respect to an inquiry:

- exercise the exclusive jurisdiction and authority to determine any question of fact, law or mixed fact or law required to be decided;

- receive such evidence or other information as it considers appropriate, whether or not such evidence is given under oath or affirmation, and whether or not it would be admissible in a court of law;
- exercise the powers, privileges, and immunities of a Board of Inquiry under the *Public Utilities Act*;
- determine the persons to whom notice of any proceedings shall be given; and
- determine its own procedures.

Board Orders are reviewable by the Yukon Court of Appeal.

The Board’s authority includes carrying out investigations and reviews at the request of the Minister of Justice pursuant to the *Public Utilities Act*, namely Regulation of Public Utilities (Part II) and the regulation of Energy Projects (Part III). The Board is also empowered to investigate complaints and initiate investigations it deems necessary in the interest of ratepayers generally (Part IV).

Funding for proceedings can only be authorized by the Minister of Justice.

## **MEMBERSHIP**

Board membership during the reporting period consisted of:

Chair	Vacant April 2020 to February 2021 Richard Buchan appointed February 2021
Vice-Chair	Bonnie King
Member	André Fortin
Member	Anne Middler
Member	Melville Johnson**
Member	Hector Campbell**

## **BOARD SUPPORT**

Board staff during this reporting period:

Executive Secretary: Deana Lemke, Beyond Words Business Services Inc.

Regulatory Legal and Technical Support: Alberta Utilities Commission

\*\* Member resigned during reporting period

## **THE YEAR IN REVIEW**

### **BOARD MEETINGS**

Various Board meetings are held each fiscal year – either in person or virtually. The frequency of meetings is dependent on the workload of the Board during any given year. The Chair or Vice-Chair and two other members constitute a quorum of the Board for decision-making purposes.

### **CANADIAN ASSOCIATION OF MEMBERS OF PUBLIC UTILITIES TRIBUNALS (CAMPUT)**

The Board continues to be an active member of the Canadian Association of Members of Public Utility Tribunals (CAMPUT). The Board relies on CAMPUT and the Alberta Utilities Commission to be the primary provider of Board member training.

The 2020 CAMPUT conference was to be held in Saint John, NB May 3-6 but was cancelled due to COVID restrictions. The CAMPUT Annual General Meeting and educational webinars were held online during September and were attended by Bonnie King and Melville Johnson.

An alternative course to the regular CAMPUT Energy Regulation training course was offered online via the Wisconsin Public Utility Institute (WPUI) with access provided through Wisconsin University. Board Members Anne Middler and Melville Johnson attended the Energy Utility Basics course online from October 1-7, 2020. This program has been considered WPUI's annual flagship program since 1982 and is an intensive course on the fundamental concepts critical to being conversant in today's energy industry.

Participants received an overview of the history of the electric and natural gas industries, insights into regulatory decision-making, and analyses of the current issues facing the energy industry. They also obtained practical knowledge of the operations and technology of the electricity and natural gas industries from extraction, whether from the ground or from renewables, to the customer's bill.

The Energy Utility Basics course is intended for anyone working in the energy industry, including public interest groups, utility employees, legislative staff, regulatory staff, and government personnel. The course is for energy professionals, both those new to the industry and those assuming new responsibilities who want a better grasp of how all the technological, financial, and administrative pieces of the energy puzzle fit together.

## **PROCEEDINGS**

The Board was involved in the following proceedings during this fiscal year:

### **Yukon Energy Corporation 2021 General Rate Application (GRA)**

On November 20, 2020, YEC submitted a GRA seeking approval of forecast revenue requirements of \$75.135 million, representing an increase of \$10.971 million for 2021 over revenues from existing rates and riders of \$64.164 million (a 17.1% increase), with a total increase of \$25.342 million for 2021 over the 2018 approved revenue requirement. YEC additionally sought approval of an interim refundable rate rider (Rider J) for 2021 of 10.08% for retail and industrial firm rates, effective July 1, 2021. YEC proposed implementation of the interim rate increase to be timed concurrent with the planned reduction of Rider F1 as at July 1, 2021. YEC stated that the timing for the interim rate increase would yield no material change in customer bills and would recover approximately two-thirds of the proposed rate revenue increase.

A process schedule was issued through Board Order 2020-04. Intervener status was granted to ATCO Electric Yukon, the City of Whitehorse, the Utilities Consumers' Group, and Nathaniel Yee. Presenter status was granted to John Maissan and Florian Boulais.

As this proceeding was not concluded by March 31, 2021, it was carried over into the following fiscal year.

### **YEC Battery Energy Storage System (BESS) Project**

In January 2021, YEC filed an application for an Energy Project Certificate and an Energy Operation Certificate. The Minister of Justice referred YEC's project to the Board on February 2, 2021. Terms of reference specified that the Board was to review the project and report back to the Minister by May 17, 2021 regarding its recommendations on the potential benefits, costs, risks, and customer impacts that influence whether the BESS Project should proceed as proposed by YEC and any terms and conditions that the Board considers should apply. The Board was requested to specifically make recommendations about the necessity for the BESS project and its timing and design.

Board Order 2021-03, issued February 18, 2021, outlined an initial proceeding schedule.

As this proceeding was not concluded by March 31, 2021, it was carried over into the following fiscal year.

For more information on the above-noted proceedings, please refer to the original submissions and Board Orders located on the Board's website: <http://yukonutilitiesboard.yk.ca/proceedings/>

## BOARD ORDERS

Below is a summary of Board Orders approved by the Board during this reporting period. All Board Orders can be viewed on the Board's website at <http://yukonutilitiesboard.yk.ca/policy/board-orders/>

<b>Order No.</b>	<b>Date</b>	<b>Order</b>
2020-02	August 12, 2020	Review and Variance of YEC 2017-18 GRA cost awards (Board costs)
2020-03	October 7, 2020	Review and Variance of Board Order 2020-01 (UCG cost award)
2020-04	December 14, 2020	YEC 2021 GRA proceeding schedule
2021-01	January 12, 2021	YEC 2021 GRA proceeding interveners
2021-02	January 19, 2021	YEC 2021 GRA (UCG motions re prudence review)
2021-03	February 18, 2021	YEC Battery Energy Storage System (BESS) Project proceeding schedule
2021-04	February 18, 2021	YEC 2021 GRA proceeding (IR Responses)
2021-05	March 5, 2021	YEC BESS Project proceeding interveners