

UTILITY RATES REVIEW COUNCIL ACT

R-040-2009

Registered with the Registrar of Regulations

2009-12-22

INTERIM RATE IMPOSITION REGULATIONS (DECEMBER 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 September 28, 2009, the responsible Minister gave an instruction under section 16 of the Act to Qulliq Energy Corporation to, *inter alia*, impose a fuel stabilization rider of 4.68 cents per kWh for all classes of customers in Nunavut for the period from October 1, 2009 to December 31, 2009;
- (b) on December 18, 2009, Qulliq Energy Corporation made a request in accordance with subsection 12(1) of the Act to impose a fuel stabilization rider of 4.68 cents per kWh for all classes of customers in Nunavut, and, on the same day, the Minister sought, under subsection 12(2) of the Act, the advice of the Review Council on the request;
- (c) the cost of the fuel purchased in the 2009 resupply season and required by Qulliq Energy Corporation to provide services in Nunavut is still being calculated and therefore the full extent of the deficit in the Qulliq Energy Corporation's Fuel Stabilization Rate Fund is unknown;
- (d) the continued imposition of the current fuel stabilization rider 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 (December 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 December 18, 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 4.68 cents per kWh for all classes of customers in Nunavut, commencing January 1, 2010 and continuing until the earlier of September 30, 2010 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.