

**NORTHWEST TERRITORIES
PUBLIC UTILITIES BOARD**

**NORTHWEST TERRITORIES POWER CORPORATION
("NTPC")**

2022-2023 General Rate Application

**ARGUMENT OF THE
TOWN OF HAY RIVER (HR)
and
THE TOWN OF FORT SMITH (FS)**

November 18, 2022

I. Introduction

1. The Towns of Hay River and Fort Smith (HRFS) have jointly intervened in this NTPC General Rate Application (GRA) before the Public Utilities Board (the Board), in order to represent themselves and their residents, and to ensure that the Board is aware of their concerns and positions, as the Board deliberates and ultimately comes to a determination in keeping with the public interest.
2. HRFS have participated fully in this proceeding, including drafting information requests to NTPC, filing evidence and responses to information requests on the same and actively participating in the oral hearing.
3. The primary concern shared by HRFS is with affordability of electric power and the magnitude of NTPC’s proposed rate increases in the Taltson Zone. The rate increases proposed by NTPC for approval by the Board have attracted much attention in this proceeding, and this argument will deal with this issue at some length.
4. In this argument, HRFS will also put forward their positions on other issues dealt with in the evidence filed on their behalf, including requests for the Board to disallow or reduce certain forecast costs, and for the Board to issue directions to NTPC with respect to future GRAs in order to improve the ability of interveners and the Board to properly assess and evaluate the reasonableness of the forecast costs put forward in those future proceedings.

II. Affordability of Power

Magnitude of the Proposed Rate Increases

5. In Decision 2-2022, the Board summarized the rate proposal put forward by NTPC in this GRA as follows:
 1. The Public Utilities Board (“Board”) received a General Rate Application (“GRA”) dated March 30, 2022 from the Northwest Territories Power Corporation (“NTPC”), requesting rate adjustments over two years as follows:
 - Thermal Zone – 2.5% increase in 2022-23 and a further 2.5% increase in 2023-24 to all customer classes;
 - Snare Zone – 2.5% increase in 2022-23 and a further 2.5% increase in 2023-24 to all customer classes;

Argument of the Town of Hay River and the Town of Fort Smith

- Taltson Zone – 10% increase in 2022-23 and a further 10% increase in 2023-24 to all customer classes; and
- Norman Wells (as rates transition into the Thermal zone) - 10% increase in 2022-23 and a further 10% increase in 2023-24 to all customer classes.¹

6. HRFS oppose what the Board has characterized as the “disproportionate increases proposed by NTPC for the Taltson Zone.”² There are several reasons for this position including: i) it is unclear whether the proposal is consistent with GNWT Rate Policy Direction from 2017; ii) the proposed increases will result in rate shock for customers in the Taltson Zone; iii) the proposed increases are not supported by a recent approved and fully tested Cost of Service Study and therefore cannot be in the public interest; and iv) the proposed increases are simply unaffordable.

i) Compliance with 2017 Electricity Rate Policy Direction

7. On pages 1-15 and I-16 of its application, NTPC states:

NTPC is cognizant of the GNWT Rate Policy Direction from 2017 which prohibited Rate Rebalancing as part of a Phase II application outside of limited adjustments (no more than 1% per year for non-government customers). The current proposal does not represent “rebalancing” (i.e., raising one customer’s rates so that other customers can see downward adjustments). The current proposal is merely aligning rates with costs, by zone, and has been proposed as an adjustment consistent with GNWT’s rate policies as published. In all respects, NTPC’s proposal continues to follow the GNWT rate directions set out in 2011, 2015 and 2017.

8. In answer to information request HR/FS.NTPC-2 b) NTPC placed the GNWT Rate Policy Direction from 2017 on the record.³

¹ Decision 2-2022, para. 1

² Ibid, para 15, the Board also referenced Norman Wells as being subject to a NTPC proposal for a disproportionate increase

³ HR/FS.NTPC-2 Attachment 1.

9. Directions 4 and 5 of the 2017 GNWT Rate Policy Direction read as follows:

Rate Rebalancing:

4. 1% Rate Rebalancing for non-Government customers

To allow a gradual transition to rates that are not within the range of reasonableness for revenue to cost ratios by customer class and by zone, any rate impacts to non-Government customers arising from the realignment of rates between zones and customer classes should not exceed one percent per year.

5. 3% Rate Rebalancing for Government customers

To allow a gradual transition to rates that are not within the range of reasonableness for revenue to cost ratios by customer class and by zone, any rate impacts to Government customers arising from the realignment of rates between zones and customer classes should not exceed three percent per year.\

10. In Decision 2-2022 the Board notes NTPC’s position as stated in pages I-15 and I-16 of its application (cited above in paragraph 7 of this argument) and states:

15. The Board is not convinced that the disproportionate increases proposed by NTPC for the Taltson Zone and for Norman Wells are consistent with the GNWT Rate Policy Direction from 2017 which prohibited Rate Rebalancing to no more than 1% per year for non-government customers.⁴

11. In light, in particular, of NTPC’s response to BR.NTPC-11 c), arising from Undertaking #12, HRFS are also not convinced that NTPC’s explanation of how its proposal for disproportionate increases complies with Government direction withstands scrutiny. Accordingly, HRFS are also not convinced that these disproportionate rate increase proposals are compliant with the Government direction.
12. In its explanation, NTPC says: “The current proposal does not represent “rebalancing” (i.e., raising one customer’s rates so that other customers can see downward adjustments).” And yet, when it discusses the pros and cons of the Board’s Alternative for review scenario,” - which would it see it imposing lower rate increases in the Taltson Zone, so that the RCC ratios for that Zone are maintained at the level last approved by the Board (87%), as opposed to a higher ratio if its proposal is approved (92.3%) - NTPC says that this would necessitate rate increases for wholesale rates in Yellowknife.

⁴ Decision 2-2022, para. 15

Argument of the Town of Hay River and the Town of Fort Smith

13. Accordingly, HRFS submit that the NTPC proposal does appear to be a form of rate rebalancing. This must be so if lower rates for the Taltson Zone means higher rates in Yellowknife.

ii) Rate Shock

14. It is well established in regulatory rate making that a regulator should seek to avoid approving rate increases that will result in customers experiencing rate shock.

15. HRFS submits that any sudden sharp, and sustained increase in rates can result in rate shock, and should be avoided.

16. Mr. Bell opines that the proposed increases will likely cause customers in the Taltson Zone to experience rate shock.⁵ HRFS could not agree more.

17. In its rebuttal, NTPC provides examples from 2003, 2007 and 2008 where the Board approved rates increase in excess of 10% as being reasonable “in the circumstances.”⁶ These decisions refer to a maximum 15% cap on rate increases. NTPC therefore asserts that the proposed increases will not cause rate shock.

18. In its discussion of the 2003 decision NTPC quotes the Board as saying: “The Board considers the maximum 15% increase proposed by the corporation to be reasonable in the circumstances.” (emphasis added)

19. First, it is not clear to HRFS that the Board was approving a 15% increase in each of two test years in Decision 3-2003, or just in the first of those years.

20. Moreover, HRFS submit that the words “in the circumstances” are of key importance. In a situation where customers find themselves in an otherwise relatively stable economic environment, they may be in a position to absorb an increase of that magnitude.

21. That is not the situation customers find themselves in today. As stated in the HRFS submission on interim rates:

On behalf of the Towns themselves and their residents and utility ratepayers, HR-FS first point out that Covid-19 and a general economic downturn in the

⁵ Evidence of Russ Bell, A6, PDF page 3

⁶ NTPC Rebuttal, PDF page 13

past two years have created significant hardships, and a limited capacity to withstand increases in the cost of necessities such as electrical power.⁷

22. During the hearing there was discussion of the meaning of rate shock. NTPC indicated that it uses a 15% cap as a guide for potential rate shock.⁸ Further, NTPC clarifies that it assumes that this means a 15% per year increase.⁹ A 15% increase for two years would mean a 30% increase.
23. HRFS submit that a 20% increase in rates over 2 years (20% increase) would in fact and in all the circumstances result in rate shock. The letters from the MLA’s and the Standing Committee discussed further below are clear evidence that approval of the proposed Taltson rate increases will result in rate shock. This is further supported by comments by customers in the public consultations.
24. HRFS submit that the proposed Taltson increases will result in rate shock, and as such cannot be seen as in the public interest, and should not be approved.

iii) Absence of Recent Cost of Service Study

25. The Board’s information request following up on Undertaking #12 (BR.NTPC-11) makes note of the fact that a Phase II proceeding has not been conducted. As the Board indicates in the Fact Sheet on its website discussing “Phase 2 Rate Setting”¹⁰ the preparation and filing of a Cost of Service Study is one of the two main tasks a “utility company must complete” in the preparation of a Phase II application. HR-FS are concerned that no such study has been prepared and filed in this proceeding in support of what HRFS submit amounts to a significant rate rebalancing exercise. The fair allocation of costs is not fixed for all time by a prior study, but must in fairness be revisited from time to time to ensure allocations of costs are still being done in an appropriate and fair manner.

iv) Unaffordability

26. There is evidence before the Board that the proposed rate increases are considered unaffordable in light of present circumstances, and that the affected customers are shocked by the prospect of their approval.

⁷ HRFS Submission on Interim Rate Increase, page 1

⁸ Transcript page 89 (PDF page 91)

⁹ Ibid

¹⁰ <https://www.nwtpublicutilitiesboard.ca/sites/nwtpub/files/phase-2-rate-setting.pdf>

Argument of the Town of Hay River and the Town of Fort Smith

27. HRFS note that Frieda Martselos, MLA for Thebacha, and Rocky Simpson, MLA for Hay River South submitted an email on May 31, 2022 expressing concern about the 20% increase in rates within 2 years. They state:

We are of particular concern to the recent submission by the NWT Power Corporation to increase electricity rates in the Taltson zone with a 10% rate increase two years in a row, which would amount to a 20% increase within two years. All our constituents in Fort Smith and Hay River have voiced loudly that they are uniformly opposed to any electricity rate increases of that magnitude in such a short amount of time.

28. The fact that all their constituents are making their significant concerns known to their elected representatives is compelling evidence that they view the increase as unaffordable.

29. Similarly, the Standing Committee on Government Operations submitted a letter on June 10, 2022 expressing concern about the level of rate increase, particularly in the Taltson zone. Again, reference was made to input from constituents worried about NTPC’s proposal:

Members on the Committee have heard concerns from many constituents about NTPC’s proposed rate increases. Residents worry about implications for the cost of living and cost of doing business. Concerns are especially acute the Taltson Zone, where the proposed rate increases are highest. Emphasis added)

30. There was also discussion about the size of the increases during the public consultation. Ms. Susan Wright is one customer that sought information about the level of increases.

31. Finally, HRFS submits that the Board should consider that the GNWT has suggested that the “main objective” of the 2017 Policy direction was to “slowly move rate zones and customers into the previously directed range of reasonableness.”¹¹ HRFS submit that back to back increases of 10% per year are not consistent with a slow movement, but rather, represent a sudden, sharp, and sustained increase that is unaffordable, and the approval of which would cause customers to experience rate shock.

¹¹ Letter from Minister Paulie Chinna, dated September 6, 2022, page 2

III. End of Life

32. NTPC has identified a number of projects where it uses end of life as the reason for the capital project. These include:
- Taltson Camp Upgrade, with a forecast for the selected option of \$6,619,000;¹²
 - Fort Liard Plant Fuel System Upgrade, with a forecast for the selected option of \$906,000;¹³
 - Sachs Harbour New Modular Power Plant Construction, with a forecast for the selected option of \$1,354,000;¹⁴
 - Pole Replacement – All Regions, with a forecast cost for the selected option of \$2,000,000;¹⁵
 - Wrigley Upgrade Plant Fuel System – Day Tank, Pumps, Controls. With a forecast cost for the selected option of \$916,000;¹⁶
 - Taltson Heavy Equipment Purchase, with a forecast cost for the selected option of \$810,000.¹⁷
 - Nahanni Butte Fuel System Upgrade;¹⁸
 - Ulukhaktok Inside Fuel System Upgrade;¹⁹
 - Inuvik EMD Ventilation Upgrade;²⁰ and
 - Gameti (Rae Lakes) Plant G1 Replacement.²¹
33. As noted by Mr. Bell,²² there appears to be a focus on physical age in defining end of life. NTPC repeatedly refers to the end of life, as well as referring to depreciation curves and best practises.

¹² NTPC Application, PDF page 206 of 728

¹³ NTPC Application, PDF page 663 of 728

¹⁴ NTPC Application, PDF page 210 of 728, and PDF page 685

¹⁵ NTPC Application, PDF page 705 of 728

¹⁶ NTPC Application, PDF page 709 of 728

¹⁷ NTPC Application, PDF page 576 of 728

¹⁸ NTPC Application, PDF page 174 of 728

¹⁹ NTPC Application, PDF page 579 of 728

²⁰ NTPC Application, PDF page 592 of 728

²¹ NTPC Application, PDF page 636 of 728

²² Evidence of Russ Bell, A10, PDF pages 8-10

Argument of the Town of Hay River and the Town of Fort Smith

34. Mr. Bell provides ample evidence of assessments of physical condition used in Alberta to assess asset health rather than physical age. He refers to decisions related to the ATCO Gas predictive model,²³ and an AltaLink condition-based model.²⁴ The AUC and its predecessors have ruled that asset condition is the primary test as far back as 2003.²⁵
35. NTPC has only provided an assessment of asset health for the SACHS HARBOUR POWER STATION.²⁶
36. In its rebuttal, NTPC did not provide any additional studies of asset health, but only repeated what was included on the record up to that point.
37. As noted by Mr. Bell,

Other than for the SACHS HARBOUR POWER STATION Asset Health Assessment and Plant Replacement Study provided in response to HR/FS.NTPC-19, NTPC provides no empirical evidence that assets have actually reached the end of life, and must be replaced. When a utility asserts that assets have reached the end of life, there must be empirical evidence that, based on analysis of the asset conditions, the asset is at end of life. The utility must fully explain why the assets must be replaced, and in particular why now.²⁷

38. Given the lack of empirical and quantitative evidence on asset health, one must question the need for each capital program based on end of life. NTPC has provided no evidence that providing a more rigorous assessment of asset health is not warranted. HRFS support Mr. Bell’s recommendations that

The Board should require NTPC to provide more than a cursory discussion of any asset management processes, but instead provide a discussion of asset health, and risks of failure, similar to that provided by utilities in Alberta. This would involve the development of a comprehensive asset assessment methodology, either an Asset Health assessment, a demerit system, or a quantitative risk assessment that clearly demonstrates that the asset condition has deteriorated to the point that it must be replaced and be replaced now. Further, the analysis should identify assets that may not require replacement immediately but may in the near future.

²³ Evidence of Russ Bell, A12, PDF page 10

²⁴ Evidence of Russ Bell, A12, PDF page 11

²⁵ Evidence of Russ Bell, A12, PDF page 10, see Footnote 31 which refers to Decision 2003-072

²⁶ HR/FS.NTPC-19

²⁷ Evidence of Russ Bell, A14, PDF page 19

Argument of the Town of Hay River and the Town of Fort Smith

Further, the Board should address the inconsistency in the NTPC position. If NTPC is replacing aging assets, then there should be no need for increase in operation and maintenance costs related to replacing aging assets. I would expect that older assets that approach the end of life should require more maintenance than a new asset. As such, if the Board approves the capital related to replacement of aging assets, than (sic) all incremental operation and maintenance costs related to maintaining replaced assets should be removed from the forecast revenue requirement.²⁸

IV. Aging Infrastructure

39. In addition, NTPC appears to be adding operating costs as a result of putting new assets into place. NTPC stated:

The additional \$0.300 million budgeted in 2022-23 is intended to cover the operational costs of managing new assets into NTPC’s system as a result of the replacement of aging infrastructure. The introduction of new assets into the system – specifically new plants in Lutselk’e and Sachs Harbour as well as new manufacturer gensets in What Ti and Gameti, new EGHRU unit in Inuvik and new camp in Taltson will likely result in additional operational costs in the first year of operations to resolve deficiencies, additional training, and adjustments to the existing infrastructure. Historically these costs have been accommodated through existing operations and maintenance costs when there was a slower / lower rate for replacement of assets. **Given the quantity of new assets replacing aging infrastructure in 2022-23, additional funds were added to the budget to provide for these operational costs.** (Emphasis Added)²⁹

40. As noted in Mr. Bell’s evidence, HRFS asked:

a) Please fully discuss how NTPC is replacing aging infrastructure. In the response please fully explain how removal of aging infrastructure should result in lower maintenance.

²⁸ Evidence of Russ Bell, A15

²⁹ TGC-NTPC-11 (b) as cited in evidence of Russ Bell, A14

Argument of the Town of Hay River and the Town of Fort Smith

b) Please fully explain if the incremental positions related to aging infrastructure will eventually no longer be required as older assets have been replaced.³⁰

41. In the response, NTPC generally discusses its costs but fails to explain how the removal of aging assets should reduce maintenance costs. From a logical standpoint, when older assets are replaced with newer assets, the cost of maintenance should decrease, and definitely not increase. At a minimum, the proposed increase of \$0.3 million should be disallowed. Additionally, maintenance costs should decrease as older assets are replaced with newer assets.

V. Forecast Accuracy

42. In Mr. Bell’s evidence, he provides extensive examples of how the Alberta Utilities Commission (AUC), and its predecessors use an assessment of prior forecast accuracy as a way to assess the current forecast. Mr. Bell demonstrated that the AUC used an assessment of forecast accuracy on at least six occasions, including:

- The EPCOR Distribution & Transmission Inc. (EDTI) 2010-2011 Phase I Distribution Tariff and 2010-2011 Transmission Facility Owner Tariff,³¹
- The ATCO Electric Ltd. (AE) 2011-2012 Phase I Distribution Tariff and 2011-2012 Transmission Facility Owner Tariff,³²
- The ATCO Pipelines (AP) 2015-2016 General Rate Application,³³
- AE 2015-2017 Transmission General Tariff Application³⁴,
- The AP 2017-2018 General Rate Application³⁵, and
- The AE 2018-2019 Transmission General Tariff Application.³⁶

43. As Mr. Bell points out, NTPC only provided one year of forecast in this application, that being for the 2019-19 test period.³⁷ Mr. Bell is well aware of the information that NTPC currently files with the Board.³⁸

³⁰ HR/FS.NTPC-8, NTPC as cited in Evidence or Russ Bell, A14

³¹ Evidence of Russ Bell, A17, PDF page 21

³² Evidence of Russ Bell, A17, PDF page 22

³³ Evidence of Russ Bell, A17, PDF Page 23

³⁴ Ibid

³⁵ Ibid

³⁶ Ibid

³⁷ Evidence of Russ Bell, A18, PDF page 24

Argument of the Town of Hay River and the Town of Fort Smith

44. Mr. Bell also notes that when one looks at the 2016/17, 2017/18 and 2018/19 test years there are wide swings in forecast accuracy. Mr. Bell stated:

Based on the high level data included in the annual report of finances it is difficult to make meaningful comparisons. There appears to be no staffing analysis, such as FTEs by department, that would allow a meaningful analysis of the forecast accuracy of staffing levels.

Mr. Bell notes that for O&M, the total O&M over the three years is \$5.130 million higher than forecast, or 4.05%. This masks wide swings depending on the function.

Table with 5 columns: Function, Total Forecast, Total Actual, Higher (Lower) than Forecast, and %. Rows include Transmission, Distribution, Billing & Customer Accounting, and General Expense Functions.

Transmission is consistently lower than forecast. Distribution is consistently higher than forecast, and Billing & Customer Accounting is consistently lower than forecast. General Expense is lower in 2016-17, and higher in the other two years, and overall is 23.11% higher than forecast.

For two functions, Transmission and Billing & Customer Care, there is consistent pattern of under spending. I note that there is an offset between Transmission and Distribution. This may well be due to a shift between distribution and transmission brushing. I would recommend that for Billing and Customer Accounting, there is evidence that the forecast should be reduced by 45%

For capital, overall, Capital Expenditures are \$12,536,000 (18.65%) higher than forecast, but Capital Additions are \$9,914,000 (12.53%) lower than forecast. This appears to suggest that NTPC has spent more on capital, but has not completed the projects in as timely manner as expected.

Based on this, it appears that NTPC’s forecast methodology does not accurately reflect actual performance.³⁹

45. There are wide swings in forecast accuracy.

38 NTPC.HR/FS-1
39 BR HRFS 2 (b)

Argument of the Town of Hay River and the Town of Fort Smith

46. NTPC confirmed that it does prepare operating budgets in non-test years,⁴⁰ and these budgets are used in variance analysis, including explanations.⁴¹
47. In response to an undertaking from the hearing, NTPC provided a sample variance analysis for the 2021-2022 year ending September 30, 2021.⁴² HRFS notes several issues. First, this is not for the full year, but only half a year. Part year variance analyses are not overly useful in the assessment of forecast accuracy as there can be seasonal swings in costs, distorting the variances. Having said that, HRFS notes that the costs for “Supplies and Services” are \$792,000 (8%) lower than budget.⁴³
48. Further, for Capital, HRFS notes that Corporate Capital is forecast to be \$12,952,920 (91%) lower than budget.⁴⁴ Similarly, Hydro is projecting significant underspending.
49. While a part of one year is not useful in assessing the variances and forecast methodology for NTPC, the kind of information provided in the undertaking response would be useful if it was provided for all years that are not a test year in the next NTPC GRA. This would allow parties to develop trends of forecasts, and assess how well the NTPC forecast methodology predicts actual results. As an example, if the capital shows a pattern of underspending to the extent that is provided in the undertaking response, the Board would have ample evidence to reduce the forecast capital. Similarly, with O&M, if there is a pattern of underspending for areas such as the 8% underspending for Supplies and Services, this would provide evidence that the Board could use to reduce the NTPC forecast. Alternatively, if the pattern of variances demonstrates that NTPC’s forecasts provide a reasonable estimate of the level of spending that NTPC actually incurs, that would give the Board comfort that approving a forecast would be approving costs that are in fact required to provide safe and reliable service.
50. HRFS recommend that, for future applications the Board direct NTPC to provide similar information for each year between the last approved forecast and the applied for test period.
51. HRFS note that some of the variance analyses have been redacted. While this is what was committed to in the undertaking, HRFS recommend that the Board direct NTPC to include, as part of its next GRA, a sanitized variance explanation that excludes any confidential information rather than redact information. This will facilitate regulatory efficiency, and allow parties to understand the variances.

⁴⁰ Transcript page 95

⁴¹ Ibid

⁴² Response to Undertaking 8

⁴³ Undertaking Response 8, Attachment 1, PDF page 17 of 28.

⁴⁴ Undertaking Response 8, Attachment 3, PDF page 19 of 28

Argument of the Town of Hay River and the Town of Fort Smith

VI. Work from Home

52. NTPC discusses a loss of productivity due to work from home policy.⁴⁵ NTPC discusses how there was a loss of productivity because the move to work from home was done rapidly without fully developed systems and processes.⁴⁶ NTPC indicates that it has moved back to work from offices and does not have a work from home policy.⁴⁷

53. In his evidence, Mr. Bell discusses the benefits of a work from home policy. He states

It is my understanding that organizations are re-evaluating the need for staff to be in offices. In January of this year, this sentiment is echoed in an article in the Edmonton Journal entitled “Top employers get creative to retain top Alberta talent” by Graham Templeton. In the article, the author discusses creative ways to attract and retain staff, including work from home.

In May and June of 2020, I contacted several people throughout the utility industry in Alberta to discuss their experience with work from home. I then wrote a series of articles related to that feedback. These included:

- Maintaining the Team
- Trust
- Policies for Remote Work
- Technology for Remote Work
- Remote Work Guidelines

The option of work from home can have significant benefits to staff and can create efficiencies for the organization. In these articles, I discuss issues to be considered when implementing an ongoing work from home policy. I concluded that all organizations should seriously consider evaluating each position and function to seek out all efficiencies and minimize the need for leased or owned office or other workspace. These efficiencies can help offset other cost pressures.⁴⁸

54. Based on this, Mr. Bell recommended that NTPC investigate a permanent work from home policy to increase staff moral, and to find efficiencies related to space requirements.⁴⁹

⁴⁵ NTPC Application. End of page 1-1 and the top of page 1-2

⁴⁶ HR/FS.NTPC-1

⁴⁷ HR/FS.NTPC-1

⁴⁸ Evidence of Russ Bell. A21 (Footnotes Omitted)

⁴⁹ Ibid, A22

55. HRFS notes that NTPC did not address this issue in its rebuttal.
56. In the hearing, NTPC actually refers to people working from home as a reason for increased residential sales.⁵⁰ It appears that other entities in the NTPC service territory are in fact implementing a work from home practise.
57. As such, HRFS request that the Board direct NTPC, prior to its next GRA, to undertake a thorough review of the potential for a work from home policy, including how such a policy would increase staff morale, and how such a policy could be used to offset operating costs related to rented or owned space, and to file the results of that review as part of that future application.

VII. Conclusion

58. HRFS appreciate the opportunity to provide this argument summarizing their concerns and positions for the Board’s consideration. They respectfully request that the Board make a decision that is consistent with Government Direction, and the Board’s careful and balanced assessment of the public interest.

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 18th of November, 2022.



THOMAS D. MARRIOTT, K.C.
Counsel for the Towns of Hay River and Fort Smith

⁵⁰ Transcript PDF page 111 of 123