

**THE BOARD OF COMMISSIONERS
OF PUBLIC UTILITIES OF NEW BRUNSWICK**

**IN THE MATTER OF an Application by New Brunswick
System Operator for the Approval of Changes to the Open
Access Transmission Tariff, as approved by the Board for
New Brunswick Power Corporation**

O R D E R

WHEREAS New Brunswick System Operator ("NBSO") has applied to the Board of Commissioners of Public Utilities (the "Board") by Application dated the 18th day of January 2005 in connection with the approval of changes to the current Open Access Transmission Tariff, as approved by the Board effective September 30, 2003 and amended thereafter effective June 15, 2004. . Such changes include changes to the terms and conditions, rates for transmission services and ancillary services, service agreements, interconnection agreements, a transmission expansion policy and the Standards of Conduct under which service will be provided.

AND WHEREAS NBSO is required, pursuant to Section 111 of the *Electricity Act*, Chapter E-4.6 RSNB ("the Act") to make Application to the Board before charging or changing any charge, rate or toll or any Tariff with respect to transmission services or ancillary services;

AND WHEREAS NBSO has applied to this Board to hold a public hearing to review its evidence and, pursuant to Subsection 111 (6) (a) and (b) of the Act, to approve the tariff, if it is satisfied that the tariff applied for is just and reasonable or, if not so satisfied, fix such other tariff as it finds to be just and reasonable, and set the time at which the Tariff is to take effect.

NOW THEREFORE IT IS ORDERED THAT:

- (a) The Board shall hold a public hearing to review the evidence to be filed by NBSO.**
- (b) A Pre-Hearing Conference shall be held in the offices of the Board, 15 Market Square, Suite 1400, Saint John, New Brunswick, on Wednesday the 16th day of February 2005 commencing at 10:00 o'clock in the forenoon, when and where Intervenors and NBSO should attend and make representations as to the date of the full hearing and the procedure to be followed prior to and at the public hearing and as to any other relevant matters.**
- (c) Notice of the holding of the Pre-Hearing Conference in respect of the Application and the procedure the Board intends to follow to facilitate the participation of Intervenors, be published, in the form or substantially in the form attached hereto marked "A", in either the English or French language as may be appropriate having regard to the principal language of publication, twice in each of the following newspapers:**

Dailies

**Times-Transcript
L'Acadie Nouvelle
The Telegraph Journal
Daily Gleaner**

**Moncton
Caraquet
Saint John
Fredericton**

and once in each of the following newspapers:

Weeklies

The Observer	Hartland
Le Madawaska	Edmundston
The/La Cataracte	Grand Falls
Kings County Record	Sussex
Sackville Tribune-Post	Sackville
Bugle (Henley Publishing Limited)	Woodstock
Saint Croix Courier	St. Stephen
Tribune	Campbellton
L'Aviron	Campbellton
Victoria County Record	Perth-Andover
Miramichi Leader	Miramichi
Northern Light	Bathurst

on or before the 24th day of January 2005.

- (d) A copy of the Filing Memorandum, the Application, a copy of the Board's Order and NBSO's Open Access Transmission Tariff Evidence will be placed on file on Monday the 24th day of January 2005 for examination by interested parties during normal business hours, in the offices of this Board noted below and in the office of NBSO located at 77 Canada Street, Fredericton, New Brunswick, E3B 5G4 as well as the NBSO Website at www.nbso.ca
- (e) Anyone who wishes to be served with a copy of the Evidence must notify the applicant to the attention of Mr. Kevin Roherty, Secretary and General Counsel, P.O. Box 2020, Fredericton, New Brunswick, E3B 5G4, Ph: (506) 458-4289, Email: kevin.roherty@nbso.ca. A copy of the Board's full Order may be obtained by calling (506) 658-2504, emailing general@pub.nb.ca or by visiting the Board's website at www.pub.nb.ca.

DATED at the City of Saint John this 19th day of January 2005.

BY THE BOARD

Lorraine R. Légère
Secretary
New Brunswick Board of
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