

April 11, 2012

Mackenzie Valley Land and Water Board
7th Floor, 4910-50th Avenue
Yellowknife, NT X1A 2P6

Attention: Ms. Kathleen Graham, Regulatory Officer

Dear Ms. Graham:

**RE: Board Files MV2005L4-0008 and MV2008F0027
Request \$50,000 security deposit return (MV2005L4-0008) and request for
\$55,000 security deposit return (MV2008F0027) to the Northwest Territories
Power Corporation**

Further to the above-captioned matter, the Northwest Territories Power Corporation ("NTPC") is requesting the return of two security deposits it wrongfully paid to Indian and Northern Affairs Canada in the sum total amount of \$105,000.

NTPC is a Crown Corporation as witnessed by May 4, 1988 when the Northern Canada Power Commission was acquired from Her Majesty the Queen in Rights of Canada by the Government of Northwest Territories. As a Crown Corporation, NTPC is exempt from paying security deposits in relation to its hydro facilities.

On June 18, 2009, NTPC received a letter from Indian and Northern Affairs Canada acknowledging the posting of a security deposit, pursuant to Condition #35 of its land use permit MV2008F0027 for the Taltson Winter Road in the amount of \$55,000. This deposit was made payable to the Receiver General for Canada, under Cheque #520241.

NTPC is requesting the return of the security deposit in the amount of \$55,000 for its land use permit MV2008F0027.

In regards to Water License N1L4-0735, NTPC replaced Con Exploration Ltd and Miramar Con Mine Ltd as the Licensee. NTPC paid a security deposit in the amount of \$50,000 for the renewal of Bluefish Power Generation Water License N1L4-0735, file number MV2005L4—8, Type "A".

In the Mackenzie Valley Land and Water Board's (the "Board") April 3, 2006 *Reason for Decision* (page 4/8), the Board concluded that it was satisfied with NTPC's financial


responsibility as a licensee under paragraph 14(4)(d) of the *Northwest Territories Water Act* (NWTWA).

In the same paragraph of the April 3, 2006 *Reason for Decision*, the Board's rationale for requiring NTPC to pay a security deposit noted the following:

"NTPC has also consistently maintained the security deposits required under their other licenses for the Snare Hydro system".

As a Crown Corporation, NTPC does not provide security deposits for the Snare Hydro system. As such, NTPC is respectfully requesting the return of the security deposit for Water License N1L4-0735 in the amount of \$50,000.

Sincerely,

A handwritten signature in cursive script, appearing to read "geraldine byrne". The signature is written in black ink on a white background.

Geraldine Byrne
Officer, Business and Energy Development

Cc: Robert Schmidt, Director, Hydro Region, Yellowknife