

NEW BRUNSWICK ENERGY AND UTILITIES BOARD

IN THE MATTER of an application by the New Brunswick Power Corporation for an Order varying the Board's Decision of July 16, 2019, in accordance with section 43 of the *Energy and Utilities Board Act*, S.N.B. 2006, c. E-9.18 and Rules 8.1.1 and 1.2.5 of the Rules of Procedure.

ORDER

WHEREAS the New Brunswick Power Corporation (NB Power) filed an application with the New Brunswick Energy and Utilities Board (Board) on September 7, 2021 (Application) requesting an Order varying the Board's July 16, 2019 Decision (Decision) in Matter 430, in accordance with section 43 of the *Energy and Utilities Board Act*, S.N.B. 2006, c. E-9.18 and Rules 8.1.1 and 1.2.5 of the Board's Rules of Procedure (Rules of Procedure);

AND WHEREAS in the Decision, the Board had ordered NB Power to file its annual rate application no later than the first Wednesday of October, each and every year;

AND WHEREAS, in its Application, NB Power had requested a variance of the Decision to extend the filing deadline for the annual rate application for 2022/2023 from October 6, 2021, to a date no later than March 31, 2022;

AND WHEREAS by letter dated September 14, the Chief Clerk of the Board advised NB Power that the Board would be issuing an Order and Notice in relation to the Application and that the Pre-Hearing Conference would not take place until after the October 6, 2021, the deadline for filing the annual rate application for 2022/2023;

AND WHEREAS on September 17, NB Power filed an application with the Board, under Matter 503, requesting an Order staying the Decision issued by the Board in Matter 430, to the extent that it requires NB Power to file the annual rate application for 2022/2023 on October 6, 2021, in accordance with Rule 8.3 of the Rules of Procedure.

NOW THEREFORE IT IS ORDERED THAT:

1. Pursuant to Rule 8.3.3 of the Rules of Procedure, the Decision issued by the Board in Matter 430 is stayed, to the extent that it requires NB Power to file the annual rate application for 2022/2023 on October 6, 2021, pending the outcome of a review by the Board with respect to the Application.

DATED at the City of Saint John, New Brunswick, this 21st day of September, 2021.

BY THE BOARD



Kathleen Mitchell
Chief Clerk

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