

**UTILITY RATES REVIEW COUNCIL ACT**

R-023-2009

Registered with the Registrar of Regulations

2009-06-30

**INTERIM RATE IMPOSITION REGULATIONS (JUNE 2009)**

Whereas the Minister for the Review Council, with the approval of the Executive Council, has determined that the following special circumstances exist:

- (a) on April 15, 2009, the Review Council issued a report, under subsection 13(1) of the Act, recommending the imposition of a fuel stabilization rider of 12.52 cents per kWh for all classes of customers in Nunavut, commencing February 1, 2009 and concluding June 30, 2009;
- (b) the Minister is deemed, under subsection 16(3) of the Act, to have instructed Qulliq Energy Corporation to comply with that recommendation of the Review Council because the Minister did not issue any instructions within 30 days of receiving the Review Council's report;
- (c) on June 17, 2009, Qulliq Energy Corporation made a request in accordance with subsection 12(1) of the Act to impose a total fuel stabilization rider of 7.96 cents per kWh for all classes of customers in Nunavut, and on June 19, 2009, under subsection 12(2) of the Act, the Minister sought the advice of the Review Council on the request;
- (d) the full cost of the unusually sharp increase in fuel prices in 2008, and still being used by Qulliq Energy Corporation to provide services in Nunavut, was not passed on to consumers and was instead absorbed by Qulliq Energy Corporation's Fuel Stabilization Rate Fund, resulting in a deficit of approximately \$1,500,000;
- (e) the cost of the fuel purchased early in the 2009 resupply season and required by Qulliq Energy Corporation to provide services in Nunavut is significantly lower than the cost purchased in 2008 resupply season;
- (f) the imposition of a fuel stabilization rider, at a reduced rate and on an interim basis, will likely lessen the impact on most Nunavummiut of eliminating the Fuel Stabilization Rate Fund deficit because the total amount required to be collected can be paid at a lower rate when it is spread over a greater period of time;

Therefore, the Minister for the Review Council, with the approval of the Executive Council, under subsection 20(1) of the *Utility Rates Review Council Act* and every enabling power, makes the annexed *Interim Rate Imposition Regulations (June 2009)*.

**1.** In these regulations,

"instruction" means the instruction given under section 16 of the Qulliq Energy Corporation Act in response to its request, made on June 17, 2009, under subsection 12(1) of the Act, to impose a fuel stabilization rider; (*instructions*)

"interim rate" means the fuel stabilization rider imposed under section 2. (*taux temporaire*)

**2.** Qulliq Energy Corporation is permitted to impose, on an interim basis, a fuel stabilization rider of 7.96 cents per kWh for all classes of customers in Nunavut, commencing July 1, 2009 and continuing until the earlier of December 31, 2009 and the day on which an instruction is given.

**3.** (1) If the instruction results in the imposition of a fuel stabilization rider less than the interim rate, Qulliq Energy Corporation shall, as soon as practicable, credit every customer an amount equal to the difference between the total amount paid by the customer pursuant to the interim rate and the total amount the customer would have paid had the lower rate been in effect.

(2) If the instruction results in no fuel stabilization rider, Qulliq Energy Corporation shall, as soon as practicable, credit every customer an amount equal to the total amount paid by the customer pursuant to the interim rate.