NEWFOUNDLAND AND LABRADOR BOARD OF COMMISSIONERS OF PUBLIC UTILITIES

120 Torbay Road, P.O. Box 21040, St. John's, Newfoundland and Labrador, Canada, A1A 5B2

Hearing Transcript

Newfoundland and Labrador Hydro 2017 General Rate Application

April 24, 2018

The Board:

Darlene Whalen, Chair and CEO Dwanda Newman, Vice-Chair James Oxford, Commissioner

Newfoundland and Labrador Hydro:

Geoffrey Young, Counsel Alex Templeton, Counsel

Newfoundland Power Inc.:

Gerard Hayes, Counsel Liam O'Brien, Counsel **Consumer Advocate:** Dennis Browne, Q.C. Stephen Fitzgerald, Counsel

Island Industrial Customers

Paul Coxworthy, Counsel Dean Porter, Counsel Denis Fleming, Counsel

Labrador Interconnected Group*

Senwung Luk, Counsel

Iron Ore Company of Canada*

Benoit Pepin, Counsel

*Note – These two parties will not be in attendance every day

Board Counsel/Staff:

Jacqueline Glynn, Board Counsel Maureen Greene, Q.C., Hearing Counsel Cheryl Blundon, Board Secretary

Witness/Witnesses

Mr. James Haynes, President of Newfoundland and Labrador Hydro

Ms. Dawn Dalley, Vice President of Regulatory Affairs & Corporate Services, Newfoundland and Labrador Hydro

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		Page 1		Page 3
1	(9:02 A.M.)		1	rate, does that compare to the 10.6 unit
2	CHAIR:		2	rate that we use here? Is that the
3	Q.	Good morning, everyone. Before we get	3	equivalent?
4		started, I understand, Mr. Templeton or	4	MR. TEMPLETON:
5		Young – which one of you?	5	Q. That's my understanding, they're essentially
6	MR. TEMPL		6	equivalent rates, equivalent basis.
7	Q.	Thank you, Madam Chair. If it pleases the	7	CHAIR:
8		Board, I can provide some of the responses	8	Q. Are there any more undertakings to be
9		to the undertakings that came up yesterday.	9	responded to this morning?
10		Fairly routine sort of matters. One,	10	BROWNE, Q.C.:
11		actually, I guess, was my undertaking,	11	Q. What was the response to that unit rate
12		anyway. The first one that I can provide is	12	versus the actual rate that consumers pay?
13		the answer to Undertaking #6, and this was	13	MR. TEMPLETON:
14		with respect to two different rates that	14	Q. For Hydro?
15		appeared to be quoted for end consumers, and	15	BROWNE, Q.C.:
16		Mr. Browne asked Mr. Haynes about a 10.64	16	Q. Yeah, for Hydro Quebec in your answer to the
17		cent rate, and Mr. Haynes had responded with	17	Chair. Hydro Quebec is -
18		a different number, 11.7, and I can explain	18	MR. TEMPLETON:
19		that the 10.6 is, in fact, a correct unit	19	Q. Yeah, I'm looking at the information
20		energy rate, and 11.7 is the number Hydro	20	provided to me at this point. Perhaps what
21		uses, which includes the basic customer	21	I'll do, Mr. Browne, if it's okay, I'll
22		charge and it assumes a certain average	22	confirm after the break exactly what that is
23		amount of consumption. So it becomes a unit	23	because these numbers should be comparable,
24		rate done that way. So these numbers are	24	and I'm not sure if Hydro Quebec does that
25		not really different, just that one includes	25	rate exactly the same way as we do, so I'll
		Page 2		Page 4
1		a different amount to be more reflective of	1	confirm that.
2		the full amount paid by customers on an	2	CHAIR:
3		average basis, and that's a common way that	3	Q. Is that satisfactory, Mr. Browne?
4		we provide the numbers.	4	BROWNE, Q.C.:
5		There was an undertaking – and by the	5	Q. Sure, thank you.
6		way, this came up – these Undertakings 6 and	6	CHAIR:
7		7 arose in a transcript starting around page	7	Q. Okay, we're back to Mr. Coxworthy, and good
8		75 and following. Undertaking #7 was with	8	morning again, Mr. Haynes.
9		respect to the domestic electricity rate in	9	MR. HAYNES:
10		Quebec, Hydro Quebec's rate, and its 7.61	10	A. Good morning.
11		cents.	11	CHAIR:
12		Madam Chair, the third undertaking I	12	Q. All yours, Mr. Coxworthy.
13		can respond to is Undertaking #10, and it	13	MR. JAMES HAYNES – CROSS-EXAMINATION BY MR. COXWORTHY:
14		was with respect to litigation concerning	14	Q. Good morning, Mr. Haynes.
15		the Water Management Agreement. I had a	15	A. Good morning.
16		conversation yesterday to confirm –	16	Q. Mr. Haynes, I wanted to go back to Hydro
17		conversation with Nalcor's counsel, and I	17	challenging the LIL LTA O & M costs that are
18		can confirm what I said yesterday that there	18	going to be charged and paid by Hydro. Have
19		has been no litigation challenging the	19	any LIL LTA O & M costs actually been paid
20		validity of the Water Management Agreement,	20	by Hydro yet?
$\begin{vmatrix} 20\\21 \end{vmatrix}$		and the Water Management Agreement hasn't	20	MR. HAYNES:
21		been the subject of any litigation in any	21	A. Regarding the Opex, no.
$\begin{vmatrix} 22\\23 \end{vmatrix}$		court.	23	MR. COXWORTHY:
$\begin{vmatrix} 25\\24 \end{vmatrix}$	CHAIR:	•••••••	23	Q. Not at all?
$\begin{vmatrix} 24\\25 \end{vmatrix}$	Q.	Can I get a clarification, the 7.61 Quebec	25	MR. HAYNES:
	X٠	Can I Ber a charmention, me 7.01 Quebee	45	

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		Page 5			Page 7
1	А.	No.	1		cost, and, you know, that is a work in
2	MR. COXW	ORTHY:	2		progress and the finance folks are actually
3	Q.	And when do you anticipate those charges to	3		looking at that right now from that
4		start, July, 2018?	4		perspective, but it's a matter of getting
5	MR. HAYNI		5		down to the detail and going back and
6	A.	We would anticipate those charges would	6		verifying those costs are reasonable.
7	11,	start when we actually start taking delivery	7	MR. COXWC	
8		of power, and I don't mean commissioning	8	Q.	If we could turn to the RFI Response, CA-
9		power. Once they get through a	9	Q٠	NLH-22, and if we could go to line 14. Mr.
10		commissioning hurdle and the line is deemed	10		Haynes, this was a passage that was reviewed
10		reliable in the sense that they can deliver	10		with you by the consumer advocate, "Hydro
11		2	11		
		significant megawatts to actually pay the			considers it prudent to pay the reasonable
13		bills and accumulate, that's when it would	13		operating costs for use of the LIL and LTA
14		start.	14		prior to the full commissioning", and so on,
15	MR. COXW		15		I won't read the whole passage. If Hydro
16	Q.	So that suggests that it's possible, perhaps	16		finds that the costs are not reasonable
17		even likely, to be later than July, 2018?	17		operating costs through this challenging and
18	MR. HAYNI		18		"true up" process, can Hydro simply say to
19	А.	If the line comes in service, and if it were	19		Nalcor we won't pay that, we'll pay
20		to happen on July 1st and they were two or	20		something less perhaps, what we consider to
21		three weeks commissioning in the sense of	21		be reasonable, but not the full amount
22		getting – you know, you just don't turn it	22		that's been presented to us?
23		on, obviously, and make it work, there's	23	MR. HAYNE	S:
24		things to do. That would be a week, it	24	А.	Our interpretation is that, basically, you
25		could be two weeks, it could be three,	25		know, from an Order in Council, as we see
		Page 6			Page 8
1		whatever it is, but once they get to a point	1		it, basically, we have to – we're
2		where it's actually deemed to be available	2		accountable to pay the cost. I don't think
$\overline{3}$		and reliable and we can schedule power	3		that we can actually go back and refuse, but
4		reliably over it, then we would assume it	4		we will challenge and hopefully we will get
5		would be, for our purposes, in service.	5		
6					TO A DOIDL WHELE WE ALE ASLEEADLE THAT THE T
	MR COXW				to a point where we are agreeable that the costs are reasonable, but that is a work in
1 7	MR. COXWO	ORTHY:	6		costs are reasonable, but that is a work in
7	MR. COXWO Q.	ORTHY: And once they begin to be charged and paid	6 7		costs are reasonable, but that is a work in progress, no doubt, but I don't anticipate
8		DRTHY: And once they begin to be charged and paid by Hydro, will that be on a monthly basis or	6 7 8		costs are reasonable, but that is a work in progress, no doubt, but I don't anticipate that the cost will exceed what we put in
8 9	Q.	ORTHY: And once they begin to be charged and paid by Hydro, will that be on a monthly basis or some other periodical basis?	6 7 8 9		costs are reasonable, but that is a work in progress, no doubt, but I don't anticipate that the cost will exceed what we put in there. That, to my mind, is a number that
8 9 10	Q. MR. HAYNE	ORTHY: And once they begin to be charged and paid by Hydro, will that be on a monthly basis or some other periodical basis? S:	6 7 8 9 10		costs are reasonable, but that is a work in progress, no doubt, but I don't anticipate that the cost will exceed what we put in there. That, to my mind, is a number that is – I won't say "negotiable" is the right
8 9 10 11	Q.	ORTHY: And once they begin to be charged and paid by Hydro, will that be on a monthly basis or some other periodical basis? CS: Ms. Hutchens could answer that probably	6 7 8 9 10 11		costs are reasonable, but that is a work in progress, no doubt, but I don't anticipate that the cost will exceed what we put in there. That, to my mind, is a number that is – I won't say "negotiable" is the right word, but when it comes down to looking at
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Page 11 JL LTA O & M in 2018 and 2019?
A = L + A + C + C + M + H + 2010 and 2017
Not directly. I think, from a financial
oint of view and the accounting part of the
rocess, the extension order says that we
vill pay all costs associated with it, and I
on't know the mechanics of the financial
ide. I would anticipate that it will be
ecovered over time somehow, because it is a
ost to actually implement a project, and
hey may have slowed down the delivery of
he projects, in which case it would have
een IDC, so on and so forth. So I don't
hink – and on the financial side, I really
an't speak to the mechanics of all the
inancial issues with respect to that, but
ve are obligated to pay by an Order in
Council 2013-243, all cost associated with
oing all that. Now there may be accounting
ssues how you get there, and I cannot speak
o the mechanics of that part.
THY:
Are there O & M costs being incurred by
Valcor now in relation to the LIL LTA?
Page 12
ne lines – the actual lines – the only
set that's really in service is the
oldiers Pond 230 kV AC assets. The other
nes are in the progress of being
hes are in the progress of being ommissioned as we speak. You know, the 315
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hes are in the progress of being ommissioned as we speak. You know, the 315 V line in Churchill Falls, I think, was hergized, you know, just recently. LIL is of energized. So they will be all normal onstruction costs, as I understand it. (THY: o construction versus O & M? es. (THY: o you're making a distinction – hey're part of the project capital cost. (THY: o you don't consider – you wouldn't onsider that Nalcor is incurring any LIL (TA O & M costs until this time in July, 018 or later when it's considered to be

		D 12			D 17
1	MD COVW	Page 13	1		Page 15
	MR. COXWO				responsible to pay for any of the O & M in
$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	Q.	Thank you. You went on in this alternative	2		relation to the Maritime Link, any O & M
3		scenario that I've proposed, you did go on	3		cost to anyone?
4		to say, and I was going to get into this, in	4	MR. HAYNE	
5		that 6th scenario, if you weren't taking	5	A.	No, that would be Emera.
6		surplus recall power, you would have looked	6	MR. COXWO	
7		at taking power over the Maritime Link? In	7	Q.	You did mention tariffs. So there are
8		fact, Hydro already has taken power over the	8		tariffs applicable to the power that you are
9		Maritime Link?	9	(0, 1, 7, 4, 3, 4)	purchasing over the Maritime Link?
10	MR. HAYNE		10	(9:15 A.M.)	
11	A.	We've taken limited amounts of power, but,	11	MR. HAYNE	
12		obviously, from the point of view of	12	А.	What I meant was if we were buying power in
13		recapture, which Hydro owns and can	13		New England or other places, we would have
14		schedule, we know what the load forecast is,	14		to go to their particular system operator
15		we have a lot more flexibility. Over the	15		such as NLSO, and there are rates that
16		Maritime Link, you're at the – you know,	16		apply, then there's a transmission tariff to
17		depends how much is available, what the	17		get it, say, from New England, say, through
18		price is, how many transmission tariffs you	18		Maine, to New Brunswick, to Nova Scotia.
19		have to get at there. It's not nearly as	19		They would be all pan-caked onto the top of
20		beneficial to the customers at the end of	20		the actual energy cost itself.
21		the day as recapture.	21	MR. COXWO	
22	MR. COXWO		22	Q.	Has there been any analysis then made to
23	Q.	I just wanted to explore that a little bit,	23		compare the cost of getting surplus power
24		Mr. Haynes. I understand that's the	24		from Labrador, surplus recall power, which
25		assessment that Hydro has made. I	25		is not just the .2 cents per kilowatt hour,
		Page 14	1		Page 16
1		understand, and I don't think there's any	1		but that's plus the LTA cost? Has there
$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$		need to go to it, but with reference to the	2		been any analysis to compare that cost to
3		RFI Response, CA-NLH-54, Hydro is not			
1 1			3		the cost of obtaining power over the
4		currently paying any of the internal costs	4		Maritime Link where you're not paying O & M,
5		currently paying any of the internal costs of Nalcor energy marketing with respect to	4 5		Maritime Link where you're not paying O & M, where you're not paying Nalcor internal
5 6		currently paying any of the internal costs of Nalcor energy marketing with respect to purchases of power by Hydro over the	4		Maritime Link where you're not paying O & M, where you're not paying Nalcor internal marketing costs? Yes, obviously, you have
5 6 7		currently paying any of the internal costs of Nalcor energy marketing with respect to purchases of power by Hydro over the Maritime Link?	4 5 6 7		Maritime Link where you're not paying O & M, where you're not paying Nalcor internal marketing costs? Yes, obviously, you have to pay for the power, whatever the market
5 6 7 8	MR. HAYNI	currently paying any of the internal costs of Nalcor energy marketing with respect to purchases of power by Hydro over the Maritime Link? ES:	4 5 6 7 8		Maritime Link where you're not paying O & M, where you're not paying Nalcor internal marketing costs? Yes, obviously, you have to pay for the power, whatever the market rate is and whatever tariffs are applied,
5 6 7 8 9	MR. HAYNI A.	currently paying any of the internal costs of Nalcor energy marketing with respect to purchases of power by Hydro over the Maritime Link? ES: No, their incremental cost to do that is	4 5 6 7 8 9		Maritime Link where you're not paying O & M, where you're not paying Nalcor internal marketing costs? Yes, obviously, you have to pay for the power, whatever the market rate is and whatever tariffs are applied, but was there any analysis made to compare
5 6 7 8 9 10		currently paying any of the internal costs of Nalcor energy marketing with respect to purchases of power by Hydro over the Maritime Link? ES: No, their incremental cost to do that is little because they're doing it anyway for	4 5 6 7 8 9 10		Maritime Link where you're not paying O & M, where you're not paying Nalcor internal marketing costs? Yes, obviously, you have to pay for the power, whatever the market rate is and whatever tariffs are applied, but was there any analysis made to compare for the 2018/2019 period where the cheaper
5 6 7 8 9 10 11		currently paying any of the internal costs of Nalcor energy marketing with respect to purchases of power by Hydro over the Maritime Link? ES: No, their incremental cost to do that is little because they're doing it anyway for the excess recapture, and as I think I said	4 5 6 7 8 9 10 11		Maritime Link where you're not paying O & M, where you're not paying Nalcor internal marketing costs? Yes, obviously, you have to pay for the power, whatever the market rate is and whatever tariffs are applied, but was there any analysis made to compare for the 2018/2019 period where the cheaper power might be available and more
5 6 7 8 9 10 11 12		currently paying any of the internal costs of Nalcor energy marketing with respect to purchases of power by Hydro over the Maritime Link? ES: No, their incremental cost to do that is little because they're doing it anyway for the excess recapture, and as I think I said a couple days ago, we cannot get all the	4 5 6 7 8 9 10 11 12	MD HANNE	Maritime Link where you're not paying O & M, where you're not paying Nalcor internal marketing costs? Yes, obviously, you have to pay for the power, whatever the market rate is and whatever tariffs are applied, but was there any analysis made to compare for the 2018/2019 period where the cheaper power might be available and more consistently and reliably?
5 6 7 8 9 10 11 12 13		currently paying any of the internal costs of Nalcor energy marketing with respect to purchases of power by Hydro over the Maritime Link? ES: No, their incremental cost to do that is little because they're doing it anyway for the excess recapture, and as I think I said a couple days ago, we cannot get all the recapture into the system, you know, under	4 5 6 7 8 9 10 11 12 13	MR. HAYNE	Maritime Link where you're not paying O & M, where you're not paying Nalcor internal marketing costs? Yes, obviously, you have to pay for the power, whatever the market rate is and whatever tariffs are applied, but was there any analysis made to compare for the 2018/2019 period where the cheaper power might be available and more consistently and reliably? S:
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5 6 7 8 9 10 11 12 13 14 15		currently paying any of the internal costs of Nalcor energy marketing with respect to purchases of power by Hydro over the Maritime Link? ES: No, their incremental cost to do that is little because they're doing it anyway for the excess recapture, and as I think I said a couple days ago, we cannot get all the recapture into the system, you know, under the current scheme, so they already have it set up to do that. So they're providing	4 5 6 7 8 9 10 11 12 13 14 15		Maritime Link where you're not paying O & M, where you're not paying Nalcor internal marketing costs? Yes, obviously, you have to pay for the power, whatever the market rate is and whatever tariffs are applied, but was there any analysis made to compare for the 2018/2019 period where the cheaper power might be available and more consistently and reliably? S: I haven't seen that map done, but I think from an intuitive point of view, basically,
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5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. MR. COXW Q.	currently paying any of the internal costs of Nalcor energy marketing with respect to purchases of power by Hydro over the Maritime Link? ES: No, their incremental cost to do that is little because they're doing it anyway for the excess recapture, and as I think I said a couple days ago, we cannot get all the recapture into the system, you know, under the current scheme, so they already have it set up to do that. So they're providing that at no charge. ORTHY: And you're referring to recapture there, but I'm referring specifically to any power that it's purchased over the Maritime Link? ES: No, there's no cost to us at this point in	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22		Maritime Link where you're not paying O & M, where you're not paying Nalcor internal marketing costs? Yes, obviously, you have to pay for the power, whatever the market rate is and whatever tariffs are applied, but was there any analysis made to compare for the 2018/2019 period where the cheaper power might be available and more consistently and reliably? S: I haven't seen that map done, but I think from an intuitive point of view, basically, I did see – there was an RFI provided with respect to if we were buying it at 4 cents in New England somewhere, and what it would be delivered to Bottom Brook, which I think was in the order of about 10 cents or so, and the differential we would save there would be Holyrood. So I don't think – I
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. MR. COXW Q. MR. HAYNI A.	currently paying any of the internal costs of Nalcor energy marketing with respect to purchases of power by Hydro over the Maritime Link? ES: No, their incremental cost to do that is little because they're doing it anyway for the excess recapture, and as I think I said a couple days ago, we cannot get all the recapture into the system, you know, under the current scheme, so they already have it set up to do that. So they're providing that at no charge. ORTHY: And you're referring to recapture there, but I'm referring specifically to any power that it's purchased over the Maritime Link? ES: No, there's no cost to us at this point in time for in that transition period, no.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23		Maritime Link where you're not paying O & M, where you're not paying Nalcor internal marketing costs? Yes, obviously, you have to pay for the power, whatever the market rate is and whatever tariffs are applied, but was there any analysis made to compare for the 2018/2019 period where the cheaper power might be available and more consistently and reliably? S: I haven't seen that map done, but I think from an intuitive point of view, basically, I did see – there was an RFI provided with respect to if we were buying it at 4 cents in New England somewhere, and what it would be delivered to Bottom Brook, which I think was in the order of about 10 cents or so, and the differential we would save there would be Holyrood. So I don't think – I don't know if the map was actually done, but
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. MR. COXW Q. MR. HAYNI	currently paying any of the internal costs of Nalcor energy marketing with respect to purchases of power by Hydro over the Maritime Link? ES: No, their incremental cost to do that is little because they're doing it anyway for the excess recapture, and as I think I said a couple days ago, we cannot get all the recapture into the system, you know, under the current scheme, so they already have it set up to do that. So they're providing that at no charge. ORTHY: And you're referring to recapture there, but I'm referring specifically to any power that it's purchased over the Maritime Link? ES: No, there's no cost to us at this point in time for in that transition period, no.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22		Maritime Link where you're not paying O & M, where you're not paying Nalcor internal marketing costs? Yes, obviously, you have to pay for the power, whatever the market rate is and whatever tariffs are applied, but was there any analysis made to compare for the 2018/2019 period where the cheaper power might be available and more consistently and reliably? S: I haven't seen that map done, but I think from an intuitive point of view, basically, I did see – there was an RFI provided with respect to if we were buying it at 4 cents in New England somewhere, and what it would be delivered to Bottom Brook, which I think was in the order of about 10 cents or so, and the differential we would save there would be Holyrood. So I don't think – I

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1	still generates a fair bit of revenue in the	1	ask you a few questions in respect of your
2	deferral account, but I haven't seen the	2	understanding as president of Hydro, as an
3	map.	3	engineer, of some of the terminology there
4	MR. COXWORTHY:	4	in terms of what your understanding is in
5	Q. You haven't seen the map. Would anyone	5	terms of its implications for Hydro, and
6	within Hydro have done that map?	6	what this Section 3 does is notwithstanding
7	MR. HAYNES:	7	the previous sections in the OC, it says
8	A. I'm not $-$ I do not know off the top of my	8	that, "No amounts paid by Hydro described in
9	head. I'm not sure.	9	those sections shall be included in costs,
10	MR. COXWORTHY:	10	in Hydro's cost of service calculation or in
11	Q. Would it be possible to make an inquiry and	11	any rate application or rate setting
12	have your counsel advise us?	12	process", and then it goes on to say, "And
13	MR. HAYNES:	13	no such costs, et cetera, shall be recovered
14	A. Will do.	14	in Hydro's rates". Then it says the two
15	MR. COXWORTHY:	15	circumstances where that applies. The first
16	Q. Is that – I'm not sure if that's an	16	one is, "Where such amounts are directly
17	undertaking, just a request.	17	attributable to the marketing or sale of
18	MR. YOUNG:	18	electrical power and energy by Hydro to
10		10	persons located outside of the province, on
$\frac{19}{20}$	Q. I can look into that, yes. MR. COXWORTHY:	20	behalf of or for the benefit of Muskrat
21	Q. Thank you.	21	Falls Corporation, and not Hydro". I have
22	MS. GLYNN:	22	not seen anything on the record or otherwise
23	Q. We'll note that on the record as an	23	that would suggest that that's even in
24	undertaking.	24	contemplation, that Hydro would ever be
25	(9:17 A.M. UNDERTAKING)	25	doing that. Is that correct from your
	Page 18		Page 20
	MR. COXWORTHY:		understanding?
2	Q. Okay, so we can keep that record of it.	2	MR. HAYNES:
3	Thank you. Mr. Haynes, I'd like to turn to	3	A. It would not be the intent, from my
4	the Order in Council, 2013-343, and I note	4	perspective, that we would pay marketing for
5	from yesterday's cross-examination that it's	5	efforts they make to sell power that is
6	actually part of an RFI response, so we can	6	theirs. I would suggest that if they were
7	refer to it there. It's at CA-NLH-35. I	7	selling power on behalf of Newfoundland
8	understand, Mr. Haynes, that you can't	8	Hydro to come back, that would be reasonable
9	provide – ought not to be asked to provide	9	to do that, but then Hydro would be the
10	any legal interpretations and I'll try and	10	beneficiary of those sales, but if Nalcor is
11	steer clear of anything that approaches	11	the beneficiary of the sales, no, that
12	that, but this provision 3(a) and 3(b), if	12	should not be charged to Hydro.
13	you could – I believe you do have a copy of	13	MR. COXWORTHY:
14	it there before you?	14	Q. And is that in contemplation that that might
15	MR. HAYNES:	15	ever happen?
115	MIK. HATNES.	15	• • • • • • • • • • • • • • • • • • • •
16	A. I do.	16	MR. HAYNES:
			11
16	A. I do.	16	MR. HAYNES:
16 17	A. I do. MR. COXWORTHY:	16 17	MR. HAYNES: A. That they would sell on behalf of
16 17 18	A. I do. MR. COXWORTHY: Q. 3(a) and 3(b), this is an issue, I think you're aware, in this General Rate	16 17 18	MR. HAYNES: A. That they would sell on behalf of Newfoundland Hydro, yes, quite possibly. MR. COXWORTHY:
16 17 18 19 20	 A. I do. MR. COXWORTHY: Q. 3(a) and 3(b), this is an issue, I think you're aware, in this General Rate Application in relation to Hydro's proposal 	16 17 18 19 20	MR. HAYNES: A. That they would sell on behalf of Newfoundland Hydro, yes, quite possibly. MR. COXWORTHY: Q. All right, and the other way around as
16 17 18 19 20 21	 A. I do. MR. COXWORTHY: Q. 3(a) and 3(b), this is an issue, I think you're aware, in this General Rate Application in relation to Hydro's proposal for the offshore – sorry, off-island 	16 17 18 19 20 21	MR. HAYNES: A. That they would sell on behalf of Newfoundland Hydro, yes, quite possibly. MR. COXWORTHY: Q. All right, and the other way around as presumed by the OC, Hydro would be selling
16 17 18 19 20 21 22	 A. I do. MR. COXWORTHY: Q. 3(a) and 3(b), this is an issue, I think you're aware, in this General Rate Application in relation to Hydro's proposal for the offshore – sorry, off-island purchases deferral account, and you've been 	16 17 18 19 20 21 22	MR. HAYNES: A. That they would sell on behalf of Newfoundland Hydro, yes, quite possibly. MR. COXWORTHY: Q. All right, and the other way around as presumed by the OC, Hydro would be selling on behalf of Muskrat Falls Corporation?
16 17 18 19 20 21 22 23	 A. I do. MR. COXWORTHY: Q. 3(a) and 3(b), this is an issue, I think you're aware, in this General Rate Application in relation to Hydro's proposal for the offshore – sorry, off-island purchases deferral account, and you've been asked some questions about it already in the 	16 17 18 19 20 21 22 23	MR. HAYNES: A. That they would sell on behalf of Newfoundland Hydro, yes, quite possibly. MR. COXWORTHY: Q. All right, and the other way around as presumed by the OC, Hydro would be selling on behalf of Muskrat Falls Corporation? MR. HAYNES:
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1		marketing may be selling unused energy that	1	this was written or thereabouts. There
2		belongs to Newfoundland Hydro on behalf of	2	doesn't seem to be a current situation that
3		Hydro.	3	that's in any contemplation, so I just
4	MR. COXWOR	RTHY:	4	wanted to address that. Moving on then to
5	Q. \$	So this provision 3(a) doesn't appear to	5	3(b), and the terminology that's been raised
6	1	have any applicability of relevance to	6	before already in this hearing that's used
7	8	anything that Hydro is contemplating doing	7	in 3(b) of nearing commissioning, and in
8	8	at this time, or for the foreseeable future?	8	your evidence, I believe yesterday, and it's
9]	I don't believe it is.	9	at page 170, line 1, you spoke of the term
10	MR. HAYNES	:	10	"near commissioning" as being vague.
11	A.]	I'm not sure. I mean, you know, if we – for	11	MR. HAYNES:
12		instance, I just want to use an example.	12	A. Yes, near commissioning is vague.
13	MR. COXWO		13	MR. COXWORTHY:
14		Sure.	14	Q. It is vague, and I don't think that's a
15	MR. HAYNES		15	legal conclusion necessarily, but from your
16		In the unlikely event that we're in a spill	16	perspective as president of Hydro, and as an
17		situation, obviously, we would rather	17	engineer, you find that term to be a vague
18		monetize the water than actually see it flow	18	one?
19		down the river. So if they were to actually,	19	MR. HAYNES:
$\begin{vmatrix} 1 \\ 20 \end{vmatrix}$		you know, sell that power to an external –	20	A. It's a bit vague in the sense that, you
20	•	energy, I should say, to an external company	20	know, when we build any project, there's a
$\begin{vmatrix} 21\\22 \end{vmatrix}$		for us, it would not be unreasonable for us	21	period of time when you're going through
$\begin{vmatrix} 22\\23 \end{vmatrix}$			22	
23		to pay some fee. That fee is not determined, and we are currently discussing	23 24	commissioning. It's usually, you know,
24			24 25	reasonably brief in the sense of maybe a
23		with NAN (phonetic) power supply, you know,	23	month or two months when you actually do the
1		Page 22	1	Page 24
1		how we're going to actually do this, set		commissioning. Sometimes it's a week or a
		4	2	•
$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$		this up.	2	few days, depending on what you're doing.
3	MR. COXWO	RTHY:	23	few days, depending on what you're doing. With respect to the DC line, the line is
3 4	MR. COXWO Q.	RTHY: Sure.	3 4	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for
3 4 5	MR. COXWO Q. MR. HAYNES	RTHY: Sure. S:	3 4 5	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25
3 4	MR. COXWO Q. MR. HAYNES A.	RTHY: Sure. S: So there's a slight change from that	3 4 5 6	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25
3 4 5 6 7	MR. COXWO Q. MR. HAYNES A.	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are	3 4 5 6 7	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are
3 4 5 6 7 8	MR. COXWO Q. MR. HAYNES A.	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable	3 4 5 6 7 8	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using
3 4 5 6 7 8 9	MR. COXWO Q. MR. HAYNES A.	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable that they actually –	3 4 5 6 7 8 9	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using it and getting value over time as it
3 4 5 6 7 8 9 10	MR. COXWO Q. MR. HAYNES A. MR. COXWO	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable that they actually – RTHY:	3 4 5 6 7 8 9 10	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using it and getting value over time as it progresses through. You know, they can't
3 4 5 6 7 8 9 10 11	MR. COXWO Q. MR. HAYNES A. MR. COXWO Q.	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable that they actually – RTHY: You'll pay a fee, but that's not a sale on	3 4 5 6 7 8 9 10 11	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using it and getting value over time as it progresses through. You know, they can't fully commission a line, basically, until
3 4 5 6 7 8 9 10 11 12	MR. COXWO Q. MR. HAYNES A. MR. COXWO Q.	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable that they actually – RTHY: You'll pay a fee, but that's not a sale on behalf of Muskrat Falls Corporation by	3 4 5 6 7 8 9 10 11 12	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using it and getting value over time as it progresses through. You know, they can't fully commission a line, basically, until they get generation available at Churchill
3 4 5 6 7 8 9 10 11 12 13	MR. COXWO Q. MR. HAYNES A. MR. COXWO Q.	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable that they actually – RTHY: You'll pay a fee, but that's not a sale on behalf of Muskrat Falls Corporation by Hydro?	3 4 5 6 7 8 9 10 11 12 13	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using it and getting value over time as it progresses through. You know, they can't fully commission a line, basically, until they get generation available at Churchill Falls. So it is being used, useful, and
3 4 5 6 7 8 9 10 11 12 13 14	MR. COXWO Q. MR. HAYNES A. MR. COXWO Q. MR. HAYNES	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable that they actually – RTHY: You'll pay a fee, but that's not a sale on behalf of Muskrat Falls Corporation by Hydro? S:	3 4 5 6 7 8 9 10 11 12 13 14	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using it and getting value over time as it progresses through. You know, they can't fully commission a line, basically, until they get generation available at Churchill Falls. So it is being used, useful, and beneficial, and from the point of view of
3 4 5 6 7 8 9 10 11 12 13 14 15	MR. COXWO Q. MR. HAYNES A. MR. COXWO Q. MR. HAYNES A.	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable that they actually – RTHY: You'll pay a fee, but that's not a sale on behalf of Muskrat Falls Corporation by Hydro? S: That would not be a sale on behalf of	3 4 5 6 7 8 9 10 11 12 13 14 15	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using it and getting value over time as it progresses through. You know, they can't fully commission a line, basically, until they get generation available at Churchill Falls. So it is being used, useful, and beneficial, and from the point of view of the benefit to the customer, I think it's
3 4 5 6 7 8 9 10 11 12 13 14	MR. COXWO Q. MR. HAYNES A. MR. COXWO Q. MR. HAYNES A.	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable that they actually – RTHY: You'll pay a fee, but that's not a sale on behalf of Muskrat Falls Corporation by Hydro? S: That would not be a sale on behalf of Muskrat Falls, no. The only thing that	3 4 5 6 7 8 9 10 11 12 13 14 15 16	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using it and getting value over time as it progresses through. You know, they can't fully commission a line, basically, until they get generation available at Churchill Falls. So it is being used, useful, and beneficial, and from the point of view of the benefit to the customer, I think it's obvious what the benefits are. From the
3 4 5 6 7 8 9 10 11 12 13 14 15	MR. COXWO Q. MR. HAYNES A. MR. COXWO Q. MR. HAYNES A.	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable that they actually – RTHY: You'll pay a fee, but that's not a sale on behalf of Muskrat Falls Corporation by Hydro? S: That would not be a sale on behalf of Muskrat Falls, no. The only thing that Nalcor has from the point of view of Muskrat	3 4 5 6 7 8 9 10 11 12 13 14 15	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using it and getting value over time as it progresses through. You know, they can't fully commission a line, basically, until they get generation available at Churchill Falls. So it is being used, useful, and beneficial, and from the point of view of the benefit to the customer, I think it's
3 4 5 6 7 8 9 10 11 12 13 14 15 16	MR. COXWO Q. MR. HAYNES A. MR. COXWO Q. MR. HAYNES A.	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable that they actually – RTHY: You'll pay a fee, but that's not a sale on behalf of Muskrat Falls Corporation by Hydro? S: That would not be a sale on behalf of Muskrat Falls, no. The only thing that	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using it and getting value over time as it progresses through. You know, they can't fully commission a line, basically, until they get generation available at Churchill Falls. So it is being used, useful, and beneficial, and from the point of view of the benefit to the customer, I think it's obvious what the benefits are. From the
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	MR. COXWO Q. MR. HAYNES A. MR. COXWO Q. MR. HAYNES A.	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable that they actually – RTHY: You'll pay a fee, but that's not a sale on behalf of Muskrat Falls Corporation by Hydro? S: That would not be a sale on behalf of Muskrat Falls, no. The only thing that Nalcor has from the point of view of Muskrat	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using it and getting value over time as it progresses through. You know, they can't fully commission a line, basically, until they get generation available at Churchill Falls. So it is being used, useful, and beneficial, and from the point of view of the benefit to the customer, I think it's obvious what the benefits are. From the point of view of the accounting mechanics
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	MR. COXWO Q. MR. HAYNES A. MR. COXWO Q. MR. HAYNES A.	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable that they actually – RTHY: You'll pay a fee, but that's not a sale on behalf of Muskrat Falls Corporation by Hydro? S: That would not be a sale on behalf of Muskrat Falls, no. The only thing that Nalcor has from the point of view of Muskrat Falls is what's above the load forecast at	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using it and getting value over time as it progresses through. You know, they can't fully commission a line, basically, until they get generation available at Churchill Falls. So it is being used, useful, and beneficial, and from the point of view of the benefit to the customer, I think it's obvious what the benefits are. From the point of view of the accounting mechanics behind where you start and stop doing all
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	MR. COXWO Q. MR. HAYNES A. MR. COXWO Q. MR. HAYNES A.	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable that they actually – RTHY: You'll pay a fee, but that's not a sale on behalf of Muskrat Falls Corporation by Hydro? S: That would not be a sale on behalf of Muskrat Falls, no. The only thing that Nalcor has from the point of view of Muskrat Falls is what's above the load forecast at sanction time, and under the PPA that is Nalcor's energy.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using it and getting value over time as it progresses through. You know, they can't fully commission a line, basically, until they get generation available at Churchill Falls. So it is being used, useful, and beneficial, and from the point of view of the benefit to the customer, I think it's obvious what the benefits are. From the point of view of the accounting mechanics behind where you start and stop doing all that, that is – I'm not capable of actually
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	MR. COXWO Q. MR. HAYNES A. MR. COXWO Q. MR. HAYNES A.	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable that they actually – RTHY: You'll pay a fee, but that's not a sale on behalf of Muskrat Falls Corporation by Hydro? S: That would not be a sale on behalf of Muskrat Falls, no. The only thing that Nalcor has from the point of view of Muskrat Falls is what's above the load forecast at sanction time, and under the PPA that is Nalcor's energy.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using it and getting value over time as it progresses through. You know, they can't fully commission a line, basically, until they get generation available at Churchill Falls. So it is being used, useful, and beneficial, and from the point of view of the benefit to the customer, I think it's obvious what the benefits are. From the point of view of the accounting mechanics behind where you start and stop doing all that, that is – I'm not capable of actually commenting on that part there.
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	MR. COXWO Q. MR. HAYNES A. MR. COXWO Q. MR. HAYNES A. MR. COXWO Q.	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable that they actually – RTHY: You'll pay a fee, but that's not a sale on behalf of Muskrat Falls Corporation by Hydro? S: That would not be a sale on behalf of Muskrat Falls, no. The only thing that Nalcor has from the point of view of Muskrat Falls is what's above the load forecast at sanction time, and under the PPA that is Nalcor's energy. RTHY:	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using it and getting value over time as it progresses through. You know, they can't fully commission a line, basically, until they get generation available at Churchill Falls. So it is being used, useful, and beneficial, and from the point of view of the benefit to the customer, I think it's obvious what the benefits are. From the point of view of the accounting mechanics behind where you start and stop doing all that, that is – I'm not capable of actually commenting on that part there. MR. COXWORTHY:
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. COXWO Q. MR. HAYNES A. MR. COXWO Q. MR. HAYNES A. MR. COXWO Q.	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable that they actually – RTHY: You'll pay a fee, but that's not a sale on behalf of Muskrat Falls Corporation by Hydro? S: That would not be a sale on behalf of Muskrat Falls, no. The only thing that Nalcor has from the point of view of Muskrat Falls is what's above the load forecast at sanction time, and under the PPA that is Nalcor's energy. RTHY: I guess, what I just wanted to point out is	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using it and getting value over time as it progresses through. You know, they can't fully commission a line, basically, until they get generation available at Churchill Falls. So it is being used, useful, and beneficial, and from the point of view of the benefit to the customer, I think it's obvious what the benefits are. From the point of view of the accounting mechanics behind where you start and stop doing all that, that is – I'm not capable of actually commenting on that part there. MR. COXWORTHY: Q. You're not capable. Is there anyone within
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR. COXWO Q. MR. HAYNES A. MR. COXWO Q. MR. HAYNES A. MR. COXWO Q.	RTHY: Sure. S: So there's a slight change from that perspective, but, I mean, if they are providing a service, it's not unreasonable that they actually – RTHY: You'll pay a fee, but that's not a sale on behalf of Muskrat Falls Corporation by Hydro? S: That would not be a sale on behalf of Muskrat Falls, no. The only thing that Nalcor has from the point of view of Muskrat Falls is what's above the load forecast at sanction time, and under the PPA that is Nalcor's energy. RTHY: I guess, what I just wanted to point out is this part of the Order in Council seems to	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	few days, depending on what you're doing. With respect to the DC line, the line is coming in service and will be rated for roughly 225 megawatts, which is basically 25 percent of the overall – more or less 25 percent of the overall capacity, and we are going to use it – we are going to be using it and getting value over time as it progresses through. You know, they can't fully commission a line, basically, until they get generation available at Churchill Falls. So it is being used, useful, and beneficial, and from the point of view of the benefit to the customer, I think it's obvious what the benefits are. From the point of view of the accounting mechanics behind where you start and stop doing all that, that is – I'm not capable of actually commenting on that part there. MR. COXWORTHY: Q. You're not capable. Is there anyone within Hydro?

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		Page 25	1	Page 27
		but it is a Nalcor issue with respect to,		Falls, we could probably get more, but that
2		you know, on their whole financing, you	2	would be another hundreds of millions of
3		know, where they are with respect to the	3	dollars to change that.
4		over project, and whether it's in service or	4	MR. COXWORTHY:
5		partially in service. You could look at	5	Q. With a project of this order, the LIL LTA,
6		that line as being a generator in service	6	saying that it's 25 percent in service, do
7		that has a derating of 75 percent, would be	7	you think that that's reasonable to
8		a way to look at it, and then, obviously, we	8	characterize that as near commissioning?
9		have equipment in service that is de-rated	9	MR. HAYNES:
10		by 20 percent occasionally or whatever, and	10	A. No, I think the project is a lot more than
11		it's still there. So you could look at it	11	that. The capability is limited to 25
12		that way from that perspective, but I'm out	12	percent because we do not have voltage
13		of my league here a little bit when it comes	13	support at Muskrat Falls until the
14		down to the mechanics of this.	14	generators are in service. So when you
15	MR. COXWO		15	commission the converter station, I think
16	Q.	As am I, as a non-engineer, but I would have	16	the leap from going from 225 to 900 is not a
17	Q٠	thought that perhaps commissioning,	17	big leap once you have the ability to do it,
18		certainly with a project of this order, that	18	and if there were synchronous capability at
19		there'd be certain milestones, recognized	19	Muskrat, we could probably bring in more,
20		· •	20	but we don't have that.
		milestones along the way, that would put you		MR. COXWORTHY:
21	MD HAVNE	nearer to commissioning as you achieve them?	21	
22	MR. HAYNE		22	Q. You did in your testimony yesterday, Mr.
23	А.	Well, I would suggest from that perspective,	23	Haynes, provide some further meaning, as you
24		when you look at the transmission aspect as	24	understood it, and as I understood it, to
25		a whole, in Churchill Falls they built a 735	25	what "near commissioning" might mean. At
		Page 26		Page 28
1		kV and 315 kV station, so that will be fully	1	page 171, line 6 of your testimony, you
2		commissioned, or, you know, 99.9 percent	2	talked about there being a meaningful supply
3		commissioned. There is no impacts on the DC	3	of power over that line as being perhaps
4		system there that I'm aware of. When you go	4	another way of looking at this on the "near
5		to Muskrat Falls, you have a 315 kV to 138	5	commissioning" question. You know, is there
6		kV system, and then you have the converter	6	a meaningful supply of power over that line?
7		station. So the transmission line itself –	7	MR. HAYNES:
8		so the wires are done, the poles are built,	8	A. I think the capability of bringing recapture
9		the structures are up. When you come down	9	and hopefully we will be successful in
10		to the Labrador island infeed, the 1100	10	finding other sources, that 225 is, in the
11		kilometres of 350 kV line, they're done. So	11	context of Newfoundland and Labrador Hydro
12		basically you're down to a smaller	12	and the Holyrood generating capability of
13		component, which basically is the converter	13	225 megawatts or even 150 megawatts, is
14		stations which are waiting. So it is	14	quite significant.
15		largely commissioned from that perspective.	15	MR. COXWORTHY:
16		You know, the Muskrat Falls is done.	16	Q. Is it just the capability or is it the
17		Obviously, the generating station is not	17	actual delivery of the power that's
18		done, but the transformation station is	18	meaningful in this context?
19		done, you're getting power into the	19	MR. HAYNES:
20		converter, and the converters themselves,	20	A. What's meaningful to us is actually the
$20 \\ 21$		which I have no idea of the percentage of	20	amount of energy we get so we can displace
			21	fuel.
22		cost of that related to the whole system,	22	MR. COXWORTHY:
23		but they are 25 percent in service because		
24		we can get 225 megawatts. If there were	24	Q. And is there a minimum amount of recall
25		more synchronous capability at Muskrat	25	power where we're getting to a point where

1	`	Page 29			Page 31
1		-	1	0	We'll enter that as Information #7.
		it's not a meaningful supply of power over	1	Q.	we if enter that as information #7.
2		the line?	2	(9:30 A.M.)	
3	MR. HAYNE		3	MR. COXWO	
4	A.	I haven't actually considered that question,	4	Q.	Yes, thank you, if it could be entered as
5		but our intention is to the best of our	5		Information. Mr. Haynes, I don't know – are
6		ability to get more power so we can fill	6		you familiar at all with this document?
7		that line more.	7	MR. HAYNE	
8	MR. COXWO	ORTHY:	8	А.	I did read it over, yes.
9	Q.	If it turned out that the power over the LIL	9	MR. COXWO	ORTHY:
10		that was obtained in 2018 was less than 50	10	Q.	I'd like to turn to page 4, and in Section
11		megawatts, for instance, would that be a	11		3.1 up there which talks about HVDC
12		less than meaningful supply of power?	12		transmission testing, and, I guess, what
13	MR. HAYNE	S:	13		I'll characterize as concerns expressed by
14	A.	I think we'd have to do the math, in the	14		the consumer advocate's engineer about that.
15		sense that we would not want to be in a	15		He says midway through that paragraph in
16		situation that the balance in the deferral	16		that section, "It appears that Muskrat Falls
17		account would be negative, obviously. That	17		supply will not be available to ride up to
18		would be the bottom line, that would be the	18		900 megawatts of power for the HVDC
19		break-even point, if you will.	19		commissioning test". Do you agree that
20	MR. COXWO	1	20		that's correct?
21	Q.	Another term, and you've used it this	21	MR. HAYNE	S:
22		morning as well to perhaps give some content	22	A.	I do.
23		to the "near commissioning" terminology,	23	MR. COXWO	ORTHY:
24		because you've talked about whether the	24	Q.	And then he goes on to say, "The impact on
25		asset, in this case the LIL LTA, is used and	25	Č.	the various HVDC contracts and operations
		Page 30			Page 32
1		useful, and in that context – and this is at	1		has not been reviewed", at least at that
2		page 174, lines 4 to 14. You referred to	2		time. This was 2016, of course. I'm not
3		used and useful in the sense that it's	3		suggesting that that's necessarily the case
4		delivering savings to island customers. Is	4		today. "It is unknown if the HVDC
5			5		
6		inst a tair characterization of lised and			Contractors will accent limited commercial
		that a fair characterization of used and useful in this context, that we should be	6		contractors will accept limited commercial
		useful in this context, that we should be	6 7		operation if the equipment has not been
7		useful in this context, that we should be able to see that it is delivering savings to	7		operation if the equipment has not been fully tested, and contractors have not been
7 8	MR HAVNE	useful in this context, that we should be able to see that it is delivering savings to island customers?	7 8		operation if the equipment has not been fully tested, and contractors have not been fully paid. It's also unknown if HVDC
7 8 9	MR. HAYNI	useful in this context, that we should be able to see that it is delivering savings to island customers? ES:	7 8 9		operation if the equipment has not been fully tested, and contractors have not been fully paid. It's also unknown if HVDC operations and maintenance staff will be
7 8 9 10	MR. HAYNI A.	useful in this context, that we should be able to see that it is delivering savings to island customers? ES: Yes. The intention in that we will actually	7 8 9 10		operation if the equipment has not been fully tested, and contractors have not been fully paid. It's also unknown if HVDC operations and maintenance staff will be trained and available for testing a
7 8 9 10 11		useful in this context, that we should be able to see that it is delivering savings to island customers? ES: Yes. The intention in that we will actually bring savings to the island customers, and,	7 8 9 10 11		operation if the equipment has not been fully tested, and contractors have not been fully paid. It's also unknown if HVDC operations and maintenance staff will be trained and available for testing a commercial operation". Do you know
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. MR. COXW	useful in this context, that we should be able to see that it is delivering savings to island customers? ES: Yes. The intention in that we will actually bring savings to the island customers, and, basically, what we're proposing is we would defer those savings to a later point in time to help smooth the transition to whatever the ultimate rate is post Muskrat Falls. ORTHY: I'd like to turn to, and this is one of the documents that we filed with the Board on Friday electronically, hard copy yesterday. This would be Item 4, which is the HVDC Engineer's Report to the consumer advocate filed October 11, 2016, and this was in the Phase 2 supply review. If a copy of that could be provided to Mr. Haynes.	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22		operation if the equipment has not been fully tested, and contractors have not been fully paid. It's also unknown if HVDC operations and maintenance staff will be trained and available for testing a commercial operation". Do you know generally whether these issues have been addressed since 2016? ES: I do not know that. I would, though, use the example of the Maritime Link. The Maritime Link is a 500 megawatt link. It was not tested at 500 megawatts, it was tested at 250 megawatts per pole. So they, basically, fully loaded the electronics and the line on one pole to do what I would consider as being heat run, and they ran it

April 24, 2018	Page 33		Verbatim Court Reporter Page 35
1	Then they ran the other pole and do the same	1	MR. HAYNES:
2	thing. At Muskrat Falls, basically, it's a	2	A. I'm not sure off the top of my head.
3	900 megawatt facility, and ideally if you're	$\frac{2}{3}$	MR. COXWORTHY:
4	getting overload capability, you would want	4	Q. Could I have an undertaking to make an
5	to run it at 450. So, basically, we're	5	inquiry, and if such a document exists, can
6	going to use a monopole operation, and so if	6	we - and if it's not confidential put on the
7	we can run that up to 200 megawatts, and I	7	record.
8	would suggest that we can probably manage	8	MR. TEMPLETON:
9	that somehow – you know, there may be – you	-	Q. We can undertake to do that.
10	can run it back the other way, or there's	10	MS. GLYNN:
11	different ways you can do it, but that's a	11	Q. The undertaking is noted.
12	work in progress by others. So it will be	12	(9:35 A.M. UNDERTAKING)
13	significantly tested, and what you're	13	MR. COXWORTHY:
13	testing is the reliability of the	14	Q. I don't think we need to go into that any
15	electronics, if you will, all the power	15	further. I do want to ask, though, about
16	electronic equipment to convert it to DC,	16	the situation with recapture power, and
10	the controls. So it will be largely tested,	17	you've already given some evidence about
18	but you will not do the final, you know,	18	this in this proceeding, and what can be
19	fully robust test, if you will, until you	19	reasonably expected over 2018/2019 period
20	get Muskrat Falls plan available.	20	One of the issues you were asked about wa
	XWORTHY:	$20 \\ 21$	Wabush Mines coming back on line, and I
21 Mill CO.		22	understood your evidence to be that if that
23	to a different topic, and that's with	23	were to happen, that wouldn't be before
24	respect to the actual expected availability	24	2019. Is that –
25	or forecast availability of surplus recall	25	MR. HAYNES:
	Page 34		Page 36
1	power from Labrador in the 2018/2019 period,	1	A. I think I referred – when I said 2019, I
2	and that's my focus. I'd like to make	$\begin{vmatrix} 1\\2 \end{vmatrix}$	think I was referring to Alderon who would
$\frac{2}{3}$	reference to a couple of RFI's. First of	$\begin{vmatrix} 2\\ 3 \end{vmatrix}$	be Greenfield site.
4	all, IOC-NLH-006, perhaps if that could be	4	MR. COXWORTHY:
4 5	brought up. I'm conscious that the Labrador	5	Q. Sorry.
6	issues are not to be addressed in this	6	MR. HAYNES:
0 7	portion, and certainly the Labrador parties	7	A. If DACOR were to come back on, and my
8	- I don't want to delve into this too far,	8	understanding right now is that they're
9	but I do want to see if we can perhaps get	9	still doing their feasibility studies, that
10	some foundational documents on the record,	10	it would take $-$ I don't anticipate that they
11	if there are any to be gotten on the record,	11	would be, you know, in a full load by 2018.
12	so they can be discussed and dealt with by	12	The plant has been sitting there for quite a
12	all the interested parties at a later point.	12	long time. Some of the assets or part of
13	There's reference to a Labrador Industrial	14	the asset has been sold, so they're going to
15	Rates Policy. This is at line 7 of IOC-NLH-	15	have to order equipment, get up to speed,
16	006, and I certainly have seen Orders in	16	hire a workforce, et cetera, et cetera.
17	Council and media notices about this policy,	17	Maybe 2019 is a likely scenario that they
17	and I apologize if it's on the record or	18	would be actually up aiming towards full
19	otherwise available publicly, I haven't been	19	load if they were acting now, but the clock
20	able to actually find a copy of a document	$\frac{19}{20}$	is ticking. So I think, you know – and the
20	that sets out what the Labrador Industrial	$20 \\ 21$	other thing I would mention is that DACOF
21 22	Rates Policy is. To your knowledge, is	$21 \\ 22$	for instance, is approximately 50 megawatt
22 23	there a document, whether it's on the record	$\begin{vmatrix} 22\\23 \end{vmatrix}$	so that might be in the order of 350/400
23	or otherwise, that sets out in so many words	23	gigawatt hours. The excess recapture
24 25	what the policy is?	24	available in Labrador right now is in the
43	what the policy is:	d Inc	available in Labraudi fight how is in the

	D 27		$\mathbf{D}_{r} = 20$
	Page 37	1	Page 39
	order of about 1500 gigawatt hours, so		ideally, we would like to get all the
2	there's still quite a bit of recapture left,	2	recapture to the island, but that's not
3	and Alderon, as I mentioned, would be a	3	technically possible.
4	slower thing because it's a greenfield site.	4	MR. COXWORTHY:
5	They have a lot of work to do before they	5	Q. So even Hydro's forecast of what will be
6	put boots on the ground, if you will.	6	available in 2018/2019 as surplus recall
	MR. COXWORTHY:	7	power, you're anticipating, despite your
8	Q. So that might be – with Alderon, that might	8	best efforts, there might be some stranded
9	be longer than 2019?	9	
		-	recall power in Labrador that you can't
10	MR. HAYNES:	10	bring? Might be used and useful in Labrador
11	A. That might be longer. What I'm suggesting	11	perhaps, but you're not going to be able to
12	is that there's still quite a bit of	12	get it to the island?
13	recapture there that's available to be used	13	MR. HAYNES:
14	and useful, which we, basically, you know,	14	A. Yes, and based on where we are right now
15	answer questions based on recapture. That	15	there may be energy that Nalcor would still
16	does not mean that we're not still – you	16	sell south through Quebec from the recapture
17	know, there are other options to buy power	17	contract.
18	from somewhere else to get it in, but,	18	MR. COXWORTHY:
19	obviously, the recall is what we own and	19	Q. And the data centres issue, and you've given
20	control.	20	some evidence on this, I think you said
21	MR. COXWORTHY:	21	there are one or two operating now, and
22	Q. And it's the cheapest power?	22	other than that peak and effects of one or
23	MR. HAYNES:	23	two megawatts at peak, you don't anticipate
24	A. And the absolute cheapest.	24	the existing data centres there to have a
25	MR. COXWORTHY:	25	large impact on the availability of surplus
20		20	inge inpuet on the availability of surplus
	Daga 29		Daga 40
1	Page 38 Ω	1	Page 40 recall nower for the island? Am L is that
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	Page	41	Page 43
1	economic or what is the most rational way	to 1	is that could cause a permanent downswing or
2	build the assets to do that, whether it's	2	
3	transmission or distribution, or whatever,	3	
4	and then we have to evaluate those	4	
5	alternatives, which one is the least cost.	5	
6	We would have to make an application to	he 6	· · · · · · · · · · · · · · · · · · ·
7	Board, either through a regular capital	7	
8	submission or as a supplemental submission		5
9	There's a process to review it, and then we		
10	have to order $-$ if you have to order a	10	
11	transformer, it's, you know, 18 to 24 mon		
12	to order equipment, some of the equipment		
13	So there's time, and we have a window of	13	
14	opportunity now which we want to take	14	<i>,</i> 1
15	advantage of.	15	6 6
16	MR. COXWORTHY:	16	5
17	Q. And is that 18 month figure that I heard in	17	
18	your evidence, or at least that caught my	18	
19	attention earlier, my impression was even		
20	a data centre came to you today and said,	20	
21	here, we want to put in $-$ you know, we w		, J
22	to put in a facility that's going to require	22	
23	100 megawatts, for argument sake, and I	23	
24	realize that that's perhaps at the other	24	\mathbf{U}
25	extreme, but let's say, that there would be	25	8,
	Page	_	Page 44
1	an 18 month lag in all likelihood before –	1	
2	even if you accept you were able to	2	
$\frac{1}{3}$	accommodate that customer?	$\frac{1}{3}$	
4			
	MR HAYNES	4	• • • •
	MR. HAYNES: A Well between studying what we require from	4	pursued if it's not going to achieve the
5	A. Well, between studying what we require from	n 4 5	pursued if it's not going to achieve the goal?
5 6	A. Well, between studying what we require from a transmission – you know, from looking at	n 5 6	 pursued if it's not going to achieve the goal? MR. HAYNES:
5 6 7	A. Well, between studying what we require from a transmission – you know, from looking at the equipment that we would need, do we need	n 5 6 ed 7	 pursued if it's not going to achieve the goal? MR. HAYNES: A. From Hydro's perspective, what's required to
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5 6 7 8 9	 Well, between studying what we require from a transmission – you know, from looking at the equipment that we would need, do we need to build a sub-station, do we need to build an extended transmission line, I would 	4 5 ed 7 8 9	 pursued if it's not going to achieve the goal? MR. HAYNES: A. From Hydro's perspective, what's required to actually get to 18 cents requires a lot more than what Hydro can bring to the table. It
5 6 7 8 9 10	A. Well, between studying what we require from a transmission – you know, from looking at the equipment that we would need, do we nee to build a sub-station, do we need to build an extended transmission line, I would suggest 18 months to two years is a minimum	4 5 ed 7 8 9 n 10	 pursued if it's not going to achieve the goal? MR. HAYNES: A. From Hydro's perspective, what's required to actually get to 18 cents requires a lot more than what Hydro can bring to the table. It requires cooperation from Nalcor, the
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Apri	1 24, 2018		Verbatim Court Reporters
	Page 45	-	Page 47
	the Government who have to provide that.	1	corporate structure. Is that correct?
$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	But at the end of the day, it's the taxpayer	2	MR. HAYNES:
3	and the ratepayer together that have to	3	A. That's correct.
	address this issue.	4	GREENE, Q.C.:
5	But, from a perspective of the deferral		Q. And at that time, were you given what the
6	account, we see that as a way to at least	6	underlying rationale was for the new
7	make the transition, the step change, a	7	structure?
8	little less because any money that we can	8	MR. HAYNES:
9	accrue in that account could be used by the	9	A. Well, the basic rationale was to separate
10	Board to – you know, instead of going, you	10	the regulatory from the non-regulatory
11	know, from 13 cents or 13 and a half cents	11	assets so that there's a hundred percent
12	to 18 cents, we can go to 13 to 15 or	12	focus by Hydro on the regulatory, you know,
13	whatever over $a - you$ know, to help that	13	regulatory business, if you will, and not to
14	process along.	14	be, you know, mixed up or dealing a lot with
15	It's only one part of the solution and	15	unregulated activities. That was the
16	Hydro does not have the ability under orders	16	intent. So, that basically, you know, the
17	or legislation to actually create the value	17	regulated side was a stand-alone utility who
18	somewhere, the wealth to actually make that	18	focused on the regulatory obligations we
19	happen. It requires cooperation of all	19	have and not to be busy doing a lot of non-
20	parties. It's not a Hydro-only issue. It	20	regulated work or that sort of thing.
21	is a Provincial issue, in fact.	21	GREENE, Q.C.:
22	MR. COXWORTHY:	22	Q. I wonder if we could bring up Exhibit 2,
23	Q. Thank you, Mr. Haynes. No further	23 24	Schedule 1, please, page 1. So, it's page 1
24	questions. CHAIR:	24 25	of that schedule. Does this reflect the
25		25	current structure at Hydro, Mr. Haynes?
	Page 46	1	Page 48
1 2	Q. Thank you, Mr. Coxworthy. Ms. Greene, are	1	MR. HAYNES:
2	you ready to proceed?	1 2	A Vog it doog
2	(0.45 a m)	2	A. Yes, it does. $C \in C$
3	(9:45 a.m.) MR_LAMES HAVNES_CROSS EXAMINATION BV MAUREEN CREENE	3	GREENE, Q.C.:
4	MR. JAMES HAYNES, CROSS-EXAMINATION BY MAUREEN GREENE,	3 4	GREENE, Q.C.: Q. You talked a little bit with Mr. O'Brien
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	Page 49		Page 51
		1	-
	GREENE, Q.C.:		GREENE, Q.C.:
2	Q. I wonder if we could have an undertaking,	2	Q. And at those meetings, are any policy
3	please, to confirm, with respect to the	3	decisions made with respect to all of the
4	salary paid to the Chief Executive Officer.	4	companies in the corporate group?
5	(9:48 a.m., UNDERTAKING)	5	MR. HAYNES:
6	MR. YOUNG:	6	A. No, not to date.
7	Q. Yes, thank you. Ms. Greene, we'll		GREENE, Q.C.:
	· · · ·	0	
8	undertake for that.	8	Q. With respect to compensation, for example?
9	GREENE, Q.C.:	9	MR. HAYNES:
10	Q. The next thing was the time charge. To your	10	A. There is a compensation committee of the
11	knowledge, does Mr. Marshall charge back any	11	Board of Directors of Nalcor. The Hydro
12	portion of his time to Newfoundland and	12	Board of Directors are – the current Hydro
13	Labrador Hydro that's included in the	13	Board of Directors are, they were at least
14	revenue requirement to date?	14	considered interim appointments and that has
15	1	15	11
	MR. HAYNES:		not been resolved. We would expect that
16	A. No.	16	they would be involved more later on. But
17	GREENE, Q.C.:	17	there is a compensation committee of Nalcor
18	Q. So, he doesn't charge any time?	18	that kind of looks at the whole of Nalcor
19	MR. HAYNES:	19	subsidiaries and there's a common
20	A. No, not that I'm aware of, and I don't think	20	compensation strategy for all.
21	there's any timesheets come through charged	21	GREENE, Q.C.:
22	to Hydro.	22	Q. So, there is a common decision-making
23	GREENE, Q.C.:	$\begin{vmatrix} 22\\23 \end{vmatrix}$	
			process with respect to Human Resources
24	Q. Okay. You mentioned in your discussion with	24	compensation?
25	Mr. O'Brien that the relationship is, I'll	25	MR. HAYNES:
	Page 50		Page 52
1	call it, more keeping the CEO informed but	1	A. There's a fair bit of cooperation between
2	that you're left to run Hydro. Would that	2	the HR Department of Hydro and Nalcor and
3	be a correct takeaway from your discussion	3	Ms. Dalley could actually speak to that.
4	with Mr. O'Brien?	4	She's basically, you know, interface, if you
	MR. HAYNES:	5	
			will, with Nalcor HR quite often from that
6	A. Yes, basically. There's – you know,	6	perspective, you know, as often as required,
17	obviously Mr. Marshall, you know, is	1	but we want to maintain a consistency
8	involved in the sense that, I mean, we have	8	through compensation. We want to maintain
9	our quarterly meetings. I drop up once a	9	consistency through job description and
10	week to make sure that we're all lined up	10	things like that, so that we're not, you
11	with things or whatever, but there's not $a - b$	11	know, way off base with respect to what, you
12	there's a fair bit of independence from	12	know, an electrical engineer does in Nalcor
12	Nalcor from that perspective.	12	versus Hydro or things such as that, or
			• •
14	GREENE, Q.C.:	14	management.
15	Q. And there's no time charge for those update		GREENE, Q.C.:
16	meetings?	16	Q. And when you talk about compensation, do you
17	MR. HAYNES:	17	include the broad package of compensation,
18	A. No, and they're not long sessions. They're	18	including benefits, overtime payments and
19	actually brief.	19	vacation entitlement, for example?
20	GREENE, Q.C.:	20	MR. HAYNES:
21	Q. You also testified that you attend monthly	21	A. Yes, the policies are common between Nalcor
21^{21}	meetings with the other executives of	21^{21}	and Hydro.
	Nalcor. Is that correct?	$\begin{vmatrix} 22\\23 \end{vmatrix}$	2
23			GREENE, Q.C.:
24	MR. HAYNES:	24	Q. And that policy decision with respect to the
25	A. That's correct.	25	compensation package, did I understand that
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	21,2010	1	
	Page 53		Page 55
1	that is set primarily by the Nalcor Board of	1	those issues.
2	Directors?	2	GREENE, Q.C.:
3	MR. HAYNES:	3	Q. With respect to Hydro's budget, are any
4	A. There is a compensation -	4	guidelines developed at the Nalcor executive
5	GREENE, Q.C.:	5	or Nalcor Board level with respect to
6	Q. The compensation committee?	6	Hydro's budget and approach to its budget?
7	MR. HAYNES:	7	MR. HAYNES:
8	A. There's a compensation committee of the	8	A. There are things from Nalcor with respect to
9	Nalcor Board who makes recommendations to -	9	general guidelines on, you know, the budget
10	you know, on that there. The conversation,	10	preparation and so on, but at the end of the
11	for instance, for – you know, the	11	day, we prepare our budget independently
12	compensation for 2018 was approved by the	12	and, you know, if there are asks from the
13	Newfoundland and Labrador Hydro Board of	13	point of view of, you know, direction or
14	Directors.	14	general direction on, for instance,
15	GREENE, Q.C.:	15	compensation for instance, they would be
16	Q. Following a decision by the Nalcor Board	16	obviously done as a collective level, but
17	with respect to a consistent approach?	17	there's a sort of – quite a bit of autonomy
17	MR. HAYNES:	17	and the intention is that basically our
10		10	-
20	A. Following a review and recommendation by the Board, yes, by the compensation committee.	19 20	budgets will be prepared. They will be presented to the Board of Directors – I'm
			1
21	GREENE, Q.C.:	21	sorry, the Board of Directors for approval
22	Q. What other types of decisions, if any, are	22	and from a GRA point of view, to the Board,
23	made in that manner?	23	to this Board, actually for approval for
24	MR. HAYNES:	24	test year things.
25	A. With Mr. Marshall, I meet with the – meeting	25	GREENE, Q.C.:
	Page 54		Page 56
1	with the other VPs?	1 1	
			Q. You just mentioned that there could be
2	GREENE, Q.C.:	$\begin{vmatrix} 1\\2 \end{vmatrix}$	general guidelines from Nalcor to Hydro with
	GREENE, Q.C.: Q. Or with respect to Nalcor. I understand	$\begin{vmatrix} 1\\2\\3 \end{vmatrix}$	general guidelines from Nalcor to Hydro with respect to the preparation of the budget.
2	GREENE, Q.C.:	$\begin{bmatrix} 1\\2\\3\\4 \end{bmatrix}$	general guidelines from Nalcor to Hydro with respect to the preparation of the budget. What type of guidelines would that be?
2	GREENE, Q.C.: Q. Or with respect to Nalcor. I understand from our discussion we just had that the compensation approach is set by the Nalcor	$\begin{bmatrix} 1\\ 2\\ 3\\ 4\\ 5 \end{bmatrix}$	general guidelines from Nalcor to Hydro with respect to the preparation of the budget.
2	GREENE, Q.C.: Q. Or with respect to Nalcor. I understand from our discussion we just had that the	$\begin{bmatrix} 1\\ 2\\ 3\\ 4\\ 5\\ 6 \end{bmatrix}$	general guidelines from Nalcor to Hydro with respect to the preparation of the budget. What type of guidelines would that be?
2 3 4 5	GREENE, Q.C.: Q. Or with respect to Nalcor. I understand from our discussion we just had that the compensation approach is set by the Nalcor	4 5	general guidelines from Nalcor to Hydro with respect to the preparation of the budget. What type of guidelines would that be? MR. HAYNES:
2 3 4 5 6	GREENE, Q.C.: Q. Or with respect to Nalcor. I understand from our discussion we just had that the compensation approach is set by the Nalcor Board of Directors, which is then reviewed	4 5	general guidelines from Nalcor to Hydro with respect to the preparation of the budget. What type of guidelines would that be? MR. HAYNES: A. I think they would be general, from the
2 3 4 5 6 7	GREENE, Q.C.: Q. Or with respect to Nalcor. I understand from our discussion we just had that the compensation approach is set by the Nalcor Board of Directors, which is then reviewed by the Hydro Board.	4 5 6 7	general guidelines from Nalcor to Hydro with respect to the preparation of the budget. What type of guidelines would that be? MR. HAYNES: A. I think they would be general, from the point of view of costs in the sense of
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2 3 4 5 6 7 8 9 10 11	GREENE, Q.C.: Q. Or with respect to Nalcor. I understand from our discussion we just had that the compensation approach is set by the Nalcor Board of Directors, which is then reviewed by the Hydro Board. MR. HAYNES: A. That's correct. GREENE, Q.C.: Q. Okay. Are there any other types of policy	4 5 6 7 8 9 10 11	general guidelines from Nalcor to Hydro with respect to the preparation of the budget. What type of guidelines would that be? MR. HAYNES: A. I think they would be general, from the point of view of costs in the sense of escalation or whether, you know, there are assumptions for progressions in salary scales or changes, things like that, that would be done at the corporate-wide level. GREENE, Q.C.:
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$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\end{array} $	 GREENE, Q.C.: Q. Or with respect to Nalcor. I understand from our discussion we just had that the compensation approach is set by the Nalcor Board of Directors, which is then reviewed by the Hydro Board. MR. HAYNES: A. That's correct. GREENE, Q.C.: Q. Okay. Are there any other types of policy decisions, I'll call them, like that that are made in that manner? MR. HAYNES: A. Not of any significance that I recall. I don't think there is. That would be the major one. You know, there is, you know, an environmental subcommittee of the Board. It's not a committee of the Board, but that would be – as our Hydro Board of Directors evolves and they actually become the 	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 general guidelines from Nalcor to Hydro with respect to the preparation of the budget. What type of guidelines would that be? MR. HAYNES: A. I think they would be general, from the point of view of costs in the sense of escalation or whether, you know, there are assumptions for progressions in salary scales or changes, things like that, that would be done at the corporate-wide level. GREENE, Q.C.: Q. So, Nalcor would actually tell Hydro what inflation levels to use and what compensation adjustments to make in preparing the budget? MR. HAYNES: A. They would make recommendations from the compensation committee from that perspective, from the point of view of what the scales are, whether there's progression
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1		Page 57			Page 59
		for other matters, such as -	1		of view that, you know, reliability, for
2	MR. HAYNE		2		instance, that power supply actually
3	А.	I think generally. I would think generally	3		advancing or whatever, the LIL in-service
4		from that perspective. Generally, you know,	4		date and things like that. But they're
5		inflation escalation from that perspective,	5		general in nature.
6		not specific to compensation. But we'd have	6	GREENE, Q	•
		to balance that obviously with the work at	7	Q.	And the other members of the executive of
8		hand and what our work plans are and the	8	ν.	Hydro, do they attend regular meetings with
9		reliability and things like that.	9		the other executives in the Nalcor Group?
	CREENE O			MR. HAYNI	1
10	GREENE, Q		10		
11	Q.	What other types of guidelines would you	11	А.	No, not those meetings. They attend the
12		expect to receive or have received from	12		Board of Directors meetings for Hydro. They
13		Nalcor with respect to the budget?	13		don't attend the Nalcor Board of Directors
14	MR. HAYNE		14		meetings, but they do attend the Board of
15	A.	I think that's – not a lot, but I would	15		Directors meeting with Hydro and any issues
16		suggest that Ms. Hutchens could actually go	16		going to the Hydro Board of Directors for
17		into that detail of that there from the	17		approval, you know, there is a change order
18		point of view about that. I mean, we	18		or supplementary capital budget application,
19		prepare our budget. We provide them to	19		whatever is required under the guidance that
20		Nalcor and they consolidate up to the Nalcor	20		we have, they go through the Board and the
21		budget. There's not a – you know, there's	21		other VPs are present at those.
$21 \\ 22$		discussion and so on, but I don't think	21	GREENE, Q	
1		· · · · · · · · · · · · · · · · · · ·	22	, (
23		there's any specific orders to cut this, cut		Q.	If we look for a moment at the Vice-
24		that or do that. Basically, what we present	24		President of Financial Services, to your
25		is what we think we require to provide the	25		knowledge what would be that interaction of
		Page 58			Page 60
1		service.	1		that position with the Vice-President of
2	GREENE, Q	.C.:	2		Finance for Nalcor?
3	Q.	With respect to the monthly meetings that	3	MR. HAYNE	ES:
4		you attend, would that be where such	4	А.	Ms. Hutchens does have regular meetings with
5		decisions as the inflation to use in the	5		
1 3			5		the Vice-President of Finance for Nalcor,
$\begin{bmatrix} 5\\6 \end{bmatrix}$		preparation of budgets, is that where those	6		the Vice-President of Finance for Nalcor, but she can speak best to the content of
$\begin{bmatrix} 3\\6\\7 \end{bmatrix}$		preparation of budgets, is that where those decisions are made?	6 7		but she can speak best to the content of
7	MR HAVNI	decisions are made?	7	GREENE O	but she can speak best to the content of those meetings.
7 8	MR. HAYNI	decisions are made? ES:	7 8	GREENE, Q	but she can speak best to the content of those meetings. C.:
7 8 9	MR. HAYNI A.	decisions are made? ES: The meetings with the CEO are generally –	7 8 9	GREENE, Q. Q.	but she can speak best to the content of those meetings. C.: And would that be the same with all of the
7 8 9 10		decisions are made? ES: The meetings with the CEO are generally – with Mr. Marshall and the other EVPs are	7 8 9 10	Q.	but she can speak best to the content of those meetings. C.: And would that be the same with all of the other executive?
7 8 9 10 11		decisions are made? ES: The meetings with the CEO are generally – with Mr. Marshall and the other EVPs are basically updates. There's a brief report,	7 8 9 10 11	Q. MR. HAYNE	but she can speak best to the content of those meetings. C.: And would that be the same with all of the other executive? ES:
7 8 9 10 11 12		decisions are made? ES: The meetings with the CEO are generally – with Mr. Marshall and the other EVPs are basically updates. There's a brief report, if you will, on the last month's activities,	7 8 9 10 11 12	Q.	but she can speak best to the content of those meetings. C.: And would that be the same with all of the other executive? ES: I think primarily Finance would be the major
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. GREENE, Q Q.	decisions are made? ES: The meetings with the CEO are generally – with Mr. Marshall and the other EVPs are basically updates. There's a brief report, if you will, on the last month's activities, where things are, what the financial situation looks like, what the reliability situation looks like or any other significant issue that's on the go. They're not necessarily kind of formal approval processes for guidelines or things like that. That's not happened, not to date. .C.: So, decisions are not made at those monthly executive meetings?	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. MR. HAYNE	but she can speak best to the content of those meetings. C.: And would that be the same with all of the other executive? ES: I think primarily Finance would be the major one where there's an ongoing dialogue. I think on the HR side, there would be occasional meetings, depending on what's on the go between Ms. Dalley and the Vice- President of HR for Nalcor, from the point of view of policies and considerations like that. But generally speaking, there's a fair bit of autonomy. I believe the corporate secretary does have – and general counsel does have occasional meetings with

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		ge 61	1		Page 63
	to keep in touch, if you will. With respe			MR. HAYNE	
$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	to HR, I mentioned. Engineering would		2	A.	I'm sorry, can you repeat that?
3	an as-required basis. If there's joint			GREENE, Q.	
4	projects or we're interacting on projects		4	Q.	Have you received any direction from
5	with power supply, such as Labrador pro-		5		Government with respect to any of the
6	or Soldiers Pond, things like that. That'	s (6		information or the inputs into your General
7	primarily it.		7		Rate Application?
8	GREENE, Q.C.:	8	8	MR. HAYNE	
9	Q. Okay. And what about the relationship			A.	No, I'm not aware of anything.
10	between Hydro and the Government? H	low is 10		(10:00 a.m.)	
11	that handled?	1		GREENE, Q.	n
12	MR. HAYNES:	12	2	Q.	I wonder if we could go to PUB-NLH-54,
13	A. That's on an as-required basis. They	13	3		please. And here I refer to lines 11 to 13,
14	occasionally send us requests for	14	4		"the Provincial Government also provided
15	information or if they're responding to a	n 1:	5		direction to Government Departments, Crown
16	application, we do provide information	io 10	6		Corporations and Agencies to reduce costs."
17	the Government obviously. When we're	e 11	7		That was with respect to 2016.
18	having, you know, the GRA application		8	MR. HAYNE	-
19	Board or even our capital budget	19	9	A.	Yes.
20	application, we have provided informati	on on 20	0	GREENE, Q.	n.
21	an as-required basis. If they ask questio			Q.	So, my question is was there any direction
22	about anything, we will provide whateve			,	received – we'll start with 2016, 2017 or
23	can.	23			2018, with respect to any direction on costs
24	GREENE, Q.C.:	24			or compensation?
25	Q. Is there one person at Hydro responsible			MR. HAYNE	
		ge 62	-		Page 64
1	the relationship with the Government?	.50 02	1	A.	I'm not aware of any specific direction that
$\begin{vmatrix} 1\\2 \end{vmatrix}$	MR. HAYNES:		2	11.	was provided by the Government with respect
$\begin{vmatrix} 2\\3 \end{vmatrix}$	A. Well, basically, a lot of it comes through		3		to our current application from that
	the regulatory side, because that's where		4		perspective.
	most of the issues are. So, primarily it's			GREENE, Q.	
6	there. But primarily the contact is most		6	Q.	Do you know what is referred to in lines 11
	between myself and/or Ms. Dalley with	·	7	Q.	to 13 there of PUB -
8	respect to the Government.			MR. HAYNE	
	1		s 9		
9	GREENE, Q.C.:			A.	There was an effort at the time by the
10	Q. Have you received any direction from th				Government to actually go back and cut a lot
11	Government with respect to the preparati				of costs right across the whole civil
1 10	of this General Rate Application?	12			service and Hydro was included in that, you
12		1 1/	`		
13	MR. HAYNES:	I 12			know, and there were targets made. Part of
13 14	MR. HAYNES: A. Not specifically, no, not that I'm aware.	I 14	4		our - you know, we actually went back with
13 14 15	MR. HAYNES: A. Not specifically, no, not that I'm aware. mean, they have an interest to keep the	I 14	4 5		our – you know, we actually went back with an aggressive cost-cutting measure in 2016
13 14 15 16	MR. HAYNES: A. Not specifically, no, not that I'm aware. mean, they have an interest to keep the rates down obviously, but we also hav	I 14 15 e an 16	4 5 6		our – you know, we actually went back with an aggressive cost-cutting measure in 2016 which we don't think is sustainable from the
13 14 15 16 17	MR. HAYNES: A. Not specifically, no, not that I'm aware. mean, they have an interest to keep the rates down obviously, but we also hav interest to do that obviously because we'	I 14 15 e an 16 re 17	4 5 6 7		our – you know, we actually went back with an aggressive cost-cutting measure in 2016 which we don't think is sustainable from the point of view of cutting all travel and
13 14 15 16 17 18	MR. HAYNES: A. Not specifically, no, not that I'm aware. mean, they have an interest to keep the rates down obviously, but we also hav interest to do that obviously because we' concerned about where the rates are goin	I 14 e an 16 re 17 g. 18	4 5 6 7 8		our – you know, we actually went back with an aggressive cost-cutting measure in 2016 which we don't think is sustainable from the point of view of cutting all travel and conferences, et cetera, et cetera, and those
13 14 15 16 17 18 19	MR. HAYNES: A. Not specifically, no, not that I'm aware. mean, they have an interest to keep the rates down obviously, but we also hav interest to do that obviously because we' concerned about where the rates are goin But we also feel we need the amount of the	I 14 e an 16 re 17 g. 18 noney 19	4 5 6 7 8 9		our – you know, we actually went back with an aggressive cost-cutting measure in 2016 which we don't think is sustainable from the point of view of cutting all travel and conferences, et cetera, et cetera, and those things, they were all part of that, in
13 14 15 16 17 18 19 20	MR. HAYNES: A. Not specifically, no, not that I'm aware. mean, they have an interest to keep the rates down obviously, but we also hav interest to do that obviously because we' concerned about where the rates are goin But we also feel we need the amount of r we put forward to provide reliable service	I 14 e an 16 re 17 g. 18 noney 19 e. 20	4 5 6 7 8 9 0		our – you know, we actually went back with an aggressive cost-cutting measure in 2016 which we don't think is sustainable from the point of view of cutting all travel and conferences, et cetera, et cetera, and those things, they were all part of that, in addition to getting things back under
13 14 15 16 17 18 19 20 21	MR. HAYNES: A. Not specifically, no, not that I'm aware. mean, they have an interest to keep the rates down obviously, but we also hav interest to do that obviously because we' concerned about where the rates are goin But we also feel we need the amount of n we put forward to provide reliable service GREENE, Q.C.:	I 14 e an 10 re 17 g. 18 noney 19 e. 20	4 5 7 8 9 0		our – you know, we actually went back with an aggressive cost-cutting measure in 2016 which we don't think is sustainable from the point of view of cutting all travel and conferences, et cetera, et cetera, and those things, they were all part of that, in addition to getting things back under control.
13 14 15 16 17 18 19 20 21 22	MR. HAYNES: A. Not specifically, no, not that I'm aware. mean, they have an interest to keep the rates down obviously, but we also hav interest to do that obviously because we' concerned about where the rates are goin But we also feel we need the amount of n we put forward to provide reliable service GREENE, Q.C.: Q. To your knowledge, have you received a	I 14 e an 16 re 17 g. 18 noney 19 e. 20 ny 22	4 5 7 8 9 0 1 2	GREENE, Q.	our – you know, we actually went back with an aggressive cost-cutting measure in 2016 which we don't think is sustainable from the point of view of cutting all travel and conferences, et cetera, et cetera, and those things, they were all part of that, in addition to getting things back under control.
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1 settled collective agreements and there is a 1 there and we review those. Some of the 2 focus with respect to compensation in the 2 reports that go through or supplementary 3 Government. To your knowledge, has the 3 applications or so on go through there. So, 4 Government given Hydro a direction with 4 there's - it depends on the item and the 5 respect to that? 6 primarily it's under Ms. Dalley and 6 MR. HAYNES: 7 Regulatory Affairs is focused on Hydro. You 8 Government that we are to impose, you know, 8 know, that whole department is kind of a 9 zero and zero, for instance. If that's = 1 customer-focused and Regulatory Affairs is focused on Hydro. You 10 you know, we have imposed a zero and zero on 10 primarily it, along with HR and some other 11 management from the point of view of general 12 customer-focused and Regulatory Affairs is 12 rate increases in the last two years for 13 Q. I wanted to break it down into policy type 14 any formal direction from Government tod 14 GereENE, Q.C.: 16 17 Q. Can I go back, please,		24, 2018				Verbatim Court Reporters
2 Gous with respect to compensation in the 2 reports that go through stores or so go through there. So, 3 Government To your knowledge, has the 3 applications or so or go through there. So, 4 Government faver Hydro a direction given by 7 A. There's it depends on the item and the 5 respect to that? 6 primarily it's under Ms. Dalley and 7 A. There's heen no formal direction given by 7 Regulatory Affairs is focused on Hydro. You 8 Government that we are to impose, you know, 8 know, that whole department is kind of a 9 period and zero, for instance. If that 's - 9 customer-focused and Regulatory Affairs is focused on Hydro. You 10 you know, we have imposed a zero and zero on 10 primarily it's under Ms. Dalley and 11 rate increases in the last two years for 13 Q. 1 vanted to break it down into policy type 14 any formal direction from Government to ob 15 croutine or more day-to-day matters. 15 GREENE, Q.C.: 16 RH.AtyNES: 17 19 Q. Form a policy perspecti	Ι.		Page 65			Page 67
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4 Government given Hydro a direction with respect to that? 4 there's it depends on the item and the issue how much involvement I would have, but 5 MR. HATYNES: 6 primarily if sunder MS. Dalley and Regulatory Affairs is focused on Hydro. You 8 Government faitwe are to impose, you know, government in the you of you work or general rate increases in the last two years for rate increases in the last two years for the data any formal direction from Government to do that. 9 carcenter-Gouesd and Regulatory Affairs is primarily if sunder MS. Dalley and reports in two years for routice or more day-to-day matters. 16 GREENE, Q.C.: 12 I vanied to break it down into policy type about the regulatory role which on page 1 19 about the regulatory role which on page 1 19 Q. Form a policy perspective, and let's take a routice or more day-to-day matters. 11 Haynes? The Vice-President of Corporate 22 Services and Regulatory Affairs reports in 23 to you? I sthat correct. 12 Haynes? The Vice-President of Corporate 23 to you? I sthat correct? 14 24 MR. HAYNES: 24 A. 29 A. There's be consolidated under on executive 3 24 4 That's correct. 25 A. 20 report. recommended that the regulatory. 3 3 A. Yes. 9 4 A. Yes. <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>						
5 respect to thai? 5 issue how much involvement twould have, but 6 MR. HAYNES: 6 primarily it's under Ms. Dalley and 7 A. There's been no formal direction given by 8 know, that whole department is kind of a 9 zero and zero, for instance. If that's - 9 customer-focused and Regulatory Affairs is focused on Hydro. You 10 you know, we have imposed a zero and zero on 10 primarily it, along with HR and some other 11 management from the point of view of general 11 customer-focused and Regulatory Affairs is 13 sure, but we - I'm not avare that we've had 13 Q. I wanted to break i down into policy type 14 any formal direction from Government to do 14 decisions and then some, I'll call them, 16 GREENE, Q.C.: 16 MR. HAYNES: 16 18 Schedule 1? I wanted to talk a little bit 18 GREENE, Q.C.: 18 21 Haynes? The Vice-President of Corporate 21 island purchases deferral account we've 22 Services and Regulatory Affairs reports in 22 talked a lot about so far, what would your 23 to you? Is that correct?	3		Government. To your knowledge, has the	3		applications or so on go through there. So,
6 MR. HAYNES: 6 primarily if's under Ms. Dalley and 7 A. There's been no formal direction given by 7 Regulatory Affairs is foroased on Hydro. You 9 zero and zero, for instance. If That's – 9 customer-focused and Regulatory Affairs is 10 you know, we have imposed a zero and zero on 10 primarily it's under Ms. Dalley and 12 rate increases in the last two years for 11 corporate services. 11 13 sure, but we – I'm not aware that we've had 13 Q. I wanted to break it down into policy type 14 any formal direction from Government to do 14 decisions and then some, I'll call them, 15 that. 15 rotuth capabox places, to Exhibit 2, 17 A. All right. 18 Schedule I? wanted to talk a little bit 18 GREIDNE, Q.C.: 17 19 obout the regulatory of which on page 1 20 From a policy perspective, and let's take a 20 reports in to you. Is that correct? 21 island purchases deferral account w've 23 to you? Is that correct? 23 isourber experise accountability proposal? 20 Are you	4		Government given Hydro a direction with	4		there's – it depends on the item and the
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25 budget, I am involved in meetings on that 25 MR. HAYNES:	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR. HAYNI A. GREENE, Q Q. MR. HAYNI A. GREENE, Q Q. MR. HAYNI	Are you aware that Liberty, in its December 2014 report, recommended that the regulatory matters be consolidated under one executive for transparency and accountability purposes? ES: Yes. CC:: And I want to talk to you a little bit about how that's been implemented. ES: Okay. CC:: In your role as President, what is your interaction with all regulatory matters? ES: It's fairly frequent in that sense. There's a lot of things actually that go through the Regulatory Department and depending on what they are, I – you know, some of them are somewhat routine, the reports that go through. I don't review all those. From	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. GREENE, Q. MR. HAYNE A. GREENE, Q.	We would have had meetings to discuss that item in principle from the point of view of where it would go and I fully support that particular perspective for that particular proposal because I think it's the only one that we actually have readily available that we can actually do. C.: So, who would come to you with that type of decision? S: That would basically be Ms. Dalley, but usually it's a meeting with Regulatory people, for instance, the manager of Regulatory, Mr. Fagan, who would look at options and bring forward what would be plausible options to proceed. C.: And the interim rates application that we'll talk about a bit later that you referred to yesterday, would you have been involved in the decision as to what type of rate
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1	Page 69		Page 71
1	A. At a high level, yes, from $a - I'm$ not down	1	A. There have been some changes. We've had
2	in the weeds on a particular rate proposal.	2	some people leave and move, but I would
3	The intention when we filed the application	3	suggest Ms. Dalley could actually speak to
4	initially was to, I think, recover	4	the current state. I'm not – I don't have
5	approximately 70 percent of what we propose	5	that at the top of my head. I think
6	and starting January 1, and then we delayed	6	generally it's correct, but there may have
7			
	that obviously, you know, in hopes that we	0	been some adjustment.
8	would actually proceed with the hearing.	8	GREENE, Q.C.:
9	And then in the supplement application, it	9	Q. And I wonder if we could have an undertaking
10	was modified based on data at the time.	10	to provide a revised chart that we can then
11	GREENE, Q.C.:	11	follow up with her, Ms. Dalley, please.
12	Q. And we'll come back to that. Just at the	12	MR. YOUNG:
13	process perspective.	13	Q. Yes.
14	MR. HAYNES:	14	(10:07 a.m., UNDERTAKING)
15	A. Okay.	15	GREENE, Q.C.:
16	GREENE, Q.C.:	16	Q. So, we just talked a little bit about your
17	Q. What about more routine matters, responses	17	role. To your knowledge, can you give us a
18	to Request for Information that get filed	18	description of what Ms. Dalley's role would
19	with the Board, do you have, as President,	19	be and her interaction on policy matters
20	have any role with respect to that?	20	first and then what I'm calling the more
21	MR. HAYNES:	21	routine matters, such as actually the
22	A. I am copied on a lot of those things. A lot	22	process for RFI responses?
23	of them are – when an RFI comes out, they're	23	MR. HAYNES:
24	distributed to parties who can actually, you	23	A. We would have general discussions. We have
25	know, respond with knowledge on the answer.	25	regular meetings as well. There's
		23	
	Page 70	1	Page 72
	They go back through $a -$ there's a review		discussions at that table with respect to
2	committee. Depending on the nature of the	2	the regulatory items. From the point of
3	RFI, I've sat in on meetings to discuss	3	view of the General Rate Application, there
4	those and review them. I've read them and		
		4	was considerable amount of discussion before
5	I've provided comments on occasion,	4 5	was considerable amount of discussion before it was filed with all the VPs in fact and
5 6	I've provided comments on occasion, depending what it is, but not on every RFI.		was considerable amount of discussion before it was filed with all the VPs in fact and others in the room that are going down
5 6 7	I've provided comments on occasion,	5 6 7	was considerable amount of discussion before it was filed with all the VPs in fact and others in the room that are going down through the content, the structure, the
5 6	I've provided comments on occasion, depending what it is, but not on every RFI.	5 6	was considerable amount of discussion before it was filed with all the VPs in fact and others in the room that are going down
5 6 7	I've provided comments on occasion, depending what it is, but not on every RFI. GREENE, Q.C.:	5 6 7	was considerable amount of discussion before it was filed with all the VPs in fact and others in the room that are going down through the content, the structure, the
5 6 7 8	I've provided comments on occasion, depending what it is, but not on every RFI. GREENE, Q.C.: Q. And we've already talked about the future	5 6 7 8 9	was considerable amount of discussion before it was filed with all the VPs in fact and others in the room that are going down through the content, the structure, the basic concept and components of the GRA.
5 6 7 8 9	I've provided comments on occasion, depending what it is, but not on every RFI. GREENE, Q.C.: Q. And we've already talked about the future projective rate increases and the information that was provided by Hydro for	5 6 7 8 9	was considerable amount of discussion before it was filed with all the VPs in fact and others in the room that are going down through the content, the structure, the basic concept and components of the GRA. Once we've agreed in principle, they
5 6 7 8 9 10	I've provided comments on occasion, depending what it is, but not on every RFI. GREENE, Q.C.: Q. And we've already talked about the future projective rate increases and the information that was provided by Hydro for Hydro other costs to come up at the rate	5 6 7 8 9 10	was considerable amount of discussion before it was filed with all the VPs in fact and others in the room that are going down through the content, the structure, the basic concept and components of the GRA. Once we've agreed in principle, they basically run with that and proceed. But
5 6 7 8 9 10 11 12	I've provided comments on occasion, depending what it is, but not on every RFI. GREENE, Q.C.: Q. And we've already talked about the future projective rate increases and the information that was provided by Hydro for Hydro other costs to come up at the rate projections. Would you have reviewed that	5 6 7 8 9 10 11 12	was considerable amount of discussion before it was filed with all the VPs in fact and others in the room that are going down through the content, the structure, the basic concept and components of the GRA. Once we've agreed in principle, they basically run with that and proceed. But basically any major change would come back for discussion, if that's what you mean.
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5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	I've provided comments on occasion, depending what it is, but not on every RFI.GREENE, Q.C.:Q.And we've already talked about the future projective rate increases and the information that was provided by Hydro for Hydro other costs to come up at the rate projections. Would you have reviewed that type of information before it was provided to Government?MR. HAYNES:A.A.I did not see that. I don't recall that I actually saw that presentation before it went to the Government, no.GREENE, Q.C.:Q.Q.I wonder if we could go to page 29 of this same schedule, please. Now this is the chart that shows the structure of the	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 was considerable amount of discussion before it was filed with all the VPs in fact and others in the room that are going down through the content, the structure, the basic concept and components of the GRA. Once we've agreed in principle, they basically run with that and proceed. But basically any major change would come back for discussion, if that's what you mean. GREENE, Q.C.: Q. And what would Ms. Dalley's role be? You mentioned there's a - MR. HAYNES: A. Well, basically, she interacts with the Regulatory folks there, senior regulatory counsel, regulatory engineering to some degree, but particularly on the rate and regulatory aspect. GREENE, Q.C.:

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	,	Page 73			Page 75
1	A.	Yes, but I expect that there is also with a	1	A.	Not of any consequence, I'm not aware of any
2		lot of input from the Regulatory folks in	2		significant change going forward.
$\begin{vmatrix} 2\\ 3 \end{vmatrix}$		the department, from the Manager of Rates,	3	GREENE, Q.	
4		the team lead, if you will, and the Manager	4	Q.	So, we would expect to see that regulatory
5		of Regulatory Affairs.	5	Q٠	performance would be something that you
6	GREENE, Q		6		measure to see how you're performing? Is
7	Q.	Obviously she would work with her team, but	7		that correct?
8	Q.	-	8	MR. HAYNE	
		that's the person you look to for -			
9	MR. HAYNE		9	А.	Yes. We actually have, you know, in the
10	A.	I would look to her directly, yes.	10		performance contracts that Ms. Dalley can
11	GREENE, Q		11		speak to, in the performance contracts that
12	Q.	And with respect – I'll ask Ms. Dalley the	12		we have, we have a regulatory component as
13		question. Do you have any knowledge of how	13		one of the five key factors to consider when
14		she interacts on a daily basis on more	14		we're actually looking at, you know, short-
15		routine type matters?	15		term incentive program. That is front and
16	MR. HAYNI		16		centre.
17	A.	I think Ms. Dalley is actually quite active	17	GREENE, Q.	
18		in the interacting on a day-to-day basis	18	Q.	I wonder if we could go to PUB-NLH-125,
19		with her managers and things like that	19		Attachment 2, which is the short-term
20		matter. She's quite busy from that	20		performance contract you just referred to.
21		perspective.	21	MR. HAYNE	S:
22	GREENE, Q	.C.:	22	А.	Okay.
23	Q.	In your opinion, as the President, does the	23	GREENE, Q.	С.:
24		- how does the current structure provide	24	Q.	And for now, I only want to talk about the
25		comfort to the Board and to stakeholders	25		regulatory component. We'll come back to
		Page 74			Page 76
1		Page 74 that there is the appropriate focus on	1		Page 76 the other components later.
1 2			1 2	MR. HAYN	the other components later.
	MR. HAYN	that there is the appropriate focus on regulatory matters at Hydro currently?		MR. HAYN A.	the other components later.
2	MR. HAYNI A.	that there is the appropriate focus on regulatory matters at Hydro currently?	2		the other components later. ES: Okay.
2 3		that there is the appropriate focus on regulatory matters at Hydro currently? ES:	2 3	A.	the other components later. ES: Okay. .C.:
$\begin{vmatrix} 2\\ 3\\ 4 \end{vmatrix}$		that there is the appropriate focus on regulatory matters at Hydro currently? ES: I think the structure has been changed quite	2 3	A. GREENE, Q	the other components later. ES: Okay.
2 3 4 5		that there is the appropriate focus on regulatory matters at Hydro currently? ES: I think the structure has been changed quite a bit from the point of view where it used to be. From the point of view of the	2 3 4 5	A. GREENE, Q	the other components later. ES: Okay. C.: So, on page 1, Mr. Haynes, that's your performance contract. Is that correct?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19		that there is the appropriate focus on regulatory matters at Hydro currently? ES: I think the structure has been changed quite a bit from the point of view where it used to be. From the point of view of the Manager of Regulatory Engineering, we have people in that department – we have a few engineers in that department reviewing, you know, capital budget proposals and keeping track of all the requests and so on. So, there's a – you know, the department has grown from what it used to be, there's no doubt about that, but I think the focus is purely regulatory and making sure that the reports are reliable and that the applications are thorough and things are looked after. There's still work to be done obviously, you know, but there's quite a bit	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A. GREENE, Q Q. MR. HAYN A. GREENE, Q Q. MR. HAYN A. GREENE, Q Q. MR. HAYN A. GREENE, Q	the other components later. ES: Okay. C.: So, on page 1, Mr. Haynes, that's your performance contract. Is that correct? ES: Yes. C.: The position there is President, Newfoundland Hydro. ES: Yes. C.: Okay. And now, we're only going to talk about the regulatory. ES: Okay. C.:
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20		that there is the appropriate focus on regulatory matters at Hydro currently? ES: I think the structure has been changed quite a bit from the point of view where it used to be. From the point of view of the Manager of Regulatory Engineering, we have people in that department – we have a few engineers in that department reviewing, you know, capital budget proposals and keeping track of all the requests and so on. So, there's a – you know, the department has grown from what it used to be, there's no doubt about that, but I think the focus is purely regulatory and making sure that the reports are reliable and that the applications are thorough and things are looked after. There's still work to be done obviously, you know, but there's quite a bit of review done on all things that go to the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. GREENE, Q Q. MR. HAYN A. GREENE, Q Q. MR. HAYN A. MR. HAYN A.	the other components later. ES: Okay. C.: So, on page 1, Mr. Haynes, that's your performance contract. Is that correct? ES: Yes. C.: The position there is President, Newfoundland Hydro. ES: Yes. C.: Okay. And now, we're only going to talk about the regulatory. ES: Okay. C.: We'll come back in a little while to your
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Α.	that there is the appropriate focus on regulatory matters at Hydro currently? ES: I think the structure has been changed quite a bit from the point of view where it used to be. From the point of view of the Manager of Regulatory Engineering, we have people in that department – we have a few engineers in that department reviewing, you know, capital budget proposals and keeping track of all the requests and so on. So, there's a – you know, the department has grown from what it used to be, there's no doubt about that, but I think the focus is purely regulatory and making sure that the reports are reliable and that the applications are thorough and things are looked after. There's still work to be done obviously, you know, but there's quite a bit of review done on all things that go to the Public Utilities Board.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. GREENE, Q Q. MR. HAYN A. GREENE, Q Q. MR. HAYN A. GREENE, Q Q. MR. HAYN A. GREENE, Q	the other components later. ES: Okay. C.: So, on page 1, Mr. Haynes, that's your performance contract. Is that correct? ES: Yes. C.: The position there is President, Newfoundland Hydro. ES: Yes. C.: Okay. And now, we're only going to talk about the regulatory. ES: Okay. C.: We'll come back in a little while to your role in these contracts, but can you
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	A. GREENE, Q	that there is the appropriate focus on regulatory matters at Hydro currently? ES: I think the structure has been changed quite a bit from the point of view where it used to be. From the point of view of the Manager of Regulatory Engineering, we have people in that department – we have a few engineers in that department reviewing, you know, capital budget proposals and keeping track of all the requests and so on. So, there's a – you know, the department has grown from what it used to be, there's no doubt about that, but I think the focus is purely regulatory and making sure that the reports are reliable and that the applications are thorough and things are looked after. There's still work to be done obviously, you know, but there's quite a bit of review done on all things that go to the Public Utilities Board. .C.:	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. GREENE, Q Q. MR. HAYN A. GREENE, Q Q. MR. HAYN A. GREENE, Q Q. MR. HAYN A. GREENE, Q	the other components later. ES: Okay. C.: So, on page 1, Mr. Haynes, that's your performance contract. Is that correct? ES: Yes. C.: The position there is President, Newfoundland Hydro. ES: Yes. C.: Okay. And now, we're only going to talk about the regulatory. ES: Okay. C.: We'll come back in a little while to your role in these contracts, but can you explain, at the bottom quadrant there,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Α.	that there is the appropriate focus on regulatory matters at Hydro currently? ES: I think the structure has been changed quite a bit from the point of view where it used to be. From the point of view of the Manager of Regulatory Engineering, we have people in that department – we have a few engineers in that department reviewing, you know, capital budget proposals and keeping track of all the requests and so on. So, there's a – you know, the department has grown from what it used to be, there's no doubt about that, but I think the focus is purely regulatory and making sure that the reports are reliable and that the applications are thorough and things are looked after. There's still work to be done obviously, you know, but there's quite a bit of review done on all things that go to the Public Utilities Board. .C.: Are you contemplating any further changes	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. GREENE, Q Q. MR. HAYN A. GREENE, Q Q. MR. HAYN A. GREENE, Q Q. MR. HAYN A. GREENE, Q	the other components later. ES: Okay. C.: So, on page 1, Mr. Haynes, that's your performance contract. Is that correct? ES: Yes. C.: The position there is President, Newfoundland Hydro. ES: Yes. C.: Okay. And now, we're only going to talk about the regulatory. ES: Okay. C.: We'll come back in a little while to your role in these contracts, but can you explain, at the bottom quadrant there, Regulatory is shown as 15 percent. Is that
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	A. GREENE, Q	that there is the appropriate focus on regulatory matters at Hydro currently? ES: I think the structure has been changed quite a bit from the point of view where it used to be. From the point of view of the Manager of Regulatory Engineering, we have people in that department – we have a few engineers in that department reviewing, you know, capital budget proposals and keeping track of all the requests and so on. So, there's a – you know, the department has grown from what it used to be, there's no doubt about that, but I think the focus is purely regulatory and making sure that the reports are reliable and that the applications are thorough and things are looked after. There's still work to be done obviously, you know, but there's quite a bit of review done on all things that go to the Public Utilities Board. .C.: Are you contemplating any further changes with respect to the Regulatory Department?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. GREENE, Q Q. MR. HAYN A. GREENE, Q Q. MR. HAYN A. GREENE, Q Q. MR. HAYN A. GREENE, Q	the other components later. ES: Okay. CC: So, on page 1, Mr. Haynes, that's your performance contract. Is that correct? ES: Yes. CC: The position there is President, Newfoundland Hydro. ES: Yes. CC: Okay. And now, we're only going to talk about the regulatory. ES: Okay. CC: We'll come back in a little while to your role in these contracts, but can you explain, at the bottom quadrant there, Regulatory is shown as 15 percent. Is that correct?

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		Page 77		Page 79
	A.	That's correct.	1	MR. HAYNES:
$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	GREENE, Q.		2	A. No, but the Regulatory Department, you know
3	Q.	And it's also shown for you – these are	3	is holding the pen, if you will, from the
4		corporate targets? Is that correct?	4	point of view of what goes to the Board.
5	MR. HAYNE		5	But basically there's a lot of participants
6	А.	That's correct.	6	in the overall regulatory performance,
7	GREENE, Q		7	whether it's on the capital program or
8	Q.	And 100 percent of your performance payouts		particularly the Finance Department.
9		is based on corporate performance? Is that	9	There's a lot of interaction back and forth.
10		correct?	10	So, the principle of having it up in Part A
11	MR. HAYNE		11	was to ensure that all VPs were actually
12	А.	That's correct.	12	focused on the regulatory things to help
13	GREENE, Q.		13	Regulatory do its job.
14	Q.	So, in your particular case, 15 percent is	14	GREENE, Q.C.:
15		actually based on Regulatory performance?	15	Q. And not Ms. Dalley. So, if we could go to -
16	MR. HAYNE	ES:	16	MR. HAYNES:
17	A.	That's correct.	17	A. Well, including Ms. Dalley obviously. She
18	GREENE, Q.	C.:	18	would see it in Part A.
19	Q.	Okay. And I'll come back to how they get	19	GREENE, Q.C.:
20		measured.	20	Q. Yes, including Ms. Dalley, but not as a
21	MR. HAYNE	ES:	21	separate one -
22	A.	Okay.	22	MR. HAYNES:
23	GREENE, Q.	C.:	23	A. No.
24	Q.	If we could go to the Vice-Presidents'	24	GREENE, Q.C.:
25		contract, which is the next page, page 2, so	25	Q who has the executive responsibility for
		Page 78		Page 80
1		here we see it's only the divisional	1	rates.
2		weighting. So, is it correct that for vice-	2	MR. HAYNES:
3		presidents, 70 percent of their performance		
-			3	A. No, but I would suggest that down below, and
4			3	A. No, but I would suggest that down below, and vou know. Ms. Dalley had been over these
45		payout is based upon the corporate	4	you know, Ms. Dalley had been over these
4 5 6	MR. HAYNF	payout is based upon the corporate performance?	4 5	you know, Ms. Dalley had been over these performance contracts looking for
4 5 6 7	MR. HAYNE A.	payout is based upon the corporate performance? S:	4	you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a
6 7	MR. HAYNE A.	payout is based upon the corporate performance? S: That's correct. So, part A would be 70	4 5 6 7	you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly
6 7 8		payout is based upon the corporate performance? S: That's correct. So, part A would be 70 percent of – in this case, Ms. Dalley's	4 5 6 7 8	you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly for 2018. But they do transition down to
6 7 8 9	A.	payout is based upon the corporate performance? S: That's correct. So, part A would be 70 percent of – in this case, Ms. Dalley's would be actually Part A.	4 5 6 7 8 9	you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly for 2018. But they do transition down to the Manager of Regulatory Affairs and so on.
6 7 8 9 10	A. GREENE, Q.	payout is based upon the corporate performance? S: That's correct. So, part A would be 70 percent of – in this case, Ms. Dalley's would be actually Part A. C.:	4 5 6 7 8 9 10	you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly for 2018. But they do transition down to the Manager of Regulatory Affairs and so on. GREENE, Q.C.:
6 7 8 9 10 11	A.	payout is based upon the corporate performance? S: That's correct. So, part A would be 70 percent of – in this case, Ms. Dalley's would be actually Part A. C.: Okay. So, when we look through Ms. Dalley's	4 5 6 7 8 9 10 11	you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly for 2018. But they do transition down to the Manager of Regulatory Affairs and so on. GREENE, Q.C.: Q. And if we could go to that contract for a
6 7 8 9 10 11 12	A. GREENE, Q.	 payout is based upon the corporate performance? S: That's correct. So, part A would be 70 percent of – in this case, Ms. Dalley's would be actually Part A. C.: Okay. So, when we look through Ms. Dalley's performance contract, I was struck by the 	4 5 6 7 8 9 10 11 12	you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly for 2018. But they do transition down to the Manager of Regulatory Affairs and so on. GREENE, Q.C.: Q. And if we could go to that contract for a moment, page 50 of this attachment. And
6 7 8 9 10 11 12 13	A. GREENE, Q.	payout is based upon the corporate performance? S: That's correct. So, part A would be 70 percent of – in this case, Ms. Dalley's would be actually Part A. C.: Okay. So, when we look through Ms. Dalley's performance contract, I was struck by the fact that I couldn't see, other than in the	4 5 6 7 8 9 10 11 12 13	you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly for 2018. But they do transition down to the Manager of Regulatory Affairs and so on. GREENE, Q.C.: Q. And if we could go to that contract for a moment, page 50 of this attachment. And here, we do actually see specific components
6 7 8 9 10 11 12 13 14	A. GREENE, Q.	payout is based upon the corporate performance? S: That's correct. So, part A would be 70 percent of – in this case, Ms. Dalley's would be actually Part A. C.: Okay. So, when we look through Ms. Dalley's performance contract, I was struck by the fact that I couldn't see, other than in the corporate measure, a measure related to	4 5 6 7 8 9 10 11 12 13 14	you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly for 2018. But they do transition down to the Manager of Regulatory Affairs and so on. GREENE, Q.C.: Q. And if we could go to that contract for a moment, page 50 of this attachment. And here, we do actually see specific components in the manager's role related to regulatory
6 7 8 9 10 11 12 13 14 15	A. GREENE, Q. Q.	 payout is based upon the corporate performance? S: That's correct. So, part A would be 70 percent of – in this case, Ms. Dalley's would be actually Part A. C.: Okay. So, when we look through Ms. Dalley's performance contract, I was struck by the fact that I couldn't see, other than in the corporate measure, a measure related to Regulatory performance. 	4 5 6 7 8 9 10 11 12 13 14 15	you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly for 2018. But they do transition down to the Manager of Regulatory Affairs and so on. GREENE, Q.C.: Q. And if we could go to that contract for a moment, page 50 of this attachment. And here, we do actually see specific components in the manager's role related to regulatory performance, for example, priority work plan
6 7 8 9 10 11 12 13 14 15 16	A. GREENE, Q. Q. MR. HAYNE	payout is based upon the corporate performance? S: That's correct. So, part A would be 70 percent of – in this case, Ms. Dalley's would be actually Part A. C.: Okay. So, when we look through Ms. Dalley's performance contract, I was struck by the fact that I couldn't see, other than in the corporate measure, a measure related to Regulatory performance. S:	4 5 6 7 8 9 10 11 12 13 14 15 16	 you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly for 2018. But they do transition down to the Manager of Regulatory Affairs and so on. GREENE, Q.C.: Q. And if we could go to that contract for a moment, page 50 of this attachment. And here, we do actually see specific components in the manager's role related to regulatory performance, for example, priority work plan objective one. Is that correct?
6 7 8 9 10 11 12 13 14 15 16 17	A. GREENE, Q. Q.	payout is based upon the corporate performance? S: That's correct. So, part A would be 70 percent of – in this case, Ms. Dalley's would be actually Part A. C.: Okay. So, when we look through Ms. Dalley's performance contract, I was struck by the fact that I couldn't see, other than in the corporate measure, a measure related to Regulatory performance. S: But her overall contract is Part A and Part	4 5 6 7 8 9 10 11 12 13 14 15 16 17	you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly for 2018. But they do transition down to the Manager of Regulatory Affairs and so on. GREENE, Q.C.: Q. And if we could go to that contract for a moment, page 50 of this attachment. And here, we do actually see specific components in the manager's role related to regulatory performance, for example, priority work plan objective one. Is that correct? MR. HAYNES:
6 7 8 9 10 11 12 13 14 15 16 17 18	A. GREENE, Q. Q. MR. HAYNE	payout is based upon the corporate performance? S: That's correct. So, part A would be 70 percent of – in this case, Ms. Dalley's would be actually Part A. C.: Okay. So, when we look through Ms. Dalley's performance contract, I was struck by the fact that I couldn't see, other than in the corporate measure, a measure related to Regulatory performance. S: But her overall contract is Part A and Part B and Part A would include that there. It	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly for 2018. But they do transition down to the Manager of Regulatory Affairs and so on. GREENE, Q.C.: Q. And if we could go to that contract for a moment, page 50 of this attachment. And here, we do actually see specific components in the manager's role related to regulatory performance, for example, priority work plan objective one. Is that correct? MR. HAYNES: A. That's correct.
6 7 8 9 10 11 12 13 14 15 16 17 18 19	A. GREENE, Q. Q. MR. HAYNE	 payout is based upon the corporate performance? S: That's correct. So, part A would be 70 percent of – in this case, Ms. Dalley's would be actually Part A. C.: Okay. So, when we look through Ms. Dalley's performance contract, I was struck by the fact that I couldn't see, other than in the corporate measure, a measure related to Regulatory performance. S: But her overall contract is Part A and Part B and Part A would include that there. It would be a bit of a duplication to have it 	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly for 2018. But they do transition down to the Manager of Regulatory Affairs and so on. GREENE, Q.C.: Q. And if we could go to that contract for a moment, page 50 of this attachment. And here, we do actually see specific components in the manager's role related to regulatory performance, for example, priority work plan objective one. Is that correct? MR. HAYNES: A. That's correct. GREENE, Q.C.:
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. GREENE, Q. Q. MR. HAYNE	payout is based upon the corporate performance? S: That's correct. So, part A would be 70 percent of – in this case, Ms. Dalley's would be actually Part A. C.: Okay. So, when we look through Ms. Dalley's performance contract, I was struck by the fact that I couldn't see, other than in the corporate measure, a measure related to Regulatory performance. S: But her overall contract is Part A and Part B and Part A would include that there. It would be a bit of a duplication to have it down below as well. That was the thought at	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly for 2018. But they do transition down to the Manager of Regulatory Affairs and so on. GREENE, Q.C.: Q. And if we could go to that contract for a moment, page 50 of this attachment. And here, we do actually see specific components in the manager's role related to regulatory performance, for example, priority work plan objective one. Is that correct? MR. HAYNES: A. That's correct. GREENE, Q.C.: Q. Okay. And similarly, if we went to Senior
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. GREENE, Q. Q. MR. HAYNE A.	 payout is based upon the corporate performance? S: That's correct. So, part A would be 70 percent of – in this case, Ms. Dalley's would be actually Part A. C.: Okay. So, when we look through Ms. Dalley's performance contract, I was struck by the fact that I couldn't see, other than in the corporate measure, a measure related to Regulatory performance. S: But her overall contract is Part A and Part B and Part A would include that there. It would be a bit of a duplication to have it down below as well. That was the thought at the time. But, it's - 	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly for 2018. But they do transition down to the Manager of Regulatory Affairs and so on. GREENE, Q.C.: Q. And if we could go to that contract for a moment, page 50 of this attachment. And here, we do actually see specific components in the manager's role related to regulatory performance, for example, priority work plan objective one. Is that correct? MR. HAYNES: A. That's correct. GREENE, Q.C.: Q. Okay. And similarly, if we went to Senior Legal Counsel, we would see – and I was just
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. GREENE, Q. Q. MR. HAYNE A. GREENE, Q.	payout is based upon the corporate performance? S: That's correct. So, part A would be 70 percent of – in this case, Ms. Dalley's would be actually Part A. C.: Okay. So, when we look through Ms. Dalley's performance contract, I was struck by the fact that I couldn't see, other than in the corporate measure, a measure related to Regulatory performance. S: But her overall contract is Part A and Part B and Part A would include that there. It would be a bit of a duplication to have it down below as well. That was the thought at the time. But, it's - C.:	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly for 2018. But they do transition down to the Manager of Regulatory Affairs and so on. GREENE, Q.C.: Q. And if we could go to that contract for a moment, page 50 of this attachment. And here, we do actually see specific components in the manager's role related to regulatory performance, for example, priority work plan objective one. Is that correct? MR. HAYNES: A. That's correct. GREENE, Q.C.: Q. Okay. And similarly, if we went to Senior Legal Counsel, we would see – and I was just trying to understand how the performance
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	A. GREENE, Q. Q. MR. HAYNE A.	payout is based upon the corporate performance? S: That's correct. So, part A would be 70 percent of – in this case, Ms. Dalley's would be actually Part A. C.: Okay. So, when we look through Ms. Dalley's performance contract, I was struck by the fact that I couldn't see, other than in the corporate measure, a measure related to Regulatory performance. S: But her overall contract is Part A and Part B and Part A would include that there. It would be a bit of a duplication to have it down below as well. That was the thought at the time. But, it's - C.: So, Ms. Dalley's then wouldn't be any	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly for 2018. But they do transition down to the Manager of Regulatory Affairs and so on. GREENE, Q.C.: Q. And if we could go to that contract for a moment, page 50 of this attachment. And here, we do actually see specific components in the manager's role related to regulatory performance, for example, priority work plan objective one. Is that correct? MR. HAYNES: A. That's correct. GREENE, Q.C.: Q. Okay. And similarly, if we went to Senior Legal Counsel, we would see – and I was just trying to understand how the performance contracts reflected the priority that's
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. GREENE, Q. Q. MR. HAYNE A. GREENE, Q.	payout is based upon the corporate performance? S: That's correct. So, part A would be 70 percent of – in this case, Ms. Dalley's would be actually Part A. C.: Okay. So, when we look through Ms. Dalley's performance contract, I was struck by the fact that I couldn't see, other than in the corporate measure, a measure related to Regulatory performance. S: But her overall contract is Part A and Part B and Part A would include that there. It would be a bit of a duplication to have it down below as well. That was the thought at the time. But, it's - C.:	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 you know, Ms. Dalley had been over these performance contracts looking for consistency and so on and that's kind of a fairly concerted effort actually certainly for 2018. But they do transition down to the Manager of Regulatory Affairs and so on. GREENE, Q.C.: Q. And if we could go to that contract for a moment, page 50 of this attachment. And here, we do actually see specific components in the manager's role related to regulatory performance, for example, priority work plan objective one. Is that correct? MR. HAYNES: A. That's correct. GREENE, Q.C.: Q. Okay. And similarly, if we went to Senior Legal Counsel, we would see – and I was just trying to understand how the performance

1 MR, HAYNES: 1 MR, HAYNES: 2 A. Okay, yeah. 3 3 GREENE, Q.C: 4 Q. And that NLSO has been described in filings 5 see it at the manager level, other than the same as other vice-presidents. 6 Q. And that NLSO has been described in filings 6 wice-presidents. 9 A. Well, I mean, the thought is that – first of all, in this particular case, if you look at the bottom, we're talking – I don't see it 0 MR. HAYNES: 9 A. Well, I mean, the manager is basically in the bottom, we're talking – I don't see it 0 meansission planning 11 the bottom, we're talking – I don't see it 10 meansission planning 14 13 sorry, uist P att. So. 70 percent of the componensiton for the manager is basically in 16 system, if you will. So, ti's a – it's is a mit as the single P and basically plan and operate the transmission laming 14 components, but look at the equalatory part, which 18 there's no – thene is – you know, the intent 19 is that – and the manager. 20 12 Q. Yeah. 22 markeing people or extrend parties of what 23 A. Of the manager. 21 outside of that departmen	п	24, 2018			Verbatim Court Report	_
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25 Q. Yeah. 25 is the first time that marketing, for Page 82 1 (10:15 a.m.) Page 82 2 MR. HAYNES: 1 instance, will actually see that 3 A. The concept at the time was that basically 4 available or not and what the remaining 4 the VPs basically are up at the management, 5 available or not and what the remaining 4 the senior level and from our 6 perspective, we perceive that the fact that 7 it was in Part A would adequately cover the 7 functionally separate, in your perspective 8 VP of Regulatory. That's our presumption. 9 communication with the marketing people in 9 Q. Okay. And we can follow that up with Ms. 10 Nalcor? 11 Dalley. If you could go back now to the 12 A. That's correct. 13 again. Just a couple of questions on the 13 GREENE, Q.C.: 14 Q. But from Hydro's perspective, I think you'va 16 A. Okay. I MR. HAYNES: 15 already testified that it is – they operate 16		e			1 5 5	ion
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17GREENE, Q.C.:17MR. HAYNES:18Q and Nalcor Energy Marketing, because those18A.They do.19areas have been covered well by my19GREENE, Q.C.:1920colleagues before me. So, it's Exhibit 2,20Q.Okay. In the same manner as the old Energy21Schedule 1, page 1.So, if we look at the21Control Centre? Is that correct?22system operator, that position – or the22MR. HAYNES:23Vice-President of Transmission and23A.That's correct.24Distribution is also responsible for the24GREENE, Q.C.:						_
18Q and Nalcor Energy Marketing, because those areas have been covered well by my 2018A.They do.19areas have been covered well by my colleagues before me. So, it's Exhibit 2, 2119GREENE, Q.C.: 2020Q.Okay. In the same manner as the old Energy 2121Schedule 1, page 1. So, if we look at the 22system operator, that position – or the 2321Control Centre? Is that correct?23Vice-President of Transmission and 2423A.That's correct.24Distribution is also responsible for the24GREENE, Q.C.:		•				!
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24 Distribution is also responsible for the 24 GREENE, Q.C.:						
$1 07 \qquad $	1	1				
25 NLSO? Is that correct? 25 Q. So, the other implication of that is with Discoveries Unlimited Inc. (709)437-5028 Page 81 - Page 8	25				-	

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		Page 85		0	Page 87
		respect to the cost. The operating cost for	1	Q.	There will be some credit back with respect
2		the non-bulk system would be in the revenue	2		to the fact Hydro will pay the same tariff,
3		requirement? Is that correct?	3		but there will not be also doubly collected
4	MR. HAYNE	-	4		from ratepayers? Is that -
5	A.	That's correct, but not in the bulk – not in	5	MR. HAYNE	1 0
	А.		-		
6		the transmission tariff. The transmission	6	A.	Absolutely not.
7		tariff was based on the 230kV and above	7	GREENE, Q.	
8		breakdown.	8	Q.	Okay. And who would be best to follow up
9	GREENE, Q.	C.:	9		that issue with?
10	Q.	So, with respect to the system operator, we	10	MR. HAYNE	S.
11	χ.	have to look at the costs that relate to the	11	A.	Mr. Fagan actually is quite understanding of
12			12	71.	the way the NLSO tariff works.
		bulk system that feed into the open access		ODEENE O	2
13		transmission tariff that Hydro will pay? Is	13	GREENE, Q.	
14		that correct?	14	Q.	And Mr. LeBlanc possibly?
15	MR. HAYNE	S:	15	MR. HAYNE	S:
16	A.	That would make sense, yes.	16	А.	Mr. LeBlanc possibly and particularly on the
17	GREENE, Q.		17		operation of the NLSO and from a principle
18	Q.	And the other remaining costs for the system	18		point of view.
19	Q.	operator, which would be for the non-bulk	10	GREENE, Q.	
		1		, .	
20		system, the 138kV lines and your other	20	Q.	So really, the only implication of the
21		distribution lines, they remain in the test	21		functionally separate is one with respect to
22		year revenue requirement? Is that correct?	22		- because it's required by FERC, no
23	MR. HAYNE	S:	23		communication with the energy marketing
24	A.	I think they're all in the test year revenue	24		people?
25		requirement, including, you know, the	25	MR. HAYNE	
- 40					
25		1 . 0.1	-		
1		Page 86	1		Page 88
1		Page 86 expected – the transmission tariff. Mr.	1	A.	Page 88 No strategic advantage that would be
1 2		Page 86 expected – the transmission tariff. Mr. Fagan could actually best discuss the	1 2	A.	Page 88 No strategic advantage that would be provided to NEM from that perspective.
1		Page 86 expected – the transmission tariff. Mr. Fagan could actually best discuss the mechanics of that. But the rates that we	1	A. GREENE, Q.	Page 88 No strategic advantage that would be provided to NEM from that perspective. C.:
1 2		Page 86 expected – the transmission tariff. Mr. Fagan could actually best discuss the	1 2	A.	Page 88 No strategic advantage that would be provided to NEM from that perspective.
1 2		Page 86 expected – the transmission tariff. Mr. Fagan could actually best discuss the mechanics of that. But the rates that we	1 2 3	A. GREENE, Q.	Page 88 No strategic advantage that would be provided to NEM from that perspective. C.:
1 2 3 4 5		Page 86 expected – the transmission tariff. Mr. Fagan could actually best discuss the mechanics of that. But the rates that we put forward basically collect all costs. You know, there's no specific – the customer	1 2 3 4 5	A. GREENE, Q.	Page 88 No strategic advantage that would be provided to NEM from that perspective. C.: And with respect to the proper allocation on crediting of costs related to the bulk
1 2 3 4 5 6		Page 86 expected – the transmission tariff. Mr. Fagan could actually best discuss the mechanics of that. But the rates that we put forward basically collect all costs. You know, there's no specific – the customer will not see from, you know, a specific	1 2 3	A. GREENE, Q.	Page 88 No strategic advantage that would be provided to NEM from that perspective. C.: And with respect to the proper allocation on crediting of costs related to the bulk transmission system for the open access
1 2 3 4 5 6 7		Page 86 expected – the transmission tariff. Mr. Fagan could actually best discuss the mechanics of that. But the rates that we put forward basically collect all costs. You know, there's no specific – the customer will not see from, you know, a specific allocation of transmission costs or	1 2 3 4 5 6 7	A. GREENE, Q. Q.	Page 88 No strategic advantage that would be provided to NEM from that perspective. C.: And with respect to the proper allocation on crediting of costs related to the bulk transmission system for the open access transmission tariff?
1 2 3 4 5 6 7 8		Page 86 expected – the transmission tariff. Mr. Fagan could actually best discuss the mechanics of that. But the rates that we put forward basically collect all costs. You know, there's no specific – the customer will not see from, you know, a specific allocation of transmission costs or distribution costs or whatever. They will	1 2 3 4 5 6 7 8	A. GREENE, Q. Q. MR. HAYNE	Page 88 No strategic advantage that would be provided to NEM from that perspective. C.: And with respect to the proper allocation on crediting of costs related to the bulk transmission system for the open access transmission tariff? S:
1 2 3 4 5 6 7 8 9		Page 86 expected – the transmission tariff. Mr. Fagan could actually best discuss the mechanics of that. But the rates that we put forward basically collect all costs. You know, there's no specific – the customer will not see from, you know, a specific allocation of transmission costs or distribution costs or whatever. They will have an integrated rate and that's all	1 2 3 4 5 6 7 8 9	A. GREENE, Q. Q. MR. HAYNE A.	Page 88 No strategic advantage that would be provided to NEM from that perspective. C.: And with respect to the proper allocation on crediting of costs related to the bulk transmission system for the open access transmission tariff? S: I'm sorry, the question?
1 2 3 4 5 6 7 8 9 10		Page 86 expected – the transmission tariff. Mr. Fagan could actually best discuss the mechanics of that. But the rates that we put forward basically collect all costs. You know, there's no specific – the customer will not see from, you know, a specific allocation of transmission costs or distribution costs or whatever. They will have an integrated rate and that's all integrated in that particular test year	1 2 3 4 5 6 7 8 9 10	A. GREENE, Q. Q. MR. HAYNE A. GREENE, Q.	Page 88 No strategic advantage that would be provided to NEM from that perspective. C.: And with respect to the proper allocation on crediting of costs related to the bulk transmission system for the open access transmission tariff? SS: I'm sorry, the question? C.:
1 2 3 4 5 6 7 8 9 10 11		Page 86 expected – the transmission tariff. Mr. Fagan could actually best discuss the mechanics of that. But the rates that we put forward basically collect all costs. You know, there's no specific – the customer will not see from, you know, a specific allocation of transmission costs or distribution costs or whatever. They will have an integrated rate and that's all integrated in that particular test year rate. But again, Mr. Fagan could actually	1 2 3 4 5 6 7 8 9 10 11	A. GREENE, Q. Q. MR. HAYNE A.	Page 88 No strategic advantage that would be provided to NEM from that perspective. C.: And with respect to the proper allocation on crediting of costs related to the bulk transmission system for the open access transmission tariff? SS: I'm sorry, the question? C.: The second one relates to how we split out
1 2 3 4 5 6 7 8 9 10		Page 86 expected – the transmission tariff. Mr. Fagan could actually best discuss the mechanics of that. But the rates that we put forward basically collect all costs. You know, there's no specific – the customer will not see from, you know, a specific allocation of transmission costs or distribution costs or whatever. They will have an integrated rate and that's all integrated in that particular test year	1 2 3 4 5 6 7 8 9 10	A. GREENE, Q. Q. MR. HAYNE A. GREENE, Q.	Page 88 No strategic advantage that would be provided to NEM from that perspective. C.: And with respect to the proper allocation on crediting of costs related to the bulk transmission system for the open access transmission tariff? SS: I'm sorry, the question? C.:
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$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\end{array} $	Q.	Page 86 expected – the transmission tariff. Mr. Fagan could actually best discuss the mechanics of that. But the rates that we put forward basically collect all costs. You know, there's no specific – the customer will not see from, you know, a specific allocation of transmission costs or distribution costs or whatever. They will have an integrated rate and that's all integrated in that particular test year rate. But again, Mr. Fagan could actually explain the mechanics a lot more competently than me. C.: I was going to say I will follow up with Mr. LeBlanc or Mr. Fagan.	$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\end{array} $	A. GREENE, Q. Q. MR. HAYNE A. GREENE, Q. Q. MR. HAYNE A.	Page 88 No strategic advantage that would be provided to NEM from that perspective. C.: And with respect to the proper allocation on crediting of costs related to the bulk transmission system for the open access transmission tariff? S: I'm sorry, the question? C.: The second one relates to how we split out the cost that would - S: Yes. C.: - of the system operator would feed into the
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$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	Q. MR. HAYNE A. GREENE, Q. Q.	Page 86 expected – the transmission tariff. Mr. Fagan could actually best discuss the mechanics of that. But the rates that we put forward basically collect all costs. You know, there's no specific – the customer will not see from, you know, a specific allocation of transmission costs or distribution costs or whatever. They will have an integrated rate and that's all integrated in that particular test year rate. But again, Mr. Fagan could actually explain the mechanics a lot more competently than me. C.: I was going to say I will follow up with Mr. LeBlanc or Mr. Fagan. S: Okay. C.: But from the perspective of the open access transmission tariff which – well, third parties will pay the same as Hydro?	$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	A. GREENE, Q. Q. MR. HAYNE A. GREENE, Q. Q. MR. HAYNE A. GREENE, Q. Q. MR. HAYNE A. GREENE, Q.	Page 88 No strategic advantage that would be provided to NEM from that perspective. C.: And with respect to the proper allocation on crediting of costs related to the bulk transmission system for the open access transmission tariff? SS: I'm sorry, the question? C.: The second one relates to how we split out the cost that would - SS: Yes. C.: - of the system operator would feed into the open access transmission tariff? SS: Yes, yeah, exactly. C.: Nalcor Energy Marketing, there has been a lot of discussion already with respect to
$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\end{array} $	Q. MR. HAYNE A. GREENE, Q. Q. MR. HAYNE	Page 86 expected – the transmission tariff. Mr. Fagan could actually best discuss the mechanics of that. But the rates that we put forward basically collect all costs. You know, there's no specific – the customer will not see from, you know, a specific allocation of transmission costs or distribution costs or whatever. They will have an integrated rate and that's all integrated in that particular test year rate. But again, Mr. Fagan could actually explain the mechanics a lot more competently than me. C.: I was going to say I will follow up with Mr. LeBlanc or Mr. Fagan. S: Okay. C.: But from the perspective of the open access transmission tariff which – well, third parties will pay the same as Hydro? S:	$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\end{array} $	A. GREENE, Q. Q. MR. HAYNE A. GREENE, Q. Q. MR. HAYNE A. GREENE, Q. Q. MR. HAYNE A. GREENE, Q.	Page 88 No strategic advantage that would be provided to NEM from that perspective. C.: And with respect to the proper allocation on crediting of costs related to the bulk transmission system for the open access transmission tariff? S: I'm sorry, the question? C.: The second one relates to how we split out the cost that would - S: Yes. C.: - of the system operator would feed into the open access transmission tariff? S: Yes, yeah, exactly. C.: Nalcor Energy Marketing, there has been a lot of discussion already with respect to the role that Nalcor Energy Marketing plays
$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	Q. MR. HAYNE A. GREENE, Q. Q.	Page 86 expected – the transmission tariff. Mr. Fagan could actually best discuss the mechanics of that. But the rates that we put forward basically collect all costs. You know, there's no specific – the customer will not see from, you know, a specific allocation of transmission costs or distribution costs or whatever. They will have an integrated rate and that's all integrated in that particular test year rate. But again, Mr. Fagan could actually explain the mechanics a lot more competently than me. C.: I was going to say I will follow up with Mr. LeBlanc or Mr. Fagan. S: Okay. C.: But from the perspective of the open access transmission tariff which – well, third parties will pay the same as Hydro? S: Yes.	$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	A. GREENE, Q. Q. MR. HAYNE A. GREENE, Q. Q. MR. HAYNE A. GREENE, Q. Q. MR. HAYNE A. GREENE, Q.	Page 88 No strategic advantage that would be provided to NEM from that perspective. C.: And with respect to the proper allocation on crediting of costs related to the bulk transmission system for the open access transmission tariff? SS: I'm sorry, the question? C.: The second one relates to how we split out the cost that would - SS: Yes. C.: - of the system operator would feed into the open access transmission tariff? SS: Yes, yeah, exactly. C.: Nalcor Energy Marketing, there has been a lot of discussion already with respect to

	atim Court Reporters
Page 89	Page 91
1 to PUB-16. And it relates to the degree of 1 GREENE, Q.C.:	
2 oversight that the Board will have with 2 Q. Yes.	
3 respect to the purchases Nalcor Energy 3 MR. HAYNES:	A 1.1 · 11 ·
4 Marketing will make on behalf of Hydro. And 4 A. That's certainly correct.	,
5 if you look at the response to that in line 5 is—it's a challenge, then	
6 7 to 9, it's broken down – the response 6 Basically, it's an unregu	
7 breaks down the cost into three categories. 7 our job from our perspec	
8 One is the cost of – the recall energy is 8 challenge those costs an	
9 number one. The next is other off-island 9 We would like to be sup	-
10 purchases in addition to recall and then 10 the day, that we agree w	
11 there's a transmission cost. So, we have 11 end of the day, there's n	ot a lot of
12 the power purchase cost and the transmission 12 control.	
13cost. We've already heard discussion that13GREENE, Q.C.:	
14 the transmission cost associated with the 14 Q. So, it's basically –	
15 use of the LIL and the LTA assets are by 15 MR. HAYNES:	
16 Order in Council to be included in Hydro's 16 A. By virtue of the orders.	
17 revenue requirement. Is that correct? 17 GREENE, Q.C.:	
18MR. HAYNES:18Q.There's no regulatory or	
19A.Yes, correct.19of Nalcor Energy Market	eting?
20 GREENE, Q.C.: 20 MR. HAYNES:	
21 Q. With respect to those costs, and Mr. 21 A. No.	
22 Coxworthy did follow up this morning, so 22 GREENE, Q.C.:	
23that does shorten my questions that I had23Q.Okay. So, I guess I could	1
24for you on this.24essentially, while Hydro	
25MR. HAYNES:25cut, Hydro also has not	real control over
Page 90	Page 92
1A.Okay.1those costs, do they?	
2 GREENE, Q.C.: 2 MR. HAYNES:	
3 Q. Again, how do—while Hydro will review and 3 A. That's correct.	
4 scrutinize those costs, you—the real 4 GREENE, Q.C.:	
5 oversight to the Board, where does the Board 5 Q. With respect to the pow	ver purchase costs
6 and stakeholders actually, where do they 6 though?	
7 receive assurance or confidence that those 7 MR. HAYNES:	
8 transmission costs are the lowest possible 8 A. Yes.	
9 costs in the circumstance? 9 GREENE, Q.C.:	· 1 4 D 1
10 MR. HAYNES: 10 Q. That is subject to full re	eview by the Board,
11 A. In the context of the – 11 isn't that correct?	
12 GREENE, Q.C.: 12 MR. HAYNES:	1 1
13 Q. Transmission only for – 13 A. It is. Yes, it is. And ye	
14 MR. HAYNES: 14 and as I said before, the	-
15 A. Transmission only? 15 view of the purchases the	
	are reviewed by Ms.
17 Q. For purchases made by Nalcor Energy 17 Williams as a part of th 18 Marketing Theorem ill house to use the 18	are reviewed by Ms. e Production
18Marketing. They will have to use the18Division because those	are reviewed by Ms. e Production
18Marketing. They will have to use the transmission assets and the cost of18Division because those responsibility.	are reviewed by Ms. e Production
18Marketing. They will have to use the18Division because those19transmission assets and the cost of19responsibility.20operating and maintenance and capital20GREENE, Q.C.:	are reviewed by Ms. e Production accounts fall into
18Marketing. They will have to use the transmission assets and the cost of operating and maintenance and capital 2118Division because those responsibility.20operating and maintenance and capital eventually will—must be included in the20GREENE, Q.C.: 212021Q.And I wanted to talk, to	are reviewed by Ms. e Production accounts fall into bo, a little bit
18Marketing. They will have to use the transmission assets and the cost of 2018Division because those responsibility.20operating and maintenance and capital 2120GREENE, Q.C.:21eventually will—must be included in the rates and recover from ratepayers. The21Q.And I wanted to talk, to about that. You did spec	are reviewed by Ms. e Production accounts fall into oo, a little bit eak about the process
18Marketing. They will have to use the transmission assets and the cost of operating and maintenance and capital 2018Division because those responsibility.20operating and maintenance and capital 2120GREENE, Q.C.:21eventually will—must be included in the rates and recover from ratepayers. The 2321Q.23Board has no discretion.23about that. You did species that's ongoing now whith	are reviewed by Ms. e Production accounts fall into oo, a little bit eak about the process
18Marketing. They will have to use the transmission assets and the cost of 2018Division because those responsibility.20operating and maintenance and capital 2120GREENE, Q.C.:21eventually will—must be included in the rates and recover from ratepayers. The21Q.And I wanted to talk, to about that. You did spec	are reviewed by Ms. e Production accounts fall into oo, a little bit eak about the process

1	Page 93		Page 95
1		1	-
		1	any profits, whatever, would go to Nalcor.
$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	GREENE, Q.C.:	2	Basically, that's been reviewed and
3	Q. How do you foresee or what are Hydro's plans	3	basically Hydro owns that recall. So,
4	to ensure that the power purchase costs that	4	we've—you know, the focus right now is that
5	eventually end up being incurred are the	5	recall will be sold. Anything that we can't
6	most reasonable and the least cost that is	6	use—I mean, but first of all our objective
7	possible?	7	is to bring it to the island. Anything that
8	MR. HAYNES:	8	can't be sold, will be sold by them, but the
9	A. Well, part of that was, I guess, under the	9	process of the overall value sharing, if you
10	application to the Board to actually	10	will, between NEM and Power Supply and Hydro
11	undertake the fact that some of these things	11	is subject to an ongoing dialogue. Our
12	would be provided in confidence, because	12	objective is to actually form a contract,
13	there are non-disclosure agreements,	13	get an agreement that will—we will bring
14	obviously with –	14	before the Board for review, and hopefully
15	GREENE, Q.C.:	15	approval of how we actually value that and
16	Q. No, I'm not -	16	how we do it. And like if there's
17	MR. HAYNES:	17	compensation for utilization of reservoirs
17	A. No?	17	for instance, all those things are being
19	GREENE, Q.C.:	19	sorted out. And that's a work in progress
20	Q. I don't want to talk about the actual price.	20	and it's—we're not there yet, but it is
21	MR. HAYNES:	21	under discussion.
22	A. Okay.	22	GREENE, Q.C.:
23	GREENE, Q.C.:	23	Q. And that's what I understood.
24	Q. The process. Right now, let's—I understand	24	MR. HAYNES:
25	that Ms. Williams has a lot of discussion	25	A. Yeah.
1	Page 94		Page 96
1	-	1	Page 96 GREENE, Q.C.:
1 2	Page 94 with respect to the Nalcor Energy – MR. HAYNES:	1 2	GREENE, Q.C.:
	with respect to the Nalcor Energy –	1 2 3	GREENE, Q.C.: Q. And I wanted to get some sense of the
$\begin{vmatrix} 2\\ 3 \end{vmatrix}$	with respect to the Nalcor Energy – MR. HAYNES: A. Yes.	3	GREENE, Q.C.: Q. And I wanted to get some sense of the timelines. When will that process be
2 3 4	with respect to the Nalcor Energy – MR. HAYNES: A. Yes. GREENE, Q.C.:		GREENE, Q.C.: Q. And I wanted to get some sense of the timelines. When will that process be completed and when do you expect to provide
2 3 4 5	with respect to the Nalcor Energy – MR. HAYNES: A. Yes. GREENE, Q.C.: Q with the Nalcor Energy people because it's	3 4 5	GREENE, Q.C.: Q. And I wanted to get some sense of the timelines. When will that process be completed and when do you expect to provide that information to the Board?
2 3 4 5 6	with respect to the Nalcor Energy – MR. HAYNES: A. Yes. GREENE, Q.C.: Q with the Nalcor Energy people because it's a very complicated decision about how much	3 4 5 6	GREENE, Q.C.: Q. And I wanted to get some sense of the timelines. When will that process be completed and when do you expect to provide that information to the Board? MR. HAYNES:
2 3 4 5 6 7	with respect to the Nalcor Energy – MR. HAYNES: A. Yes. GREENE, Q.C.: Q with the Nalcor Energy people because it's a very complicated decision about how much you have to buy depends on your need, your	3 4 5 6 7	GREENE, Q.C.: Q. And I wanted to get some sense of the timelines. When will that process be completed and when do you expect to provide that information to the Board? MR. HAYNES: A. The intention is to have that before the
2 3 4 5 6 7 8	with respect to the Nalcor Energy – MR. HAYNES: A. Yes. GREENE, Q.C.: Q with the Nalcor Energy people because it's a very complicated decision about how much you have to buy depends on your need, your operating constraints, what's available in	3 4 5 6 7 8	 GREENE, Q.C.: Q. And I wanted to get some sense of the timelines. When will that process be completed and when do you expect to provide that information to the Board? MR. HAYNES: A. The intention is to have that before the Board by probably this fall, I believe is
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1		with respect to the interaction between	1	unreasonable. But at the end of the day,
2		Hydro Production and Nalcor Energy	2	the more they know about our avoided costs,
3		Marketing. And I can take you to it, but	3	the worse it is for our negotiating
4		your response was –	4	position. So, there is—you know, anything
5	MR. HAYNE		5	better than oil is better than oil at least—
6	A.	Yeah.	6	as long as that's the net number, but
7	GREENE, Q.	С.:	7	obviously, we need to be as low as we can
8	Q.	- no, there was no written guidelines at	8	go, and -
9	×.	this point in time.	9	GREENE, Q.C.:
10	MR. HAYNE	1	10	Q. And that's what I wanted to ask you.
11	A.	No.	11	MR. HAYNES:
12	GREENE, Q.		12	A. Yeah.
12	, (Are internal written guidelines being	12	GREENE, Q.C.:
1	Q.		13	
14		developed to guide the interaction between		Q. How do you ensure in this transition period
15		Hydro Production and Nalcor Energy	15	what—is there a guiding principle that
16		Marketing, apart from the contract you	16	avoided a fuel at Holyrood is the guiding
17		mentioned?	17	principle of—or is ithow do you satisfy
18	MR. HAYNE		18	yourself you're getting the best possible
19	А.	No, but I think that would be a part of the	19	price?
20		contract when it's done, that that will part	20	MR. HAYNES:
21		of how that actually interacts. But I mean,	21	A. Well, some of the—the agreement that's
22		we-there is nothing wrong from the point of		currently in place with—between them and
23		view of the regulatory folksI'm sorry, not	23	others basically, you know, has some guiding
24		the regulatory folks, but the marketing	24	principles, but I'm—I would suggest that
25		folks and Production. They have to work	25	there are probably—there are confidential at
		Page 98		Page 100
1		very cooperatively to make sure that we are	1	this point in time and that would be-I would
2		getting value for the assets and the assets	2	suggest that they are not-that's something
3		are used to best advantage of all. So, that	3	that we probably shouldn't discuss at this
4		would be an ongoing process, will be part of	4	point in time.
5		that discussion.	5	GREENE, Q.C.:
6	GREENE, Q.		6	Q. Okay.
7	Q.	Okay. And you mentioned, and I'd like to	7	MR. HAYNES:
8	χ٠	bring you to this one. It's your transcript	8	A. We'll cover it off on the information that
9		where you talked about as long as it's	9	we will provide.
10		cheaper than Holyrood, but maybe we don't	10	(10:30 a.m.)
11		need tofor the sake of time—but do you	11	GREENE, Q.C.:
11		recall when you talked"As long as we can	12	Q. So, even with respect to the process you set
12		beat Holyrood, we're okay with that."	12	up around the—with respect to the
13			13	
		That's essentially what I took from your		guidelines, guiding principles I'll call
15	MD IIANNT	comments.	15	them, with respect to when a purchase is
16	MR. HAYNE		16	made, there is no written guidelines right
17	A.	I'm not quite—not a good choice of words on	17	now?
10		my part. We would like to beat Holyrood as	18 19	MR. HAYNES:
18			1 1 1	A NO IT CONTRACT IN PROGRAM IT C
19		much as we can, but if you're negotiating,		A. No, it's a still a work in progress. It's
19 20		if you know, there's a discussion between a	20	evolving as we speak. There are discussions
19 20 21		if you know, there's a discussion between a supplier who has a particular source of	20 21	evolving as we speak. There are discussions on the go whenever we need to buy or when we
19 20 21 22		if you know, there's a discussion between a supplier who has a particular source of energy that's available that we can provide	20 21 22	evolving as we speak. There are discussions on the go whenever we need to buy or when we see that we have an option to actually
19 20 21 22 23		if you know, there's a discussion between a supplier who has a particular source of energy that's available that we can provide and there's a value-sharing between the two	20 21 22 23	evolving as we speak. There are discussions on the go whenever we need to buy or when we see that we have an option to actually purchase tofor instance, you know, not
19 20 21 22		if you know, there's a discussion between a supplier who has a particular source of energy that's available that we can provide	20 21 22	evolving as we speak. There are discussions on the go whenever we need to buy or when we see that we have an option to actually

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	OR FENSE	Page 101		Page 103
1	GREENE, Q.		1	the examples you have given and what you
2	Q.	And the role of avoided Holyrood fuel costs	2	have said are the processes Hydro has put in
3		at the current time, you're saying that's	3	place to now give the Board and stakeholders
4		only one of the factors that's taken into	4	that level of confidence that you have
5		account?	5	improved your processes and that the costs
6	MR. HAYNE		6	that are put forward are the most—the lowest
7	А.	Well, if can buy power and energy over the	7	possible cost and that Hydro is the most
8		Maritime Link and avoid a gas turbine start,	8	efficient it can be in terms of what it has
9		then those are things that we have done, and	9	presented for 2018 and 2019 test years. The
10		obviously, there's energy that comes with	10	first—and I want to go through these and
11		that, but basically, there are savings to us	11	then get your—and see if there's any others
12		on avoided fuel. It could be Holyrood; it	12	that I may have missed in the course of what
13		could be gas turbine; it could be a gas	13	you have filed –
14		turbine start; or it could be the ability to	14	MR. HAYNES:
15		shut down Holyrood early.	15	A. Okay.
16	GREENE, Q.	C.:	16	GREENE, Q.C.:
17	Q.	Okay.	17	Q in the course of what your discussion with
18	MR. HAYNE	S:	18	Mr. O'Brien has been. In preparing the
19	А.	The issue in the short term is that the	19	budget first of all, I wanted to talk to you
20		firmness is not there. We don't have the	20	about the budget guidelines. And that's—Mr.
21		ability at this point in time to go out and	21	O'Brien took you to them, PUB-51 attachment
22		power for a week or ten days or two weeks at	22	1. Could I bring those up, please? So,
23		a time. Recapture, we have that ability.	23	this is where you start giving the guidance
24		That's the-most of our focus has been on	24	to your staff about how to prepare your
25		actually trying to monetize the recapture	25	budgets for the year which of course form
		Page 102		Page 104
1		value.	1	the basis of your 2018 test—and '19 test
2	GREENE, Q.O	<u>.</u>	2	year revenue requirement. And we understand
3	Q.	And with respect to the recapture as a power	3	from earlier today that with respect to the
4		purchase cost, you've already testified that	4	preparation of the budget there is some
5		the price that you pay for that is .2 cents?	5	overall Nalcor group policy decisions that
6	MR. HAYNE		6	are made and communicated. And when you
7	А.	Point two cents a kilowatt hour.	7	looked at the guidelines, it's—if you can—
8	GREENE, Q.0		8	there is essentially nothing in there about
9	Q.	So, there's not much question with respect	9	how to prepare the budget. And I think
10		to the value of that, is there?	10	you've testified that there is nothing in
11	MR. HAYNE		11	writing with respect to keeping costs to
12	А.	We're not going to get that anywhere else.	12	either inflation or to look for a particular
13	GREENE, Q.O		13	target. Is that correct?
14	Q.	Okay. So, I'd like to move now from the	14	MR. HAYNES:
15		structure to the idea of cost control and	15	A. I don't recall a specific part there. There
16		budgets. And Mr. O'Brien did cover a fair	16	may not be, but there's been a lot of
17		number of the topics that I—we had wanted to	17	communication with respect to employees.
18		discuss, but there's still a few. Mr.	18	For instance, when the Board Order came in,
19		O'Brien took you to the Board's Order from	19	we had a budget for 2017 which was high. We
20		the last GRA withthe Board expressed the	20	went back and we made a lot of changes to
21		concern that Hydro hadn't demonstrated that	21	that there, coming back down and challenge
22		there were reasonable processes in place to	22	people on cost reduction and so on. We put
23		demonstrate that what Hydro put forward was	23	in place a various number of things with
24 25		the lowest possible cost for ratepayers.	24	respect to how we hire people, with respect
		And what I wanted to talk to you about were	25	to meeting the vacancy allowance. We spent

	Page 105		Page 107
1	-	1	-
	a lot of time at that there. So, there's a	1	A. No, that's generally accepted that would be
$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	bunch of other things that happened with	2	the target, but you know, but it may not
3	respect to that there, but basically, the	3	have been specifically spelled out, and I
4	budget basically is just—you know, the	4	don't recall specific details.
5	budget instructions are generally—you know,	5	GREENE, Q.C.:
6	we do try to maintain you know, we	6	Q. And there are no written guidelines with
7	obviously-we try to maintain control, but we	7	respect to that that are on the record. So,
8	also recognize that there's an increased	8	my question to you is, if this was an
9	demand for reliability. There's an	9	important focus for Hydro, why wouldn't you
10	increased pressure on those things there and	10	have produced some kind of written
11	the budget put forward was basically the	11	guidelines to all of your staff because you
12	amount that we thought we would need to	12	have so many staff who are approached about
13	provide safe, reliable service as opposed to	13	each individual departmental budget and
13	an arbitrary cut or whatever.	13	bring it up? Why wouldn't there have been a
15	GREENE, Q.C.:	15	written philosophy with respect to your
15		15	
	Q. Okay.		approach –
17	MR. HAYNES:	17	MR. HAYNES:
18	A. We have eliminated a number of positions.	18	A. The first focus –
19	We've done a lot of cost control in the	19	GREENE, Q.C.:
20	sense of the increase in FTEs for the Energy	20	Q and what they should do?
21	Control Centre were found within the	21	MR. HAYNES:
22	organization from vacancies that we had. We	22	A. The focus of the budget and the focus of our
23	basically wrote them out.	23	cost was to provide reliable service, safe,
24	GREENE, Q.C.:	24	reliable service, because we, you know, we
25	Q. And we're going to come to each of the	25	are very consistent that reliability was a
	Page 106		Page 108
1	Page 106 initiatives.	1	Page 108 key component of the service.
$\begin{vmatrix} 1\\2 \end{vmatrix}$	initiatives.	1 2	key component of the service.
2	initiatives. MR. HAYNES:	1 2 3	key component of the service. GREENE, Q.C.:
2 3	initiatives. MR. HAYNES: A. Yeah, okay.	1 2 3 4	key component of the service. GREENE, Q.C.: Q. So, that was your first focus, was
2 3 4	initiatives. MR. HAYNES: A. Yeah, okay. GREENE, Q.C.:	3 4	key component of the service. GREENE, Q.C.: Q. So, that was your first focus, was reliability, but it's not reliability in
2 3 4 5	initiatives. MR. HAYNES: A. Yeah, okay. GREENE, Q.C.: Q. But sort of starting from theand building	3 4 5	key component of the service. GREENE, Q.C.: Q. So, that was your first focus, was reliability, but it's not reliability in isolation of cost?
2 3 4 5 6	initiatives. MR. HAYNES: A. Yeah, okay. GREENE, Q.C.: Q. But sort of starting from theand building up first in the guidelines you give staff,	3 4	key component of the service. GREENE, Q.C.: Q. So, that was your first focus, was reliability, but it's not reliability in isolation of cost? MR. HAYNES:
2 3 4 5 6 7	initiatives. MR. HAYNES: A. Yeah, okay. GREENE, Q.C.: Q. But sort of starting from theand building up first in the guidelines you give staff, there's nothing in writing with respect to	3 4 5 6 7	key component of the service. GREENE, Q.C.: Q. So, that was your first focus, was reliability, but it's not reliability in isolation of cost? MR. HAYNES: A. No, we reviewed the—when the budget came in,
2 3 4 5 6 7 8	initiatives. MR. HAYNES: A. Yeah, okay. GREENE, Q.C.: Q. But sort of starting from theand building up first in the guidelines you give staff, there's nothing in writing with respect to any particular cost control initiative or	3 4 5 6 7 8	key component of the service. GREENE, Q.C.: Q. So, that was your first focus, was reliability, but it's not reliability in isolation of cost? MR. HAYNES: A. No, we reviewed the—when the budget came in, we reviewed the budget submissions from each
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$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	initiatives. MR. HAYNES: A. Yeah, okay. GREENE, Q.C.: Q. But sort of starting from theand building up first in the guidelines you give staff, there's nothing in writing with respect to any particular cost control initiative or how they should approach their costs? MR. HAYNES: A. Well, other than the fact that we want the least cost from that perspective. GREENE, Q.C.: Q. Okay. MR. HAYNES: A. But not a specific—I'm not aware of. GREENE, Q.C.: Q. Okay. MR. HAYNES: A. I don't recall a specific direction to, you know, cut ten percent for instance or whatever the case was.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	key component of the service. GREENE, Q.C.: Q. So, that was your first focus, was reliability, but it's not reliability in isolation of cost? MR. HAYNES: A. No, we reviewed the—when the budget came in, we reviewed the budget submissions from each department. We will go back down and question and challenge and so on. And when it was actually finally concluded, the executive agreed that was a reasonable budget put forward. GREENE, Q.C.: Q. Okay. MR. HAYNES: A. So, from that process, it was done, but not a direct order if you will to cut X percent, review all travel and review training, et cetera, et cetera. They were all done based on a needs analysis or based on what they

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	Page 109	1	Page 111
	MR. HAYNES:		Information Number 1 which areit is your
$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	A the level of service that we wanted.	2	2017 actuals.
3	GREENE, Q.C.:	3	MR. HAYNES:
4	Q. So, there would have been communications,	4	A. Okay.
5	but verbal? Is that what I'm taking –	5	GREENE, Q.C.:
6	MR. HAYNES:	6	Q. And Table 3.17 which is the operating cost
7	A. Oh, verbal.	7	actually for 2017. And other parties have
8	GREENE, Q.C.:	8	talked to you about the number. The test
9	Q. That verbally you would have communicated?	9	year 142, 142,377. So, you're operating
10	MR. HAYNES:	10	cost is the category of cost that you have
11	A. There would have been verbal. There were	11	the most control over, and Mr. O'Brien did
12	notes to staff in the sense ofyou know, I	12	take you through how the costs have changed
13	mean not so much on budget preparation, but	13	from your 2016 actuals up to your 2017
14	in—when the order came down, there was a	14	actuals and then your test year. The test
15	long note to all the senior managers that	15	year that's shown there of 142 million does
16	went out under my signature. Basically,	16	not include the effects of the Settlement
17	looked at, you know, don't assume that your	17	Agreement, does it, Mr. Haynes?
18	20—don't assume your 2017 budget that was	18	MR. HAYNES:
19	approved the Board of Directors is it.	19	A. Does not include –
20	That's not it. You know, that came back	20	GREENE, Q.C.:
21	after the Board Order. So, it's a short	21	Q. The effect of the Settlement Agreement.
22	timeframe to make amends if you will. So,	22	MR. HAYNES:
23	that was, you know-there were changes made	23	A. No, that number does not, no.
24	to that for various reasons and, you know,	24	GREENE, Q.C.:
25	and some are somewhat outside of our control	25	Q. Okay. And we know from your Interim Rates
	Page 110		Page 112
1	at the end of the day when we landed on the	1	Application that the Settlement Agreement
2	actual final number.	2	from the revenue requirement will—it will
3	GREENE, Q.C.:	3	reduce the 2018 and 2019 revenue requirement
4	Q. And with respect to what you can control,	4	by approximately 16 ¹ / ₂ to 16.8 million
5	you can control your operating costs, is	5	dollars, in that range, for each year. But
6	that correct?	6	is all of your total revenue requirement the
7	MR. HAYNES:	7	Settlement Agreement –
8	A. Yes, obviously, yes. The operating costs is	8	MR. HAYNES:
9	whatyou know, depreciation interests are	9	A. And other things.
10	kind of what they are to some degree. There	10	GREENE, Q.C.:
11	are –	11	Q. Well, what they have filed as the impact of
12	GREENE, Q.C.:	12	the Settlement Agreement, and if we need to,
13	Q. And fuel?	13	I can take you through it, but my question
14	MR. HAYNES:	14	for this purpose was that the Settlement
15	A. And fuel.	15	Agreement, while we don't know exactly how
16	GREENE, Q.C.:	16	much will reduce the test year 2018, but
17	Q. Yes.	17	your 2018 test year and your 2019 test year
18	MR. HAYNES:	18	will be reduced from the numbers shown on
19	A. You know, employee future benefits are done	19	this screen, is that correct?
20	on a different basis, but it's basically	20	MR. HAYNES:
21	our-of the roughly 600-million dollars that	21	A. Yes, they will be.
22	we require, the O&M expense is what we	22	GREENE, Q.C.:
23	actually have the most control over.	23	Q. Okay.
24	GREENE, Q.C.:	24	MR. HAYNES:
24 25	GREENE, Q.C.: Q. And here, I just wanted to look at	24 25	MR. HAYNES: A. Yes.

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Fage 113 Page 115 1 GREENE, Q.C.: 1 Hydro is proposing in its operating costs. 2 Q. I wonder if we can have an undertaking to 2 Now one other thing. The next—or one of the things you have lold the band they can take. 3 provide the updated test years to effect the 3 The next—or one of the things you have lold the band they can take. 4 Settement Agreement in fhe—aupdate table. 3 Cost of the productivity allowance? 6 MR. NOUNG: 6 MR. HAVINES: 7 A. Yes. 9 GREENE, Q.C.: 9 Q. Okay. A The sourcet. 1 11 include was a million dollars. Is that 10 peaces. And the productivity allowance you 12 what the new test years' numbers are. 13 MR. YOUNG: 13 MR. HAVINES: 13 MR. YOUNG: 13 MR. HAVINES: 14 A. And I know you've been asked this before and this answer roflexis this—enfects your 15 GREENE, Q.C.: 11 MR. YOUNG: 15 GREENE, Q.C.: 14 C. <		21, 2010 D 110	1	Verbutini Court Reporters
2 Q. I wow one ther thing. The near 4 one of the source 4 one of		-		
3 provide the updated test year to reflect the 4 3 things you have told the Board they can take 4 4 Settlement Agreement in the—an updated table 5 3 things you have told the Board they can take 4 comfort from showing that you have improved 5 6 MR. YOUNG: 7 Q. MS Greene, you just said two very different 8 6 MR. HAYNES: 6 6 MR. HAYNES: 6 6 MR. HAYNES: 6 7 A. Yes. 7 Q. Okay. And if we could go to PUB-NLH-04, 9 Q. Okay. And if we could go to PUB-NLH-04, 10 please. And the productivity allowance? you 11 included was a million dollars. Is that 12 ownare to the productivity allowance you 11 included was a million dollars. Is that 12 ownare 14 A. That's correct. 13 MR. YOUNG: 14 A. That's correct. 15 GREENE, QC:: 16 Q. And Iknow you've been asked this before and 17 is not really 15 percent, is it? It's 18 previous oral testimony. There was no 19 mR. YOUNG: 18 please 14 A. Nn to support the productivity 19 calculation to support the productivity 10 ownare, was there? 21 GREENE, QC:: 20 Q. Ns, this table that we're looking at, 31.7, 22 Q. Yes. 23	1			
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	Page 117		Page 119
1	we could do. So, from the point of view,	1	it's unreasonable at this point in time to
2	you know, we reviewed, you know, cell	2	do that.
3	phones, we reviewed vehicles, we reviewed a	3	GREENE, Q.C.:
4	lot of things. And they're all a work in	4	Q. And there's no other level of comfort you
5	progress. Those are things that we plan to	5	can give to the Board that that's
6	deliver. So, it was not a—it was an assumed	6	appropriate and that?
7	number from that perspective, but you know,	7	MR. HAYNES:
8	to say it was 1.1 or 1.3 would be difficult.	8	A. No, I don't have any other level of comfort
9	We don't have that level of granularity, and	9	that I could provide from that perspective.
10	you know, as I mentioned, the productivity	10	GREENE, Q.C.:
11	team were looking for more, obviously.	11	Q. You've also mentioned in your testimony to
12	GREENE, Q.C.:	12	date Hydro has agreed to include the—or
13	Q. And we just looked at your operating costs	13	increase the vacancy factor from 40 to 55?
14	which are for 2018, is less than a hundred—	14	Is that -
15	the 142 million included in your	15	MR. HAYNES:
16	application, but let's say it's 130 or 135.	16	A. To 55, yes.
17	I mean the one million targeted is less than	17	GREENE, Q.C.:
18	a one percent –	18	Q. Yes.
19	MR. HAYNES:	19	MR. HAYNES:
20	A. That's correct.	20	A. Yeah.
21	GREENE, Q.C.:	21	GREENE, Q.C.:
22	Q. So, how—when I think of one percent, if I	22	Q. And in addition, six positions in the Energy
23	was trying to reduce my family budget, a	23	Control Centre have been absorbed without
24	one-percent reduction wouldn't-and this is	24	including their compensation and the revenue
25	not even a one-percent reduction. It	25	requirement, is that correct?
	Page 118		Page 120
1	wouldn't do very much for me.	1	MR. HAYNES:
2	MR. HAYNES:	2	A. Yeah, well, they were added, but actually
3	A. But the budgets were put forward based on	3	we, you know, we traded off other positions
4	the, you know, the estimates of the folks	4	to account for that that were vacant.
5	who actually, you know, do the work and so	5	GREENE, Q.C.:
6	on. So, they put forward that and we went	6	Q. Okay. I wonder if we can go to PUB-NLH-063.
7	back and we took the one million dollars and	7	I just wanted to put what that vacancy
8	we applied that to all costs centres or	8	factor means in context.
9	whatever. So, they had-they all have their	9	MR. HAYNES:
10	own built-in productivity allowance. It's a	10	A. Okay.
11	number that we felt was appropriate for this	11	GREENE, Q.C.:
12	point in time because we don't-you know, we	12	Q. So, this shows your actual vacancies and
13	are still exploring those opportunities for	13	then what you had included in the test year.
14	improvement and we will continue to that	14	You can see in 2015 you had 71, and 2016 you
15	with the productivity team that we have.	15	have 46, and in 2017, I don't know that we
16	GREENE, Q.C.:	16	need to go to it, but there was a response
17	Q. Would you agree though that an allowance of	17	to MP-NLH-14 which—it was 48 as of September
18	less than a one-percent target is—can be	18	30th. Do you know what it was for the end of
19	viewed as being a minimal –	19	the year for 2017?
20	MR. HAYNES:	20	MR. HAYNES:
21	A. It can be viewed as low, but I think from	21	A. I would be guessing, but we can confirm that
22	the point of view, you know, where we were	22	number.
23	beforein 2015 we spent a lot of money and	23	GREENE, Q.C.:
24	we had aggressive targets that are not	24	Q. Yes, I wonder if you could, please, yes.
25	sustainable. So, you know, I don't think	25	The number of vacancies as of the end of

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1	Page 121		Page 123
1	2017. (UNDERTAKING)	1	A. It was a—it started with—Lean Six Sigma is—
2	MR. HAYNES:	2	I'm going to say it might be a Jack Welch
3	A. Yeah.	3	thing. I'm not quite sure who actually came
4	MR. YOUNG:	4	up with that particular scheme, but it's a
5	Q. Yes, thanks, Ms. Greene.	5	look at cost, a look at doing the minimum
6	GREENE, Q.C.:	6	you do to provide the level of service you
7	Q. And approximately I understand that the	7	do. So, there was a training opportunity
8	average compensation for a Hydro employee is	8	last summer I think presented by—I forget.
9	roughly \$85,000? Is that correct?	9	It might have been the Board of Trade. I'm
10	MR. HAYNES:	10	not quite sure, but basically where we did
11	A. Eighty-five to 88. I think 88 might be the	11	attend. Folks did attend. We saw value in
12	number that's being used right now, but	12	actually taking that, you know, taking that
12	that's -	12	to heart and actually looking at how we can
13	GREENE, Q.C.:	13	actually steam line costs, how we can go
14		14	back to basics from the point of view of
1	Q. Okay.		1
16	MR. HAYNES:	16	anything and everything from the point of
17	A. But that's the range.	17	view of increasing efficiency and true
18	GREENE, Q.C.:	18	productivity. So, we actually extended the
19	Q. So, in terms of the increase in the vacancy	19	training to four people to actually go to a
20	factor from 40 to 55, that would be what?	20	level of training which gives them a certain
21	Approximately –	21	level of competency to actually look for
22	MR. HAYNES:	22	those—the value that they can find in the
23	A. So, 1.3 I believe.	23	organization. And so, and in addition to
24	GREENE, Q.C.:	24	that, there are other people out in the
25	Q. One point three, 1.4 million dollars?	25	regions who are I'll say champions or
	Page 122		Page 124
1	MR. HAYNES:	1	sponsors, if you will, who know a little bit
		1	sponsors, if you will, who know a fittle off
2	A. In that order, yeah.	2	
$\begin{vmatrix} 2\\ 3 \end{vmatrix}$		2 3	more about that than, you know, Jim Haynes
3	GREENE, Q.C.:	3	more about that than, you know, Jim Haynes for instance or whatever. But they will
3 4	GREENE, Q.C.: Q. In addition to your productivity allowance?	3 4	more about that than, you know, Jim Haynes for instance or whatever. But they will look at, you know—they will aid and abet the
3 4 5	GREENE, Q.C.: Q. In addition to your productivity allowance? MR. HAYNES:	3 4 5	more about that than, you know, Jim Haynes for instance or whatever. But they will look at, you know—they will aid and abet the particular team looking for value, you know,
3 4 5 6	GREENE, Q.C.: Q. In addition to your productivity allowance? MR. HAYNES: A. Exactly.	3 4	more about that than, you know, Jim Haynes for instance or whatever. But they will look at, you know—they will aid and abet the particular team looking for value, you know, being a sounding board from the point of
3 4 5 6 7	GREENE, Q.C.: Q. In addition to your productivity allowance? MR. HAYNES: A. Exactly. GREENE, Q.C.:	3 4 5 6 7	more about that than, you know, Jim Haynes for instance or whatever. But they will look at, you know—they will aid and abet the particular team looking for value, you know, being a sounding board from the point of view of, will this work? Can we actually
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24 requirements. 24 structure done correctly from the point of				
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25GREENE, Q.C.:25view of the Wires Division, the Production	24	requirements.	24	structure done correctly from the point of

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1	Page 133		Page 135
1	Division, Engineering Division, separate you	1	go back and re-justify the position.
2	know, Finance and Regulatory and HR, but now	2	GREENE, Q.C.:
3	within-when you go down below those	3	Q. Your next one, 19 and 20, "The development
4	particular organizational charts and blocks,	4	and implementation of an attendance support
5	do we have theyou know, the number of	5	program."
6	people reporting to a supervisor adequate?	6	MR. HAYNES:
7	Can we increase that? Is there an overwork	7	A. Yeah.
8	or an underwork where we can balance that	8	GREENE, Q.C.:
9	out a bit? And obviously, geography is a	9	Q. Hydro didn't have an attendance support
10	constraint as well, because we are dispersed	10	program before?
11	all over the province, but you know, we want	11	MR. HAYNES:
12	to go back and have a second look at that.	12	A. What we—we have a focused effort on it right
13	Are there options? And we don't have a	13	now. Sick leave is an issue. We have, you
14	conclusion, obviously, but we want to go	14	know, if you compare us to other people—I
15	back and revisit that organizational review.	15	don't remember all of the numbers, but
16	GREENE, Q.C.:	16	basically sick leave is an issue. We think
17	Q. So, is it a specific review that's ongoing	17	there are opportunities to manage that
18	right now?	18	better than we have been in the past, and
19	MR. HAYNES:	19	so, we've—we're focused on that.
20	A. It is planned to be done in 2017—sorry,	20	GREENE, Q.C.:
21	2018. My apologies.	21	Q. Again, is there any particular target or
22	GREENE, Q.C.:	$\begin{bmatrix} 21\\22 \end{bmatrix}$	identified savings that you hope to achieve
23	Q. Do you have a target for any cost savings	23	in 2018 and '19?
24	coming from that initiative?	$\frac{23}{24}$	MR. HAYNES:
25	MR. HAYNES:	25	A. I'm not aware of the actual specific target.
23		25	
1	Page 134		Page 136
	A. Well, we don't have a specific target. We		The fact that we—and we know in our hearts,
$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	have to look at the needs and what is right	$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	if you will, that we can save some money if
3_{4}	for the organization. So, you know, we feel	$\begin{vmatrix} 3\\ 4 \end{vmatrix}$	we manage sick leave a bit better than we
Г ^т	that there's a few jobs that we can	- I	have been doing.
5	probably, you know, manage over time out, or		GREENE, Q.C.:
6	we can consolidate things or whatever. Some	6	Q. Is Ms. Dalley the person to follow up on
7	of the, you know, ideal ones might be, you		with respect to that?
8	know, even from the point of view, would	8	MR. HAYNES:
9	require some union negotiation, if you will,	9	A. Yes, yeah.
10	as well, because there are some duties there	10	GREENE, Q.C.:
11	and some—there are things there that cause	11	Q. The next one, 21 and 22, is a review of
12	us cost that, you know, may be avoidable if	12	overtime.
13	we had different arrangements or whatever.	13	MR. HAYNES:
14	GREENE, Q.C.:	14	A. No.
15	Q. The next one, the next initiative, line 17	15	GREENE, Q.C.:
16	to 18, which is—is that your gating approach	16	Q. And actions to reduce overtime.
17	we've already talked about? It's your	17	MR. HAYNES:
18	management of vacancies?	18	A. The actions to reduce overtime. Overtime,
19	MR. HAYNES:	19	as I said before, I don't think that
20	A. Yes.	20	overall, from an overall percentage of
21	GREENE, Q.C.:	21	salary basis, the overtime is a major issue.
22	Q. Okay.	22	We have pockets of overtime where it's
23	MR. HAYNES:	23	excessive in our view, and we are reviewing
24	A. That's the gating in process, because we	24	that. The individual VPs haveyou know,
25	look at any vacancy no matter how created to	25	are looking at that from the point of view

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1	of an approval process. In some cases, some	1	Q. Okay.
2	of the general overtime approval is at the	2	(OFF RECORD – 11:00 a.m.)
3	VP level in the sense of, from a principle	3	(RESUME – 11:35 a.m.)
4	point of view, particularly on a capital	4	CHAIR:
5	project basis, you know capital projects	5	Q. Do you have anything, Mr. Young?
6	are, you know, you're working contractor's	6	MR. YOUNG:
7	hours. There is some overtime expectations	7	Q. Yes, Madam Chair. This morning I indicated
8	or whatever, and those are approved in	8	that at the break I would clarify a point
9	advance. But the best folks to speak the	9	that Mr. Browne asked on an undertaking,
10	individual departments would be the	10	Undertaking 6, and the question was whether
11	respective VPs, and you know –	11	the 7.61 cents is a direct comparison to-or
12	GREENE, Q.C.:	12	if it is, to which (unintelligible –
13	Q. But is there an organized review of overtime	13	coughing). And the answer is the 7.61 cents
14	with an intent to change Hydro's approach to	14	in Hydro Quebec is a direct comparison to
15	overtime? Is that what that meant or is	15	the 11.7 and so that would be done on the
16	just –	16	same average rates, which is the same
17	MR. HAYNES:	17	average consumption amount and also includes
18	A. No, no, it is. We're looking at overall	18	the basic customer charge. So first of, the
19	overtime and how we manage the overtime. Is	19	11.7 is different from the other number
20	it—the intent is to review all aspects of	20	because of those, and the 7.61 Hydro Quebec
21	overtime. What drives it? You know, do we	21	directly compares to the 11.7, Newfoundland
22	need another supervisor? Do we change the	22	and Labrador –
23	program or do we not do it?	23	BROWNE, Q.C.:
24	GREENE, Q.C.:	24	Q. Just on a further clarification of that, so
25	Q. Similarly, with training, is it a similar	25	it doesn't compare with what the rate a
	Page 138	20	Page 140
1	approach to training? Is it a general	1	consumer would see on their bill, is that
$\begin{vmatrix} 1\\2 \end{vmatrix}$	review of training?	2	correct?
$\begin{vmatrix} 2\\3 \end{vmatrix}$	MR. HAYNES:	3	MR. YOUNG:
4	A. Yes, and there's a—I won't call it a gating	4	Q. Well, it's in a sense yes, it does, but the
$\begin{bmatrix} -7\\5 \end{bmatrix}$	session, but from the point of view of	5	way it works is because there's a basic
	training, there has to be a—one time there	6	customer charge in each and every month and
6 7	was a training budget and there was, I'm	7	that—and the consumption is different in
8	going to say it was—all training is good,	8	each and every month, in order to capture
9		0 9	the real unit costs, you have to include
1	but it's a matter of getting down to what is	9 10	
10	essential training for the folks that we		that. So I understand, I think it's a 1700
11	have. And so, training is reviewed in a	11 12	kilowatt hour per month consumption that's
12	more cohesive basis with respect to HR		used on an average basis, that's the same
13	involvement as well from the point of view	13	basis that was used for the Hydro Quebec
14	of what training needs are required. And	14	line, so that's that many units of energy,
15	some of it's mandatory by legislation, you	15	plus the basic customer charge and then
16	know, safety training, obviously, and things	16	taken back to a per kilowatt hour usage.
17	like that. So, it has to be based on—it's a	17	BROWNE, Q.C.:
18	harder test to get approval for training in	18	Q. Let's get that clarified. Are all your
19	a sense that, you know, how is this going to	19	figures based on that or is it just
20	help your job? How is it going to help	20	selectively so that 11.71 that you have
21	Hydro?	21	there which was, from a ratepayer's
22	GREENE, Q.C.:	22	perspective, it's not something ratepayers
23	Q. Madam Chair, it's eleven, if this is a good	23	can really react to. They react to their
24	time to break for you.	24	bill. Are all your figures based on that or
25	CHAIR:	25	are they back and forth like the Muskrat

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1	Falls figures, the escalating costs, are	1	the 10.6, the actual rate that's on the
2	they based on that unit or are they based o		bill. I understand the number that you're
3	real figures that consumers will see in	3	talking about is a number that includes the
4	their bill? That's what we're looking for.	4	average monthly consumption for the purpose
5	We're toying with two loads of figures her	e, 5	of illustrating the impact of –
6	it's about time we had that straightened	6	MR. YOUNG:
7	out.	7	Q. That's correct, so just to go back to Mr.
8	MR. YOUNG:	8	Browne's example, if a consumer were to look
9	Q. I'm not sure exactly what the Muskrat Fall	s 9	at the number of kilowatt hours that they
10	ones you are referring to, and I can	10	use and then look at their bill and divide
11	determine that, but the purpose is—for the	11	those two, without tax, they would get that
12	purposes of explaining this to customers,	12	number, more likely, than just the raw
13	we've learned over the years that they're	13	energy charge, which in a sense isn't
14	actually looking at so what's this going to	14	inclusive of all the costs, especially with
15	do to my bill and looking at the average	15	a consumer of a lower amount of electricity
16	consumption to see where that goes. So the		because the basic customer charge would be a
17	method we're using is similar to the way	17	larger percentage of the total bill. So the
18	other utilities do it and perhaps all of the	18	two sets of numbers aren't intended to
19	utilities do it, but it isn't exactly just	19	confuse anybody; in fact, they're intended
20	the energy charge. It does include some	20	to provide a greater clarity.
$\begin{vmatrix} 2 \\ 21 \end{vmatrix}$	recognition of the basic customer charge,	21	CHAIR:
22	and the reason for that is that's not the	22	Q. Okay, well we're not going to resolve the
23	same everywhere either, there's some	$\begin{vmatrix} 22\\23 \end{vmatrix}$	question here today.
24	judgment into setting that amount. I don't	24	BROWNE, Q.C.:
25	know if that helps.	25	Q. Thank you, Chair. I guess "confusion" is in
	Page 14		Page 144
1	BROWNE, Q.C.:	⁻ 1	the eye of the beholder.
2	Q. It's just an unsatisfactory, we'd like to	2	CHAIR:
3	know real figures, consumers want to know	$\frac{2}{3}$	Q. Thank you, Mr. Browne. Ms. Greene, are you
4	what they're going to be seeing on their	4	ready to proceed? Was there anything else
5	power bill, that's what they look at and	5	from you, Mr. Young?
6	when they look at their power bill, they	6	MR. YOUNG:
	should be seeing 10.64 cents, that's what		Q. No, that's it, thank you, Madam Chair.
8	was on the most recent power bill, that's	8	CHAIR:
9	what consumers look at and then they look a		Q. Carry on, Ms. Greene.
10	the basic customer charge. Now, if you've	10	GREENE, Q.C.:
10	got figures that are not comparable to what	10	
11	a consumer—if you're dealing with two sets		Q. If we could go back, please, to PUB-NLH-122. I think we had completed those specific
12 13	of figures here, I think it's important that	12	initiatives and then if we can go to the
		13	
14	the regulator should know that and we all		next page, page 2, there is an additional
15	should know what figures you're dealing wi		listing of what I will call various reviews, whether it's of the vehicle fleet,
16	here.	16	,
17	CHAIR:	17	janitorial, cell phones, et cetera, and
18	Q. We know which figures –	18	people will be happy to hear I'm not going
19	BROWNE, Q.C.:	19	to go through each of those, but I
20	Q. But you understand it. Well a consumer, I'r		categorize them similar to the ones we just
21	dealing from a consumer's perspective,	21	talked about. Their review is of different
22	consumers as 11.71, they expect to see that	22	operating costs.
23	on their bill.	23	MR. HAYNES:
	CHAIR:	24	A. Yes, correct.
24 25	Q. From the Board's perspective, we approved	25	GREENE, Q.C.:

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	0	Page 145	1		Page 147
	Q.	Again, is it that there have been no	1		at a host of things there. I wouldn't mind
2		specific targets identified for 2018 and	2		talking about the first one a little bit on
3		2019 to come from any of those reviews?	3		the current work planning execution. Those
4	MR. HAYNE		4		are always ongoing targets to make sure that
5	А.	Not specifically, they're in progress. We	5		we're taking outage once and once only to do
6		started last year, you know, looking at cell	6		work and try to coordinate when people get
7		phones, vehicle assignment, whatever, that	7		to the job, it's been ongoing, but it's
8		is a work-in-progress and we haven't	8		always room for improvement with respect to
9		identified the quantum of potential savings	9		when people go to do a job, all the
10		either, of course.	10		materials that are required are there,
11	GREENE, Q	C.:	11		there's no lost time because of re-work and
12	Q.	We have now reviewed what you have testified	12		so on, but that's a standard on-going
13	× ×	to and what's on the written record in terms	13		exercise.
14		of cost control initiatives. Are there any	14	GREENE, Q.	
15		others that we have not talked about that	15	Q.	If savings are achieved from the
16		you would like to conclude with at this	16	×۰	productivity team that has been established
17		point?	17		or by the reviews of various costs that are
18	MR. HAYNE		17		set out in PUB-NLH-122, so if savings are
19	A.	Just give me one second just to run over	19		achieved from any of those initiatives in
$\frac{19}{20}$	А.	there for a second, if you don't mind. No,	20		2018 or 2019, how will that benefit
$\frac{20}{21}$			20		
		those are indicative things. From a point	21	MR. HAYNE	ratepayers?
$\begin{vmatrix} 22\\ 22 \end{vmatrix}$		of view of having a comprehensive list of			
23		things, I mean, basically the productivity	23	A.	Well I guess our total cost of operation
24		group that we've established are receiving	24		will be less from that perspective, so that
25		input from all over the system basically on	25		would be reflected in our actual year-end
		Page 146			Page 148
1		ideas for thought, you know, things that may	1		budgets at the end of the day. There's no
1 2		ideas for thought, you know, things that may save money. We are looking at those, the	2		budgets at the end of the day. There's no specific method there to put that back into,
3		ideas for thought, you know, things that may save money. We are looking at those, the group is looking at those, trying to	2 3		budgets at the end of the day. There's no specific method there to put that back into, you know, to reduce, if you will, the cost
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$\begin{array}{c} 3 \\ 4 \\ 5 \\ 6 \\ 7 \\ 8 \\ 9 \\ 10 \\ 11 \\ 12 \\ 13 \\ 14 \\ 15 \\ 16 \\ 17 \\ 18 \\ 19 \\ 20 \\ 21 \\ 22 \end{array}$		ideas for thought, you know, things that may save money. We are looking at those, the group is looking at those, trying to prioritize any low hanging fruit and trying to prioritize things that are actually going to be delivered, you know, sustain delivery. People may have ideas that may not come out in the wash to be, you know, effective, but they're looking at the whole, mind that data, if you will, looking for more input to actually identify those. So those are the things that we talked about basically more recently, and, you know, we are aggressively—not aggressively tracking those, we are looking at the implementation on cell phones, the vehicle assignment and we're looking at, you know, making changes there. We have done a few things on communication costs, we've got out the, we don't have a lot if iPads around, but any communications that, you know, those sorts of things have been cut already. They would	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. MR. HAYNE	budgets at the end of the day. There's no specific method there to put that back into, you know, to reduce, if you will, the cost of service. Everything is protected by an open (phonetic) earnings guidelines, obviously, but that's a – C.: And as president of Hydro, you're satisfied that the various initiatives that we have just reviewed will result in cost savings, some cost savings in 2018 and/or 2019? S: I'm comfortable that it will result in some savings. We have not identified the number, unfortunately. We have identified the million dollars, obviously, as being one part of it and, you know, the vacancy allowance changes add to that by, it's not "a productive allowance", but it's obviously something that we have to achieve. They do accumulate into a significant dollar value, more than the one million dollars at the end
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		Page 149			Page 151
1		but still related to costs, which is Hydro's	1		basically the primary targets are their
2		performance incentive payments.	2		workplans, safety reliability and some have
3	MR. HAYNES	6	3		budgetary responsibility, if they don't,
4	А.	Okay.	4		they obviously won't get, you know, they
5	GREENE, Q.C	1. /	5		don't have an individual component for
6	Q.	In your role as president of Hydro, what is	6		meeting a budgetary target. If they only
7		your role with respect to the performance	7		have one or two people in the shop, we don't
8		incentive contracts?	8		necessarily allocate them 5 percent or 10
9	(11:45 a.m.)		9		percent of their short-term sale on saving,
10	MR. HAYNES	5:	10		minimal dollars.
11	A.	We review all the short-term incentive	11	GREENE, Q.	C.:
12		programs we have for every employee. We go	12	Q.	We will go through a couple of the
13		down through, we –	13	Č.	contracts, but at the policy level you are
14	GREENE, Q.C	· · · · · · · · · · · · · · · · · · ·	14		directly involved in the establishment of
15		Now when you say "we", now I'm asking –	15		the corporate targets.
16	MR. HAYNES		16	MR. HAYNE	1 0
17		We, the executive of Hydro, you know, the	17	A.	Yes.
18		format is there from the point of view of	18	GREENE, Q.	
19		the $70/30$, $30/70$, $50/50$ depending upon the	19	Q.	And the targets for the division of the
$\frac{19}{20}$		position, and we go down through all the	20	Q.	vice-presidents, are you?
1			20 21	MD HAVNE	1
21		different aspects there. The high-level		MR. HAYNE	
22		goals are obviously safety, reliability, you	22	A.	Yes.
23		know, financial performance and there are	23	GREENE, Q.	
24		specific objectives in individual contracts	24	Q.	And is it your recommendation that goes to
25		for things that are in their workplan,	25		the Board of Directors with respect to
			-		
		Page 150			Page 152
1		Page 150 depending on what it is.	1		Page 152 payment of any performance amounts?
2	GREENE, Q.C	Page 150 depending on what it is.	1 2	MR. HAYNE	Page 152 payment of any performance amounts? S:
2 3	GREENE, Q.C Q.	Page 150 depending on what it is.	1 2 3	MR. HAYNE A.	Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments
2	GREENE, Q.C Q.	Page 150 depending on what it is.	1 2		Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the
2 3	GREENE, Q.C Q.	Page 150 depending on what it is. 2.: So in your role, do you have input into the development of your contract, your own contract?	1 2 3		Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the
2 3 4 5 6	GREENE, Q.C Q. MR. HAYNES	Page 150 depending on what it is. 2.: So in your role, do you have input into the development of your contract, your own contract?	1 2 3 4		Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR,
2 3 4 5	GREENE, Q.C Q. MR. HAYNES A.	Page 150 depending on what it is. 2.: So in your role, do you have input into the development of your contract, your own contract? 5: Yes.	1 2 3 4 5		Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR, actually, and they do the math, if you will,
2 3 4 5 6	GREENE, Q.C Q. MR. HAYNES	Page 150 depending on what it is. 2.: So in your role, do you have input into the development of your contract, your own contract? 5: Yes.	1 2 3 4 5		Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR,
2 3 4 5 6 7 8 9	GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C	Page 150 depending on what it is. 2.: So in your role, do you have input into the development of your contract, your own contract? 5: Yes.	1 2 3 4 5 6 7 8 9		Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR, actually, and they do the math, if you will, and we sign off, okay, they're actually correct or go back and change it or question
2 3 4 5 6 7 8 9 10	GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q.	Page 150 depending on what it is. 2.: So in your role, do you have input into the development of your contract, your own contract? S: Yes. 2.: What is your role in the development of the corporate targets?	1 2 3 4 5 6 7 8		Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR, actually, and they do the math, if you will, and we sign off, okay, they're actually correct or go back and change it or question if what we perceive to be an error in the
2 3 4 5 6 7 8 9 10 11	GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES	Page 150 depending on what it is. So in your role, do you have input into the development of your contract, your own contract? S: Yes. 2.: What is your role in the development of the corporate targets?	1 2 3 4 5 6 7 8 9 10 11		Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR, actually, and they do the math, if you will, and we sign off, okay, they're actually correct or go back and change it or question if what we perceive to be an error in the math, because we try to make them fairly
2 3 4 5 6 7 8 9 10 11 12	GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A.	Page 150 depending on what it is. 2.: So in your role, do you have input into the development of your contract, your own contract? 5: Yes. 2.: What is your role in the development of the corporate targets? 5: Corporate for Hydro?	1 2 3 4 5 6 7 8 9 10 11 12		Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR, actually, and they do the math, if you will, and we sign off, okay, they're actually correct or go back and change it or question if what we perceive to be an error in the math, because we try to make them fairly structured in the sense that if you meet or
2 3 4 5 6 7 8 9 10 11	GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES	Page 150 depending on what it is. 2.: So in your role, do you have input into the development of your contract, your own contract? 5: Yes. 2.: What is your role in the development of the corporate targets? 5: Corporate for Hydro?	1 2 3 4 5 6 7 8 9 10 11		Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR, actually, and they do the math, if you will, and we sign off, okay, they're actually correct or go back and change it or question if what we perceive to be an error in the math, because we try to make them fairly
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2 3 4 5 6 7 8 9 10 11 12 13	GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C	Page 150 depending on what it is. So in your role, do you have input into the development of your contract, your own contract? S: Yes. 2: What is your role in the development of the corporate targets? S: Corporate for Hydro? 2: Yes.	1 2 3 4 5 6 7 8 9 10 11 12 13	Α.	Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR, actually, and they do the math, if you will, and we sign off, okay, they're actually correct or go back and change it or question if what we perceive to be an error in the math, because we try to make them fairly structured in the sense that if you meet or do not meet a target, obviously there are
2 3 4 5 6 7 8 9 10 11 12 13 14	GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES	Page 150 depending on what it is. So in your role, do you have input into the development of your contract, your own contract? S: Yes. 2: What is your role in the development of the corporate targets? S: Corporate for Hydro? 2: Yes.	1 2 3 4 5 6 7 8 9 10 11 12 13 14	Α.	Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR, actually, and they do the math, if you will, and we sign off, okay, they're actually correct or go back and change it or question if what we perceive to be an error in the math, because we try to make them fairly structured in the sense that if you meet or do not meet a target, obviously there are some subjective ones that are judgment required.
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$ \begin{array}{c} 2 \\ 3 \\ 4 \\ 5 \\ 6 \\ 7 \\ 8 \\ 9 \\ 10 \\ 11 \\ 12 \\ 13 \\ 14 \\ 15 \\ 16 \end{array} $	GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A.	Page 150 depending on what it is. So in your role, do you have input into the development of your contract, your own contract? S: Yes. S: What is your role in the development of the corporate targets? S: Corporate for Hydro? S: Yes. S: My role is innovative, basically we, as a	$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\end{array} $	A. GREENE, Q.O	Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR, actually, and they do the math, if you will, and we sign off, okay, they're actually correct or go back and change it or question if what we perceive to be an error in the math, because we try to make them fairly structured in the sense that if you meet or do not meet a target, obviously there are some subjective ones that are judgment required.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A.	Page 150 depending on what it is. So in your role, do you have input into the development of your contract, your own contract? S: Yes. 2: What is your role in the development of the corporate targets? S: Corporate for Hydro? 2: Yes. S: My role is innovative, basically we, as a group, the executive team, review the corporate objectives. We go down, we	$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\end{array} $	A. GREENE, Q.O	Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR, actually, and they do the math, if you will, and we sign off, okay, they're actually correct or go back and change it or question if what we perceive to be an error in the math, because we try to make them fairly structured in the sense that if you meet or do not meet a target, obviously there are some subjective ones that are judgment required. C:: I'd like now to bring up order No.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A.	Page 150 depending on what it is. So in your role, do you have input into the development of your contract, your own contract? S: Yes. S: What is your role in the development of the corporate targets? S: Corporate for Hydro? S: Yes. S: My role is innovative, basically we, as a group, the executive team, review the corporate objectives. We go down, we establish, you know, the various components,	$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\end{array} $	A. GREENE, Q.O	Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR, actually, and they do the math, if you will, and we sign off, okay, they're actually correct or go back and change it or question if what we perceive to be an error in the math, because we try to make them fairly structured in the sense that if you meet or do not meet a target, obviously there are some subjective ones that are judgment required. C:: I'd like now to bring up order No. PU.49(2016). So that's the decision of the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A.	Page 150 depending on what it is. So in your role, do you have input into the development of your contract, your own contract? S: Yes. S: What is your role in the development of the corporate targets? S: Corporate for Hydro? S: Yes. S: My role is innovative, basically we, as a group, the executive team, review the corporate objectives. We go down, we establish, you know, the various components, we agree that these are reasonable. There	$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\end{array} $	A. GREENE, Q.O	Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR, actually, and they do the math, if you will, and we sign off, okay, they're actually correct or go back and change it or question if what we perceive to be an error in the math, because we try to make them fairly structured in the sense that if you meet or do not meet a target, obviously there are some subjective ones that are judgment required. C:: I'd like now to bring up order No. PU.49(2016). So that's the decision of the Board in the last GRA and I'd like to refer to the Board's discussion of incentive
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A.	Page 150 depending on what it is. So in your role, do you have input into the development of your contract, your own contract? S: Yes. 2: What is your role in the development of the corporate targets? S: Corporate for Hydro? 2: Yes. S: My role is innovative, basically we, as a group, the executive team, review the corporate objectives. We go down, we establish, you know, the various components, we agree that these are reasonable. There is a review done by HR later on to ensure	$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\end{array} $	A. GREENE, Q.O	Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR, actually, and they do the math, if you will, and we sign off, okay, they're actually correct or go back and change it or question if what we perceive to be an error in the math, because we try to make them fairly structured in the sense that if you meet or do not meet a target, obviously there are some subjective ones that are judgment required. C:: I'd like now to bring up order No. PU.49(2016). So that's the decision of the Board in the last GRA and I'd like to refer to the Board's discussion of incentive payments for Hydro, beginning on the bottom
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A.	Page 150 depending on what it is. So in your role, do you have input into the development of your contract, your own contract? S: Yes. S: What is your role in the development of the corporate targets? S: Corporate for Hydro? S: Yes. S: My role is innovative, basically we, as a group, the executive team, review the corporate objectives. We go down, we establish, you know, the various components, we agree that these are reasonable. There is a review done by HR later on to ensure there's some consistency of the process	$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	A. GREENE, Q.O	Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR, actually, and they do the math, if you will, and we sign off, okay, they're actually correct or go back and change it or question if what we perceive to be an error in the math, because we try to make them fairly structured in the sense that if you meet or do not meet a target, obviously there are some subjective ones that are judgment required. C:: I'd like now to bring up order No. PU.49(2016). So that's the decision of the Board in the last GRA and I'd like to refer to the Board's discussion of incentive payments for Hydro, beginning on the bottom of page 45. So when we look at line 35, we
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A.	Page 150 depending on what it is. So in your role, do you have input into the development of your contract, your own contract? S: Yes. S: What is your role in the development of the corporate targets? S: Corporate for Hydro? S: Yes. S: My role is innovative, basically we, as a group, the executive team, review the corporate objectives. We go down, we establish, you know, the various components, we agree that these are reasonable. There is a review done by HR later on to ensure there's some consistency of the process between the various, you know, going down to	$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\end{array} $	A. GREENE, Q.O	Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR, actually, and they do the math, if you will, and we sign off, okay, they're actually correct or go back and change it or question if what we perceive to be an error in the math, because we try to make them fairly structured in the sense that if you meet or do not meet a target, obviously there are some subjective ones that are judgment required. C:: I'd like now to bring up order No. PU.49(2016). So that's the decision of the Board in the last GRA and I'd like to refer to the Board's discussion of incentive payments for Hydro, beginning on the bottom of page 45. So when we look at line 35, we see that the amount included in the 2015
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A. GREENE, Q.C Q. MR. HAYNES A.	Page 150 depending on what it is. So in your role, do you have input into the development of your contract, your own contract? S: Yes. S: What is your role in the development of the corporate targets? S: Corporate for Hydro? S: Yes. S: My role is innovative, basically we, as a group, the executive team, review the corporate objectives. We go down, we establish, you know, the various components, we agree that these are reasonable. There is a review done by HR later on to ensure there's some consistency of the process	$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	A. GREENE, Q.O	Page 152 payment of any performance amounts? S: Yes, that's reviewed, basically the payments are basically, you know, depending on the results, we do review the assessment of the results and that goes back to corporate HR, actually, and they do the math, if you will, and we sign off, okay, they're actually correct or go back and change it or question if what we perceive to be an error in the math, because we try to make them fairly structured in the sense that if you meet or do not meet a target, obviously there are some subjective ones that are judgment required. C:: I'd like now to bring up order No. PU.49(2016). So that's the decision of the Board in the last GRA and I'd like to refer to the Board's discussion of incentive payments for Hydro, beginning on the bottom of page 45. So when we look at line 35, we

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	Page 153		Page 155
1	that correct there, Mr. Haynes?	1	Q. Related to Nalcor, that's correct.
2	MR. HAYNES:	2	MR. HAYNES:
3	A. To my understanding, yes.	3	A. That are related to Nalcor. Basically the
4	GREENE, Q.C.:	4	focus last year and this year as well is on
5	Q. Okay. Now if we can begin at the bottom,	5	safety reliability, financial performance,
6	the Board is, in its decision, talking about	6	you know, so safety, I guess, will always be
7	the payments, and I don't think it's	7	there from my perspective. Reliability, we
8	necessary to read through it all, but it	8	have—and I'll just speak to Part A for 2018,
9	begins there at the bottom. If we go over	9	basically 25 percent of the total short-term
10	to the next page, it began on the previous	10	_
11	page where the Board found that Hydro's	11	GREENE, Q.C.:
12	incentive contracts did not place enough	12	Q. Sorry to interrupt, but I wondered first to
13	emphasis on reliability and further, that	13	put it in context, if we could go to PUB-
14	customer satisfaction was not adequately	14	NLH-60 and then we're going to come back to
15	reflected. The Board then went on to	15	talk about each of them.
16	express concern that targets related to	16	MR. HAYNES:
17	Nalcor were included, and then the next, if	17	A. Okay.
17	we go to line 3, they refer to an order from	17	GREENE, Q.C.:
10	Newfoundland Power, "In order No. PU.18	10	
20	(2016) the Board stated that customers	19 20	Q. And I didn't mean to cut you off. MR. HAYNES:
21	should not be required to pay all of the	21	A. That's all right.
22	costs associated with incentives related to	22	GREENE, Q.C.:
23	financial performance of Newfoundland Power.	23	Q. If we go to PUB-NLH-60, so we saw in the
24	The Board believes the same is true for	24	last order that Hydro had included 400,000
25	Hydro's plan and further that Nalcor's	25	in the revenue requirement which was
	Page 154		Page 156
	financial performance should not be given		rejected by the Board. Here, we see in 2018
2	any weight. The Board finds that Hydro has		the amount that Hydro is now including for
3	not demonstrated that the proposed short-	3	bonuses or short-term incentives is \$829.852
4	term incentive plan is reasonable and	4	and in 2019 is \$856.029, so that is what's
5	appropriate in the circumstances, or that it	5	in the proposed revenue requirement, is it,
6	provides a demonstrable benefit to	6	Mr. Haynes?
7	ratepayers. The Board concludes that the	7	MR. HAYNES:
8	costs should not be reflected in the revenue	8	A. It is, but that also reflects the fact there
9	requirement, and before the costs of any	9	were a number of positions that would have
10	such plan are reflected in rates, Hydro will	10	been paid, you know, a short-term incentive
11	have to demonstrate that the plan provides	11	and Nalcor are now, for instance the
12	the incentive for the provision of least-	12	managers of engineering are now within
13	cost reliable power and provides a	13	Hydro, so there may have been some changes-
14	demonstrable benefit to ratepayers." So	14	Ms. Dalley can actually go down through the
15	that's what I want to talk to you about,	15	numbers that are in that particular part,
16	what evidence is on the record to	16	but I think right now there are
17	demonstrate to the Board that the plan is	17	approximately 38 people who are entitled to
18	now providing benefit to ratepayers and the	18	that.
19	full amount should be included in the	19	GREENE, Q.C.:
20	revenue requirement?	20	Q. So one of the reasons for the increase in
21	MR. HAYNES:	21	the number is –
22	A. So there are no performance metrics or	22	MR. HAYNES:
23	indicators in the 2018 or 2017 plan that are	23	A. Organizational change.
23	attributable –	24	GREENE, Q.C.:
25	GREENE, Q.C.:	25	Q. Is the organizational change and the
Ľ <u>"</u>		L 23	X. IS the organizational change and the

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		Page 157		Page 159
1		increase number of employees entitled to the	1	only 50 percent is allowed, what happens to
2		bonuses?	2	the 830,000 in 2018 and the 856,000 in 2019
3	MR. HAYNE	ES:	3	What would the reduction be if the same rule
4	A.	Yes, that would contribute to that.	4	that was applied to Hydro was applied to
5	GREENE, Q		5	Newfoundland Power?
6	Q.	Okay. Now, in response to questions	6	MR. YOUNG:
7	C.	yesterday from Mr. Browne, I understand	7	Q. Understood, yes, we can do that. Thank you.
8		that, and it's also in a response that for	8	GREENE, Q.C.:
9		2017, \$641,547 was paid for incentive	9	Q. And my question to Mr. Haynes, as president
10		payments, is that correct?	10	is, is there any reason why Hydro should be
10	MR. HAYNE		10	allowed to recover the full amount of
			11	
12	A.	That's my memory, yes, I think that's the		payments for those two areas of performance
13	ODEENE O	number.	13	if Newfoundland Power is not allowed to
14	GREENE, Q		14	recover it from ratepayers?
15	Q.	If we go back to the concerns the Board	15	MR. HAYNES:
16		expressed in the order that we just looked	16	A. Our view is that the customer benefits by,
17		at, one of the concerns was with respect to	17	you know, controlling our costs, for
18		the full inclusion of financial performance	18	instance. In our financial performance,
19		and regulatory performance in the revenue	19	basically, for instance, there's three
20		requirement that customers should pay for.	20	components, there's threshold, target and
21		In the Newfoundland Power order, which was	21	opportunity. Basically on Part A there's no
22		referred to, PUB.18 (2016), Newfoundland	22	payout to anybody if we don't meet corporate
23		Power was only allowed to include 50 percent	23	target on the Part A component and the
24		of financial performance and regulatory	24	opportunity is actually bringing a reduced
25		performance in the revenue requirement. If	25	cost, so there's an incentive for folks to
		P 150		
		Page 158		Page 160
1		Page 158 we go hack to PUB-NLH-60 we see that Hydro	1	Page 160 actually come in under budget [1'll quote
$\begin{vmatrix} 1\\ 2 \end{vmatrix}$		we go back to PUB-NLH-60, we see that Hydro	1	actually come in under budget. I'll quote
$\begin{vmatrix} 1\\ 2\\ 3 \end{vmatrix}$		we go back to PUB-NLH-60, we see that Hydro has included the full amount of the	2	actually come in under budget. I'll quote the numbers for 2018 which I happen to have
3		we go back to PUB-NLH-60, we see that Hydro has included the full amount of the incentive payments in its revenue	2 3	actually come in under budget. I'll quote the numbers for 2018 which I happen to have basically our budget put forward was 142 and
1		we go back to PUB-NLH-60, we see that Hydro has included the full amount of the incentive payments in its revenue requirement, in its application, is that	2	actually come in under budget. I'll quote the numbers for 2018 which I happen to have basically our budget put forward was 142 and the opportunity was roughly three million
3 4 5	MD HAYNE	we go back to PUB-NLH-60, we see that Hydro has included the full amount of the incentive payments in its revenue requirement, in its application, is that correct?	2 3 4 5	actually come in under budget. I'll quote the numbers for 2018 which I happen to have basically our budget put forward was 142 and the opportunity was roughly three million dollars less, or two and a half million
3	MR. HAYNE	we go back to PUB-NLH-60, we see that Hydro has included the full amount of the incentive payments in its revenue requirement, in its application, is that correct? S:	2 3	actually come in under budget. I'll quote the numbers for 2018 which I happen to have basically our budget put forward was 142 and the opportunity was roughly three million dollars less, or two and a half million dollars less, so there is an incentive for
3 4 5 6 7	A.	we go back to PUB-NLH-60, we see that Hydro has included the full amount of the incentive payments in its revenue requirement, in its application, is that correct?	2 3 4 5 6 7	actually come in under budget. I'll quote the numbers for 2018 which I happen to have basically our budget put forward was 142 and the opportunity was roughly three million dollars less, or two and a half million dollars less, so there is an incentive for folks to actually deliver lower costs, which
3 4 5 6 7 8	A. (11:54 a.m.)	we go back to PUB-NLH-60, we see that Hydro has included the full amount of the incentive payments in its revenue requirement, in its application, is that correct? S: That's correct.	2 3 4 5 6 7 8	actually come in under budget. I'll quote the numbers for 2018 which I happen to have basically our budget put forward was 142 and the opportunity was roughly three million dollars less, or two and a half million dollars less, so there is an incentive for folks to actually deliver lower costs, which over time will actually, if we have a
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3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. (11:54 a.m.) GREENE, Q. Q. MR. YOUNG Q.	we go back to PUB-NLH-60, we see that Hydro has included the full amount of the incentive payments in its revenue requirement, in its application, is that correct? S: That's correct. C.: I wonder if we could have an undertaking to provide what the reduction in the incentive payments would be if only 50 percent of the financial performance and regulatory performance is included in the revenue requirement as ordered by the Board with respect to Newfoundland Power? (Undertaking) C: Read it back and make sure we understand it, so we would look at the amount paid in total and address it the way that you've just referred to, taking 50 percent of those two amounts?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	actually come in under budget. I'll quote the numbers for 2018 which I happen to have basically our budget put forward was 142 and the opportunity was roughly three million dollars less, or two and a half million dollars less, so there is an incentive for folks to actually deliver lower costs, which over time will actually, if we have a sustained reduction in operating costs, the customer will benefit, at least over time through some of the rate hearings and so on. GREENE, Q.C.: Q. Over time, but they won't be, as we just saw earlier when we talked about cost control, there's no benefit to ratepayers from – MR. HAYNES: A. Not in the short term, but they will manifest themselves over time. GREENE, Q.C.: Q. And would that be any different than it is for Newfoundland Power? MR. HAYNES:

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1	Page 16		Page 163
1	GREENE, Q.C.:		reliability but there may be payout on the
2	Q. But there would be nothing that you could	2	other parameters, yes.
3	think of that would distinguish Hydro from	3	GREENE, Q.C.:
4	Newfoundland Power with respect to reward		Q. So there is no threshold limit that a
5	for financial performance or regulatory	5	certain financial performance or reliability
6	performance?	6	performance has to be met before anybody
7	MR. HAYNES:	7	gets an incentive payment, is that correct?
8	A. Not off the top of my head, no.	8	MR. HAYNES:
9	GREENE, Q.C.:	9	A. That's correct.
10	Q. Now I'd like to look at, go back to the	10	GREENE, Q.C.:
11	actual contracts, PUB-125 and we'll talk	11	Q. So now with those corporate targets there,
12	about some of them to see how the Board's	12	from your perspective how can you satisfy
13	concerns have been addressed. So PUB-NLH		the Board that their concerns about
14	125, and if we look at attachment 1 there,	14	ratepayers benefiting from the short-term
15	your contract that we had briefly looked at	15	payments have been met with respect to the
16	before. So you've already told us this	16	corporate measures you have—Hydro has
	5	17	selected?
17	morning that as president, a hundred percent	1/	
18	of your performance contract is based on the		MR. HAYNES:
19 20	corporate performance, is that correct?	19	A. All those targets there are basically Hydro
20	MR. HAYNES:	20	only, they do not—there is nothing that
21	A. That's correct.	21	Nalcor does that would reflect in there. I
22	GREENE, Q.C.:	22	suppose potentially on the integration side
23	Q. And with respect to the executive, it is 70	23	if we were seen to be, if they deliver maybe
24	percent of their incentive payment is based	24	something we wouldn't get done, but our
25	upon corporate performance, is that correct?	25	intent is to do all these things here which
	Page 16	2	Page 164
			i uge i of
1	MR. HAYNES:	1	are basically for Hydro customer's benefit,
1 2	MR. HAYNES: A. That's correct.	1 2	•
1 2 3		1	are basically for Hydro customer's benefit,
	A. That's correct.	$ \begin{array}{c c} 1\\ 2\\ 3 \end{array} $	are basically for Hydro customer's benefit, the safety reliability is solely Hydro. We
3	A. That's correct. GREENE, Q.C.:	$ \begin{array}{c c} 1\\ 2\\ 3 \end{array} $	are basically for Hydro customer's benefit, the safety reliability is solely Hydro. We don't have anything in there for Nalcor.
3 4	A. That's correct. GREENE, Q.C.: Q. And for managers it is 30 percent corporat	$\begin{vmatrix} 1 \\ 2 \\ 3 \\ 4 \end{vmatrix}$	are basically for Hydro customer's benefit, the safety reliability is solely Hydro. We don't have anything in there for Nalcor. There may be portions of this that will
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		Page 165		Page	
1		the one hundred percent inclusion of those	1	environment, a huge involvement by final	nce
2		payments. Is there anything you wanted to	2	and other people to actually, you know,	
3		add, you've already said –	3	provide a concerted effort to actually get	
4	MR. HAYNE	S:	4	the filing in order, to get it done. So	
5	А.	I don't have anything specific to add,	5	that's the intent of that particular target.	
6		except that the regulatory, you know, from	6	GREENE, Q.C.:	
7		the point of view that we respect the	7	Q. So is there judgment exercised in the	
8		regulatory process; we embrace it, actually.	8	quality of the application?	
9		We are working towards doing a better job on	9	MR. HAYNES:	
10		the regulatory side, and we think that the	10	A. The date is specific, but I mean, if we	
11		regulatory process does bring value to the	11	thought the quality was poor, we would	
12		ratepayer at the end of the day, so meeting	12	probably have a second look at that, but a	11
13		the regulatory requirements and timeliness	13	these things are still subject to the	
14		and, you know, the applications which we do	14	approval of the Board of Directors before	
15		require funding, obviously, for what we do.	15	any payment is done. So if there was, you	
16		We think that the regulatory process is	16	know, negligence or something that we	u
17		appropriate and—but I don't have anything	10	actually missed, I mean the Board of	
17		specific to validate why it should or should	17	Directors would have the opportunity to d	lonu
10			10 19		
		not be included. It was just a business-as-	20	payment. That's my perspective. The Bo	
20		usual process, we think it brings value		of Directors of Hydro ultimately approves	8
21		overall, but it may not be, you know,	21	the payments.	
22		instantaneous from that perspective, but the	22	GREENE, Q.C.:	
23		regulatory process is slower, brings value	23	Q. And who evaluates your performance for	
24		to the ratepayer and it's an essential part	24	compliance with your performance contra	act?
25		of the regulatory world we live in from a	25	MR. HAYNES:	
		Page 166		Page	
1	~~~~~	regulated utility perspective.	1	A. That would be Mr. Marshall, primarily, but	
1 2	GREENE, Q.	regulated utility perspective. C.:	1 2	A. That would be Mr. Marshall, primarily, but Nalcor HR would actually review all the,	
3	GREENE, Q. Q.	regulated utility perspective. C.: When we look at the regulatory, under	1 2 3	A. That would be Mr. Marshall, primarily, but Nalcor HR would actually review all the, they have reviewed in the past those	
		regulated utility perspective. C.: When we look at the regulatory, under threshold, the threshold target was filing	4	A. That would be Mr. Marshall, primarily, but Nalcor HR would actually review all the, they have reviewed in the past those particular contracts to ensure some	t
3 4 5		regulated utility perspective. C.: When we look at the regulatory, under threshold, the threshold target was filing the application by June 30th or an agreed	4 5	A. That would be Mr. Marshall, primarily, but Nalcor HR would actually review all the, they have reviewed in the past those particular contracts to ensure some consistency across the organization and min	t
3 4 5 6	Q.	regulated utility perspective. C.: When we look at the regulatory, under threshold, the threshold target was filing the application by June 30th or an agreed upon date.	4	A. That would be Mr. Marshall, primarily, but Nalcor HR would actually review all the, they have reviewed in the past those particular contracts to ensure some consistency across the organization and min would be up there primarily for them to	t
3 4 5 6 7		regulated utility perspective. C.: When we look at the regulatory, under threshold, the threshold target was filing the application by June 30th or an agreed upon date. S:	4 5 6 7	A. That would be Mr. Marshall, primarily, but Nalcor HR would actually review all the, they have reviewed in the past those particular contracts to ensure some consistency across the organization and min would be up there primarily for them to review so that Mr. Marshall would actually	t
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3 4 5 6 7 8 9 10 11	Q. MR. HAYNE A. GREENE, Q.	regulated utility perspective. C.: When we look at the regulatory, under threshold, the threshold target was filing the application by June 30th or an agreed upon date. SS: Yes. C.:	4 5 6 7 8 9 10 11	 A. That would be Mr. Marshall, primarily, but Nalcor HR would actually review all the, they have reviewed in the past those particular contracts to ensure some consistency across the organization and min would be up there primarily for them to review so that Mr. Marshall would actually have an opportunity to review and assess. GREENE, Q.C.: Q. So Nalcor HR reviews your performance? MR. HAYNES: 	t
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		Page 169			Page 171
1	GREENE, Q.O		1	GREENE, Q.C	
2	Q.	And does the Board of Directors from Hydro	2		And who would evaluate Ms. Dalley's
3		accept recommendations from the Nalcor board			performance?
4		on performance payments as you testified	4	MR. HAYNES	
5		this morning they do with respect to	5	А.	What they do is they do a self-evaluation
6		compensation guidelines for –	6		and then we have a discussion, a meeting on
7	MR. HAYNE	S:	7		that and then we agree or disagree and
8	А.	Yes.	8		modify as required.
9	GREENE, Q.0	C	9	GREENE, Q.C	D.:
10	Q.	They do.	10	Q.	And when you say "we", who is we?
11	MR. HAYNE	S:	11	MR. HAYNES	S:
12	A.	Yes, the compensation guidelines were	12	А.	Myself and Ms. Dalley for instance in this
13		approved by the Hydro board, but the	13		case.
14		compensation committee of the Nalcor board	14	GREENE, Q.C	2.
15		reviewed all of that. There is a committee	15	/ (And is that a similar process followed with
16		in place with a board member leading it.	16	Ċ.	each vice-president?
17		They make recommendations, but the Hydro	17	MR. HAYNES	1
18		board approves the compensation and the	18	A.	Yes.
19		payments as well.	19	GREENE, Q.C	
20	GREENE, Q.(20	Q.	When you look at some of the objectives, you
$20 \\ 21$	Q.	And the incentive payments?	20		had mentioned earlier you strive to have
$\begin{vmatrix} 21\\22 \end{vmatrix}$	MR. HAYNE	1 5	$\frac{21}{22}$		them as objective as possible, is that what
$\begin{vmatrix} 22\\23 \end{vmatrix}$	A.	Yes, they do. They are approved by the	22		I understood?
23	A.	Board.	23	MR. HAYNES	
24	GREENE, Q.O		24		S. Yes. It's difficult in some cases, but
23	UKEENE, Q.		23	А.	· · · · · ·
	0	Page 170	1		Page 172
	Q.	Can we just turn to page 2 and we'll just			sometimes not a direct measure, but you
$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$		pick one vice-president to look at the	$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$		know, we try where possible to eliminate as
3		difference. And this is the Vice-President	3		much subjectivity as we can, but there is a
4		of Regulatory Corporate Services and	4		place for that as well when it comes down
5		Regulatory Affairs. So Ms. Dalley, the	5		to, you know, the quality or something like
6		incumbent in this position would have the	6		that, for instance.
7		very same corporate targets as you do, is	7	GREENE, Q.C	
8		that correct?	8		For example, under "Priority, Plan Objective
9	MR. HAYNI		9		No. 3. Develop a three-year human resource
10	A.	For Part A, yes.	10		strategy and complete 80 percent of 2017
11	GREENE, Q		11		priority items", that would be somewhat
12	Q.	For Part A which is 70 percent of the	12		subjective, wouldn't it?
13		ratings.	13	MR. HAYNES	
14	MR. HAYNI		14		That would be subjective but first of all,
15	A.	Yes.	15		they do the plan and basically there's a
16	GREENE, Q		16		target to complete and that's the way we
17	Q.	So how are these, do you develop in	17		measure on whether they met them or, you
18		consultation with Ms. Dalley, that's what I	18		know, in some cases they may have met, you
19		understood, these specific measures that	19		know, 80 percent of a specific objective and
20		would be for her 30 percent divisional?	20		X percent of another one, so there is some
21	MR. HAYNI	ES:	21		subjectivity involved in that, obviously.
22	A.	Yes, they are reviewed and basically will be	22	GREENE, Q.C	5 5
23		signed off, this will be a signed document	23	, .	And that would be primarily your judgment as
24		between myself and Ms. Dalley in this	24		president, in consultation with the relevant
25		particular case, as with the other VPs.	25		vice-president?
		▲ /			*

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1	MR. HAYNES:		more, depending what their major issues are
2	A. Yes, well I would ask the VPs do up their	2	and what their major targets for that
3	assessment, then we sit down and discuss	3	particular section are.
4	their achievements and their success.	4	GREENE, Q.C.:
5	GREENE, Q.C.:	5	Q. And again, just because we have this one on
6	Q. And as we already mentioned, there's no	6	the screen, the reference to subjective
7	reference in Ms. Dalley's divisional	7	evaluation, if we look under Objective No.
8	objectives to regulatory, that I could see,	8	1, file the Compliance Application by a
9	is there?	9	date; Objective No. 2, file an application
10	MR. HAYNES:	10	
			by a date?
11	A. No, not in there. Well the, not under the	11	MR. HAYNES:
12	objectives to regulatory, that was down in	12	A. Yes.
13	Mr. Fagan's, but in the Part A, they would	13	GREENE, Q.C.:
14	survive, they would basically success or	14	Q. Those are just the mechanics of having a
15	fail, if you will on the basis of Part A	15	trial, any evaluation of the quality of
16	which was at 70 percent, so it would be 70	16	what's coming forward?
17	percent times the, I believe 10 percent.	17	MR. HAYNES:
18	GREENE, Q.C.:	18	A. That's a fair comment, they are date because
19	Q. Is there a similar process with each of the	19	there was a specific date required to have
20	vice-presidents?	20	the applications filed by, so it may
21	MR. HAYNES:	21	manifest themselves into the actual targets.
22	A. Yes.	22	GREENE, Q.C.:
23	GREENE, Q.C.:	23	Q. But in terms of benefit to ratepayers, how
24	Q. And just complete this, if we could go to	24	would that be reflected in the Manager of
25	page 50 which is Manager Rates. And here		Rates contract?
20	puge 20 which is Manufer Rates. This here	25	rates contract.
	Doco 174		Daga 176
	Page 174	1	Page 176
1	the corporate performance is now 30 percent	1	MR. HAYNES:
1 2 2	the corporate performance is now 30 percent with the divisional being 70, is that	1 2 2	MR. HAYNES: A. I can only say what I said before that
3	the corporate performance is now 30 percent with the divisional being 70, is that correct?	1 2 3	MR. HAYNES: A. I can only say what I said before that basically the whole regulatory process I
3 4	the corporate performance is now 30 percent with the divisional being 70, is that correct? MR. HAYNES:		MR. HAYNES: A. I can only say what I said before that basically the whole regulatory process I think over the long term is a benefit to
3 4 5	the corporate performance is now 30 percent with the divisional being 70, is that correct? MR. HAYNES: A. That's correct.	3 4 5	MR. HAYNES: A. I can only say what I said before that basically the whole regulatory process I think over the long term is a benefit to ratepayers because, you know, the
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April 24, 2018

		Page 177		Page 179
1		head, no.	1	instance the vice-president of production,
2	(12:10 p.m.)	1000, 110.	2	you will find targets in there on such
$\begin{vmatrix} 2\\3 \end{vmatrix}$	GREENE, Q.	C ·	3	things as DAFOR or other reliability
1 .				
	Q.	Could we have an undertaking to provide that		measures for Hydro but from a production
5		for the record, the amount of 2018 payments	5	equipment. As you go on down to the manage
6		made in relation to 2017 performance?	6	of thermal generation or hydro generation,
7		(Undertaking)	7	you will find aspects of that. Similarly as
8	MR. YOUNC		8	you go down to managers in the transmission
9	Q.	And that's company wide, you want one	9	side of the business, who are entitled to
10		number.	10	short-term incentive, you will find, you
11	GREENE, Q.	C.:	11	know, it targets there typically for
12	Q.	For Hydro.	12	transmission or distribution, SAIDIs and
13	MR. YOUNC	j:	13	SAIFIs, so you know, they are distributed
14	Q.	Right, yes.	14	down through, as you go down through. Now
15	GREENE, Q.	e , ;	15	all of them are reflected in performance
16	Q.	Similar to the 800 odd numbers in the	16	contracts, but many are on the reliability
17	χ.	revenue requirement.	17	side specifically.
18	MR. YOUNC		18	GREENE, Q.C.:
19	Q.	Right, NL-60.	19	Q. Grant Thornton when it does its annual
$\frac{19}{20}$	GREENE, Q.	e	20	review of your annual return always reports
	, .			
21	Q.	The last question in this area is when you	21	with respect to how you have achieved
22		relate to how the targets are set and how	22	performance in relation to these indictors.
23		they relate to the Key Performance	23	In 2016 where we see the results here,
24		Indicators that the Board sees, if we go to	24	subject to check, you would have met seven
25		NP-131 and if you turn to the next page,	25	of the thirteen Key Performance Targets that
		Page 178		Page 18
1		page 2, here we see the table if Key	1	you had set?
1 2		page 2, here we see the table if Key Performance Indicators which were the	1 2	you had set? MR. HAYNES:
$\begin{vmatrix} 1\\ 2\\ 3 \end{vmatrix}$		page 2, here we see the table if Key	1 2 3	you had set?
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		Page 185		Page 187
1	А.	As far as this account would allow, yes.	1	MR. HAYNES:
2	GREENE, Q		2	A. In the rate mitigation committee, it was
3	Q.	Okay. In those discussions with the	3	thought to be a valid way to actually, you
4		Regulatory department and internally to	4	know, start the process of putting some
5		Hydro, were there any discussions as to how	5	money aside to help mitigation. So, that
6		the account complied with the power policy	6	was discussed at the rate mitigation
7		of the Province and the Electrical Power	7	committee which is a Government committee
8		Control Act and the Public Utilities Act?	8	GREENE, Q.C.:
9	MR. HAYNI		9	Q. And you've already testified that you're a
10	А.	From the point of view of the regulatory	10	member of that committee? Is that correct?
11		role? It was reviewed and basically, the	11	MR. HAYNES:
12		perception was or there were precedents in	12	A. I am, yes.
13		other jurisdictions. We felt that it was	13	GREENE, Q.C.:
14		within the purview of the Public Utilities	14	Q. Okay. If we could just go for a moment to
15		Board to actually look, you know, at rate	15	IC-122, Attachment 1, page 20, which we've
16		smoothing as being a longer term view, if	16	looked a couple of times already, which is
17		you will, but not that long, obviously just	17	the rate projections post Muskrat. And Mr.
18		until post 2021, as looking at the	18	Coxworthy did file an information item which
10		customers' interest to smooth those rates.	10	brought this up to February, I think, but
				U
20		We think that is totally within their	20	for the purposes of our discussion, this is
21	CDEENE O	purview. That was our view.	21	fine.
22	GREENE, Q		22	MR. HAYNES:
23	Q.	And my colleagues have already canvassed	23	A. Okay.
24		whether the account may comply with the	24	GREENE, Q.C.:
25		Order in Council that's relevant. Do you	25	Q. So, here we see the rate projections and we
		Page 186		Page 188
1		recall discussions around how the proposed	1	know – we've heard evidence that there is a
2		account complies with the Order in Council	2	target or a goal of trying to keep the
3		directive we've talked about earlier this	3	domestic rate 17 to 18 cents a kilowatt
4		morning?	4	hour. Is that correct?
5	MR. HAYNE		5	MR. HAYNES:
6	А.	I don't recall a lot of discussion on that	6	A. Yes.
7		per se. There was a discussion regarding,	7	GREENE, Q.C.:
8		you know, whether the assets are used and	8	Q. And I'm not sure, even though there was some
9		useful with respect to, I guess, what we	9	discussion with Mr. Coxworthy this morning,
10		consider to be a separation of the	10	that that was designed to keep Newfoundland
11		generation assets from the transmission	11	competitive with something or other.
12		assets. We thought it was appropriate to	12	MR. HAYNES:
13		actually - if we're getting benefit, we	13	A. Well, I think -
14		thought it was appropriate for us to pay the	14	GREENE, Q.C.:
15		O&M costs. And the other factor which I	15	Q. I'm not sure what, but is there any
16		looked at in the thing is that all costs	16	rationale for that 17 to 18 cents a kilowatt
17		looked at in the thing is that an costs	10	
		associated with Muskrat Falls are recovered,	17	hour?
		associated with Muskrat Falls are recovered,	17	
18		associated with Muskrat Falls are recovered, so it was my – you know, there's a	17 18	MR. HAYNES:
18 19		associated with Muskrat Falls are recovered, so it was my – you know, there's a perception on my part at least, and it may	17 18 19	MR. HAYNES: A. I think the 17 to 18 cents a kilowatt hour,
18 19 20		associated with Muskrat Falls are recovered, so it was my – you know, there's a perception on my part at least, and it may be timing, but they do have to recover	17 18 19 20	MR. HAYNES: A. I think the 17 to 18 cents a kilowatt hour, my understanding is a couple of factors.
18 19 20 21	GREENE O	associated with Muskrat Falls are recovered, so it was my – you know, there's a perception on my part at least, and it may be timing, but they do have to recover somewhere over time.	17 18 19 20 21	MR. HAYNES: A. I think the 17 to 18 cents a kilowatt hour, my understanding is a couple of factors. One was the fact that that maybe hopefully
18 19 20 21 22	GREENE, Q.	associated with Muskrat Falls are recovered, so it was my – you know, there's a perception on my part at least, and it may be timing, but they do have to recover somewhere over time. C.:	17 18 19 20 21 22	MR. HAYNES: A. I think the 17 to 18 cents a kilowatt hour, my understanding is a couple of factors. One was the fact that that maybe hopefully would be a point whereby we would –
18 19 20 21 22 23	GREENE, Q. Q.	associated with Muskrat Falls are recovered, so it was my – you know, there's a perception on my part at least, and it may be timing, but they do have to recover somewhere over time. C.: Were there any discussions with the	17 18 19 20 21 22 23	MR. HAYNES: A. I think the 17 to 18 cents a kilowatt hour, my understanding is a couple of factors. One was the fact that that maybe hopefully would be a point whereby we would – eventually would probably see a short-term
18 19 20 21 22	, ,	associated with Muskrat Falls are recovered, so it was my – you know, there's a perception on my part at least, and it may be timing, but they do have to recover somewhere over time. C.:	17 18 19 20 21 22 23	MR. HAYNES: A. I think the 17 to 18 cents a kilowatt hour, my understanding is a couple of factors. One was the fact that that maybe hopefully would be a point whereby we would –

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1	all other revenues from electrical supply	1	the Crown and also commit X hundred million
2	side, from a Nalcor perspective, we plowed	2	dollars to rate mitigation. They can't do
3	back into that, that might be an achievable	3	both.
4	number. But then that is a work to – that	4	GREENE, Q.C.:
5	is obviously not a very robust or wholesome	5	Q. And how long was the target to remain in
6	number. It was also a number that was	6	effect? We see the projection for rates
7	promoted by the Government in various talks	7	going out to 2040 at 32.46 cents a kilowatt
8	and speeches. So, you know, there's no	8	hour. How long are we going to be able to
9	direction per se, but it's been felt to be,	9	keep it with your strategies at 17 to 18
10	at the committee level, a target number.	10	cents?
11	Between 17 and 18 cents would be a	11	MR. HAYNES:
12	reasonable number to mitigate to.	12	A. I think the 18 cents would be for – it would
13	GREENE, Q.C.:	13	go through a regular process. There are
14	Q. So, it's not -	14	increasing costs that Hydro has to pay for
15	MR. HAYNES:	15	the Muskrat Falls facilities as a whole and
16	A. But as I said, Hydro can't do it with its	16	they would have to be incorporated on a
17	resources.	17	regulatory process. I can't say whether
18	GREENE, Q.C.:	18	it's two years or three, you know, but I
19	Q. And so the goal, the target of 17 to 18	19	think there's an assumption in the thing
20	cents is not a Hydro calculated or	20	there would be, you know, a two percent or
20	recommended target?	20	whatever year over year increase in general
$\frac{21}{22}$	MR. HAYNES:	21	– you know, if you had a mathematical model
$\begin{bmatrix} 22\\23 \end{bmatrix}$	A. I think it's a number that by consensus is	22	out there, typically you would assume some
$\frac{23}{24}$	felt to be a reasonable number that if we	23	escalation of rates or whatever.
25	can mitigate to that, it wouldn't be	25	GREENE, Q.C.:
23	Page 190	23	Page 192
1	catastrophic in terms of losing a lot of	1	Q. So, the 17 to 18 cents, is that only for
2	customers. Obviously there will be an	2	21, 22 when Muskrat first comes in?
$\begin{vmatrix} 2\\ 3 \end{vmatrix}$	adjustment that people will make. Typically	$\frac{2}{3}$	MR. HAYNES:
4	with any rate increase, there is some	4	A. That's what my suspicion will be. My
5	decline, but often they'll recover.	5	expectation would be from there then it
6	GREENE, Q.C.:	6	would go through a regular rate process
$\begin{bmatrix} 0\\7 \end{bmatrix}$	Q. Was it a target established by the rates		after as to what the other cost pressures
8	committee of Government?	8	are because it may require, you know,
9	MR. HAYNES:	9	further input of money from others or, you
10		10	know, curtailment of whatever we do, from
10	5 51 1	10	
11 12	that it was basically based on, you know, the numbers that were done as what could be	11	that perspective.
	achieved by redirecting all monies from		GREENE, Q.C.:
13	, e	13	Q. So, did the rates committee of Government
14	Nalcor, et cetera, you know, from the	14	ask Hydro to come up with whether it was
15	electrical side at least, back into rate	15	the off-island purchases deferral account or some other mechanism that would contribute a
16	mitigation process.	16	
17	GREENE, Q.C.:	17	specific amount to the 17-cent target?
18	Q. And when you say "all monies" do you mean		MR. HAYNES:
19	dividends?	19	A. Not to Hydro specifically. There were
20	MR. HAYNES:	20	numbers, I think, in some Provincial budget
21	A. Well, yes.	21	of a couple hundred million dollars or
22	GREENE, Q.C.:	22	something like that that would be required.
23	Q. Return -	23	I forget the details. But there was an
24	MR. HAYNES:	24	expectation that, you know, we would need X
25	A. I don't think Nalcor could pay dividends to	25	amount of money to mitigate rates and based,

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		t, the direction to Nalcor was "how	l		when this was filed?
2		u going to do it?" What Hydro could	2	MR. HAYNE	
3	÷	to the table, we think, is actually,	3	A.	It is, yeah.
4		now, leveraging of the opportunity for	4	GREENE, Q.0	2
5	recapt	ure, building up a deferral account	5	Q.	So, if we scroll down, for the potential
6	and do	oing that. But -	6		savings in the account, we're talking –
7	GREENE, Q.C.:		7		well, it's more than what's shown here, so,
8	Q. Are yo	ou talking about the direction from	8		say 19-20 million in 2018 and those numbers.
9	Gover	nment to Nalcor to build a fund up?	9		So, that's the amount of money we are
10	MR. HAYNES:	-	10		talking about that Hydro has forecast could
11	A. Yeah,	I mean, I think there was an	11		be savings based upon recapture.
12	expect	ation that they would have to come	12	MR. HAYNE	S:
13		vith some monies to allocate for rate	13	А.	Recapture.
14	mitiga	tion, but basically, you know, you	14	GREENE, Q.O	
15	U	o look at – Nalcor has to look at the	15	Q.	And in terms of how that would – we know
16		nds they pay and what their profit is	16	× ×	there's some uncertainty with respect to the
17	or what		17		full amount of recapture that's available?
18	GREENE, Q.C.:		18	MR. HAYNE	
19		alcor give you a target of what to	19	A.	Yes, but up on the top, it says, I think, it
20		e with respect to -	20	1 1,	was less than 400 gigawatt hours in year 1,
21	MR. HAYNES:	e with respect to	20		453 and then 1055 in 2019. 2020 is lesser
22		. We went down through. I mean, we	22		because we actually are entitled to pre-
$\frac{22}{23}$		to actually achieve more. We would	23		commissioning power energy at Muskrat Falls
24	1	o achieve more in the deferral account	24		at zero cost, even better than .2 cents.
25		what we put forward. We put forward	25	GREENE, Q.(
23	than w		23	UKLENE, Q.	
	1	Page 194	1	0	Page 196
		ve have control over, primarily the	1	Q.	So, then we $-$ so, this is a rough estimate
$\begin{vmatrix} 2\\ 2 \end{vmatrix}$	1	re. If we can avail of other	2		of the amount of monies you hope to achieve,
3		unities to bring power in, you know,	3		possibly more, when you include your other
4		fectively from Hydro Quebec and west,	4		purchases?
)		e will also be looking at that, which	5	MR. HAYNE	
6		only be to build that fund. The OPEX	6	A.	Yes.
7		hould be fairly flat. That should	7	GREENE, Q.	
8		affected by how much we bring in.	8	Q.	That you believe this is a conservative
9	GREENE, Q.C.:		9		estimate of the money that will be saved?
10	-	e go to NP-115 Revised, please? So,	10		Is that correct?
11		ates to the balances in the account,	11	MR. HAYNE	
12		you go to page – the attachment, this	12	А.	Based on those oil prices there, yes.
13		nent was done based upon the old fuel	13	GREENE, Q.	
14	price?		14	Q.	And we have your testimony that there is a
15	MR. HAYNES:		15		committee of Government that's looking at,
16	A. Yes.		16		I'll call it, the big picture where rates
17	GREENE, Q.C.:		17		are going to be, which is more than doubled
18	Q. Which	is now almost the new fuel price. We	18		with Muskrat Falls from the current rate,
19	don't h	ave -	19		and they're looking at other strategies as
	won vi				to have to have the note down. Very'ng calling
20	MR. HAYNES:		20		to how to keep the rate down. You're asking
20 21	MR. HAYNES:	living with fuel oil.	20 21		the Board, and we'll talk a little bit about
	MR. HAYNES:	living with fuel oil.			
21	MR. HAYNES: A. That's GREENE, Q.C.:	living with fuel oil. We don't have an updated one that	21		the Board, and we'll talk a little bit about
21 22	MR. HAYNES: A. That's GREENE, Q.C.: Q. Yeah.		21 22		the Board, and we'll talk a little bit about some of the concerns about this account, but to view this as a reasonable amount that
21 22 23	MR. HAYNES: A. That's GREENE, Q.C.: Q. Yeah. shows	We don't have an updated one that	21 22 23		the Board, and we'll talk a little bit about some of the concerns about this account, but

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1	MR. HAYNES:	1	MR. HAYNES:
2	A. Yes.	2	A. Well, we had a – you know, what we proposed
3	GREENE, Q.C.:	3	basically, the business-as-usual case is
4	Q. You're asking customers to start putting	4	that we not take advantage or have told
5	away this money in their own little savings	5	Nalcor "forget it, we're not going to take
6	account to apply for some step increase, but	6	your power" and basically we will continue
7	you can't tell the Board how much this will	7	to burn oil. So, the business-as-usual case
8	help smooth rates?	8	is the fact that we would have continued to
9	MR. HAYNES:	9	burn oil at whatever price it takes and
10	A. Well, what we have suggested was that the	10	probably incurred some additional operating
11	net balance at the end of the day would be	11	costs at Holyrood, based on the work
12	at the Board's discretion on how they would	12	environment out there with so many temporary
13	actually affect that rate change, whether it	13	employees and fairly significant overtime
14	would be, you know, a single amount of money	14	costs, particularly in the operations side.
15	to reinject back into the rates over one	15	So, we see a business-as-usual case for a
16	year or two years. We have basically said	16	couple of years whereby we have an
17	that will be at the Board's purview. We did	17	opportunity to come back and take advantage
18	not suggest how that would be disposed of,	18	of that line. And the other thing I would
19	except that it's not Hydro's money. It's on	19	add is that the numbers that we're kicking
20	behalf of the ratepayer and the Public	20	around, and I will say, hopefully not to my
21	Utilities Board would, in their view,	21	regret, but basically the back-of-the-
22	actually allocate how that would be actually	22	envelope calculations that I've heard people
23	managed back into the rates.	23	quote is that basically, you know, $70 - 60$
24	GREENE, Q.C.:	24	to 70 million dollar is one cent per
25	Q. First concern I wanted to talk to you about	25	kilowatt hour and that will require
	Page 198		Page 200
1	is how you're asking the Board to come up	1	additional 60 to 70 million dollars each and
2	with a rate mitigation strategy as a tiny	2	every year. So, every one cent is a 60 to
$\frac{2}{3}$	piece, one piece of a puzzle, when there's a	$\frac{2}{3}$	70 million dollar amount that has to come
4	big puzzle and a bigger group looking at	4	from somewhere. So, if it was 70 million
5	what the – all of the strategies. We know	5	dollars, that could be two, two and a half
6	you just said there's going to be money from	6	cents of rate mitigation, maybe only for one
	Nalcor. There may be money, taxpayer money.		year. Or the Board could choose to do it
8	We don't know what the rate mitigation	8	over a period of time. But, this is $a -$
9	strategy is.	9	going back to my comment, you know, if we go
10	MR. HAYNES:	10	back to our budget and we save a dollar here
11	A. No.	11	and dollar there, this is a way to put some
11	GREENE, Q.C.:	12	money aside that the ratepayer would have
12		12	otherwise paid had we said "forget it,
13	Q. We don't know exactly how much money you're hoping customers will now pay early when	13	Nalcor, we're not interested in bringing the
15	they don't really – because it's not based	15	line in early". That's basically it.
16	on the forecast cost of supply that you're	16	(12:30 p.m.)
17	asking ratepayers to pay.	17	GREENE, Q.C.:
18	MR. HAYNES:	18	Q. And you believe it's reasonable for the
19	A. No.	19	Board to try to use this as a rate
20	GREENE, Q.C.:	20	mitigation option in isolation of knowledge
21	Q. Pay early, set aside the money. We don't	21	of all of the other factors that may be?
22	know how much it will help and we don't know	22	MR. HAYNES:
23	what the overall big step is. So, is that a	23	A. Yes. It does help the smoothing and that's
24	reasonable approach, I guess is what I'm asking?	24 25	my opinion, yes. GREENE, Q.C.:
25			

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	Q.	And it's enough that it helps in some way,	1	that Hydro considered, apart from this, to
2		even if we don't know how much?	2	assist with the rate smoothing. I'd like to
3	MR. HAYNI		3	take you to the transcript yesterday, page
4	A.	Well, we don't know how much, but basically,	4	104, in response to questions from Mr.
5		from the point of view of the disposition of	5	Browne with respect to why the current rate
6		funds at the end of the day, it would be up	6	stabilization plan could not have been used
7		to the Board's discretion how they'll	7	by Hydro.
8		actually manifest that back into rate	8	MR. HAYNES:
9		mitigation. But it is not $a - it$ is more of	9	A. The rate stabilization plan basically is set
10		a rate smoothing vehicle than a rate	10	up for fuel. I mean, what we're trying to
11		mitigation vehicle because it's not	11	do is isolate these costs as a separate
12		sustainable. Once those monies are spent,	12	account. You know, the rate stabilization
13		they're done. It'll just stop that step	13	plan, you know, will vary obviously with
14		change in rates going from whatever they	14	oil. I mean, we're open to any particular
15		are, you know, 13 cents or whatever it was	15	suggestion that actually, you know, reflects
16		to 18 or whatever.	16	a rate smoothing. Obviously we're open to
17	GREENE, Q		17	any decision of the Board. But from the
18	Q.	It's really another mechanism to defer the	18	point of view of the rate smoothing thing,
19		Muskrat Falls' cost, which will have to be	19	we're going to see rate stabilization plan –
20		paid in full at some point in time?	20	we think it's a separate issue. Isolate
21	MR. HAYNI		21	those savings, so we can define exactly what
22	А.	At some point in time, yeah. There are	22	they were and not have it, you know, mixed
23		other – you know, the – I know that there	23	up with the other things. It's to isolate
24		are different vehicles for doing that. I'll	24	the savings and use it at a later date. The
25		just quote an example. There just before	25	rate stabilization plan will function as it
		D 000		
1		Page 202		Page 204
1		Christmas, there was a nuclear plant	1	Page 204 normally does. It's a different intent
1 2		-	1 2	normally does. It's a different intent really.
		Christmas, there was a nuclear plant	1 2 3	normally does. It's a different intent
2		Christmas, there was a nuclear plant somewhere in the States that was cancelled		normally does. It's a different intent really.
2 3		Christmas, there was a nuclear plant somewhere in the States that was cancelled and there was two billion dollars that was	3	normally does. It's a different intent really. GREENE, Q.C.:
2 3 4		Christmas, there was a nuclear plant somewhere in the States that was cancelled and there was two billion dollars that was collected from the ratepayer to actually –	3	normally does. It's a different intent really. GREENE, Q.C.: Q. So, the rate stabilization plan, without
2 3 4 5		Christmas, there was a nuclear plant somewhere in the States that was cancelled and there was two billion dollars that was collected from the ratepayer to actually – you know, in advance of that particular	3 4 5	normally does. It's a different intent really. GREENE, Q.C.: Q. So, the rate stabilization plan, without amendment, could not have accomplished the
2 3 4 5 6		Christmas, there was a nuclear plant somewhere in the States that was cancelled and there was two billion dollars that was collected from the ratepayer to actually – you know, in advance of that particular project coming in service, which now I don't	3 4 5 6	normally does. It's a different intent really. GREENE, Q.C.: Q. So, the rate stabilization plan, without amendment, could not have accomplished the same purpose?
2 3 4 5 6 7		Christmas, there was a nuclear plant somewhere in the States that was cancelled and there was two billion dollars that was collected from the ratepayer to actually – you know, in advance of that particular project coming in service, which now I don't know what they did with it after, but so,	3 4 5 6 7	normally does. It's a different intent really. GREENE, Q.C.: Q. So, the rate stabilization plan, without amendment, could not have accomplished the same purpose? MR. HAYNES:
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2 3 4 5 6 7 8 9		Christmas, there was a nuclear plant somewhere in the States that was cancelled and there was two billion dollars that was collected from the ratepayer to actually – you know, in advance of that particular project coming in service, which now I don't know what they did with it after, but so, the recognition that rate smoothing and, you know, collecting money in one way, shape or	3 4 5 6 7 8 9	normally does. It's a different intent really. GREENE, Q.C.: Q. So, the rate stabilization plan, without amendment, could not have accomplished the same purpose? MR. HAYNES: A. Don't think so, no. That's my understanding.
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$ \begin{array}{c} 2 \\ 3 \\ 4 \\ 5 \\ 6 \\ 7 \\ 8 \\ 9 \\ 10 \\ 11 \\ 12 \\ 13 \\ 14 \\ 15 \\ 16 \\ 17 \\ 18 \\ \end{array} $		Christmas, there was a nuclear plant somewhere in the States that was cancelled and there was two billion dollars that was collected from the ratepayer to actually – you know, in advance of that particular project coming in service, which now I don't know what they did with it after, but so, the recognition that rate smoothing and, you know, collecting money in one way, shape or form, whether you actually put it in an account and defer it, whether you pay interest depreciation on an ongoing basis, are not unknown vehicles from a regulatory point of view. C.: Some of my colleagues have already covered with you some of the difficulties with the account and whether it complies with the Order in Council.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	normally does. It's a different intent really. GREENE, Q.C.: Q. So, the rate stabilization plan, without amendment, could not have accomplished the same purpose? MR. HAYNES: A. Don't think so, no. That's my understanding. GREENE, Q.C.: Q. Because it immediately flows through the reduction in the cost? MR. HAYNES: A. Exactly. That's my understanding, yes. GREENE, Q.C.: Q. Okay. MR. HAYNES: A. Whereas this would be isolated, retained,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q.	Christmas, there was a nuclear plant somewhere in the States that was cancelled and there was two billion dollars that was collected from the ratepayer to actually – you know, in advance of that particular project coming in service, which now I don't know what they did with it after, but so, the recognition that rate smoothing and, you know, collecting money in one way, shape or form, whether you actually put it in an account and defer it, whether you pay interest depreciation on an ongoing basis, are not unknown vehicles from a regulatory point of view. C.: Some of my colleagues have already covered with you some of the difficulties with the account and whether it complies with the Order in Council.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	normally does. It's a different intent really. GREENE, Q.C.: Q. So, the rate stabilization plan, without amendment, could not have accomplished the same purpose? MR. HAYNES: A. Don't think so, no. That's my understanding. GREENE, Q.C.: Q. Because it immediately flows through the reduction in the cost? MR. HAYNES: A. Exactly. That's my understanding, yes. GREENE, Q.C.: Q. Okay. MR. HAYNES: A. Whereas this would be isolated, retained, still under the Board's purview obviously.
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\end{array} $	Q. MR. HAYN	Christmas, there was a nuclear plant somewhere in the States that was cancelled and there was two billion dollars that was collected from the ratepayer to actually – you know, in advance of that particular project coming in service, which now I don't know what they did with it after, but so, the recognition that rate smoothing and, you know, collecting money in one way, shape or form, whether you actually put it in an account and defer it, whether you pay interest depreciation on an ongoing basis, are not unknown vehicles from a regulatory point of view. .C.: Some of my colleagues have already covered with you some of the difficulties with the account and whether it complies with the Order in Council. ES: Yes.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	normally does. It's a different intent really. GREENE, Q.C.: Q. So, the rate stabilization plan, without amendment, could not have accomplished the same purpose? MR. HAYNES: A. Don't think so, no. That's my understanding. GREENE, Q.C.: Q. Because it immediately flows through the reduction in the cost? MR. HAYNES: A. Exactly. That's my understanding, yes. GREENE, Q.C.: Q. Okay. MR. HAYNES: A. Whereas this would be isolated, retained, still under the Board's purview obviously. GREENE, Q.C.:
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\end{array} $	Q. MR. HAYN A.	Christmas, there was a nuclear plant somewhere in the States that was cancelled and there was two billion dollars that was collected from the ratepayer to actually – you know, in advance of that particular project coming in service, which now I don't know what they did with it after, but so, the recognition that rate smoothing and, you know, collecting money in one way, shape or form, whether you actually put it in an account and defer it, whether you pay interest depreciation on an ongoing basis, are not unknown vehicles from a regulatory point of view. P.C.: Some of my colleagues have already covered with you some of the difficulties with the account and whether it complies with the Order in Council. ES: Yes. P.C.: And the transparency of the costs, as well	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	normally does. It's a different intent really. GREENE, Q.C.: Q. So, the rate stabilization plan, without amendment, could not have accomplished the same purpose? MR. HAYNES: A. Don't think so, no. That's my understanding. GREENE, Q.C.: Q. Because it immediately flows through the reduction in the cost? MR. HAYNES: A. Exactly. That's my understanding, yes. GREENE, Q.C.: Q. Okay. MR. HAYNES: A. Whereas this would be isolated, retained, still under the Board's purview obviously. GREENE, Q.C.: Q. So, the rate stabilization plan by itself wouldn't be enough? You would have had to make either amendments to the plan or you
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25saving for a rainy day. We're saving for a25doing.	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	Q. MR. HAYN	opposed to a deemed number. Ideally, hindsight's 20/20, we could have started a rate mitigation from that perspective of building a fund, you know, in 2010 or '11 when things started to go up a bit. But, we are where we are now, but we had an opportunity to avail of real tangible savings on Holyrood. I think the net effect at the end of the day is similar. O.C.: Do you believe that the proposed off-island account is open and transparent and stakeholders, as well including customers, would understand what it's designed to do? ES: I'm sure it would require more communications from that perspective, but I	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 the preparation of the General Rate Application proposal, including this account? MR. HAYNES: A. No, not per se, not that I'm – I'm m that that was actually a guiding prion the ten percent. GREENE, Q.C.: Q. Is it a guideline that has been used respect to the 17 to 18 percent targ MR. HAYNES: A. I'm sorry? GREENE, Q.C.: Q. The 17 to 18 cents a kilowatt hour set as a target for rate - MR. HAYNES: A. I'm not aware that was a driving fa that number. I think it was more a set as a target for rate - 	e sis not aware nciple with et? that's actor in long a
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Г	21,2010	1	
	Page 209		Page 211
	GREENE, Q.C.:		rather than 2015 test year forecast. Is
$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	Q. And the ten percent, is that at the utility	$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	that correct?
3	level or the end consumer level?	3	MR. HAYNES:
	MR. HAYNES:		A. Repeat again, sorry?
5	A. I would assume it would be at the end	5	GREENE, Q.C.:
6	consumer level.	6	Q. For the calculation of the fuel rider in the
7	GREENE, Q.C.:	1	Interim Rates Application, you have proposed
8	Q. Okay. Yesterday you also referred to – we	8	an amendment to the RSP rules to change the
9	can bring this up, the transcript of the 23rd	9	number of barrels of fuel used in the
10	and starts at page 106, where you talked	10	calculation of the fuel rider to reflect
11	about Hydro's current proposal – there you	11	expected production as -
12	go. It's lines 15 to 19. "I don't think we	12	MR. HAYNES:
13	ever asked for 23 percent. What we actually		A. Yes, so as not to build up $a - we're putting$
14	filed now is seven and a half percent for	14	a fuel rider in that would reflect, you
15	2018 and I think it was 9.4 for 2019." Now,		know, the business-as-usual case where we'd
16	that wasn't your General Rate Application	16	burn X millions of barrels of oil or
17	proposal, was it?	17	whatever, 100,000 barrels of oil. What we
18	MR. HAYNES:	18	proposed was with the rate deferral and
19	A. Not the initial one.	19	using recall, we would actually have less.
20	GREENE, Q.C.:	20	So, it didn't seem to make sense to build
21	Q. No.	21	up, you know, an over collection, if you
22	MR. HAYNES:	22	will, of that amount in the rate
23	A. No. No, we -	23	stabilization plan. So, we think it's more
24	GREENE, Q.C.:	24	of a balanced proposal from that
25	Q. So, that is the Interim Rates Application	25	perspective. But again, Mr. Fagan would be
	Page 210		Page 212
1	that was filed last week?	1	best to speak to the mechanics of it all.
2	MR. HAYNES:	2	GREENE, Q.C.:
3	A. It is, yes, and the 7.5 is a portion of $-$ is	3	Q. Did you consider identifying that as savings
4	the RSP adjustment and I think 2.8 percent	4	also to be used for rate smoothing from
5	is actually the – the four and a half may be	5	Muskrat Falls, not to amend the RSP rules,
6	rate stabilization plan recovery from last	6	but another amendment to capture the savings
7	year where there was an over ten percent	7	to hold for rate mitigation?
8	increase that had gone through as proposed.	8	MR. HAYNES:
9	The 9.4 is now the 2019 rate.	9	A. No, we didn't. We thought that would be $-I$
10	GREENE, Q.C.:	10	mean, we didn't actually have a discussion
11	Q. So, are you amending your General Rate	11	on that there. My perception would be that
12	Application proposal for this?	12	we would be collecting a lot more money from
13	MR. HAYNES:	13	that perspective and I'm interpreting what
14	A. Well, the interim – I'm not sure we're	14	you say as to actually put that money aside
15	actually amending the proposal. I think it	15	for rate mitigation purpose as well.
16	would just go through the process and we'll	16	GREENE, Q.C.:
17	come out where we are. I am not – I have	17	Q. Yes.
18	not had a discussion on whether we were	18	MR. HAYNES:
19	actually amending our proposal.	19	A. It would be, but if you're looking at the
20	GREENE, Q.C.:	20	rate increases, you know, there's a desire
20 21	GREENE, Q.C.: Q. When you applied for 2018, you are proposing	21	to keep the rates down reasonable from that
20 21 22	GREENE, Q.C.: Q. When you applied for 2018, you are proposing to change the method of calculation for the	21 22	to keep the rates down reasonable from that perspective.
20 21 22 23	GREENE, Q.C.: Q. When you applied for 2018, you are proposing to change the method of calculation for the fuel rider to reduce the number of barrels	21 22 23	to keep the rates down reasonable from that perspective. GREENE, Q.C.:
20 21 22	GREENE, Q.C.: Q. When you applied for 2018, you are proposing to change the method of calculation for the	21 22	to keep the rates down reasonable from that perspective.

	21,2010		
	-	213	Page 215
	scenario for the revenue requirement to		1 GREENE, Q.C.:
$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	determine the deficiency for 2018 and		2 Q. And in PU – which is on the screen there now
3	base rates for 2019. Is that correct?		3 - the discussions with the Provincial
4	MR. HAYNES:		4 Government as to who will own the asset and
5	A. That's my understanding, yes.	-	5 how long will this internal arrangement
6	GREENE, Q.C.:		6 carry on, do you have any knowledge about
7	Q. Okay. So, you're not for those two yes		7 that? 8 MR. HAYNES:
89	in the base rates, proposing changing the		
10	production at Holyrood to reflect actua forecast production, but off -	1 9	5 1
10	MR. HAYNES:	10	
12	A. No. What has changed was the actual,		
12	fuel part.	12	1 , 5
14	GREENE, Q.C.:	13	5 5 1
15	Q. But you are proposing only for the fuel		
16	rider for 2018?	16	
17	MR. HAYNES:	10	
18	A. Yes. It's a business as usual, as if we	18	
19	were producing at Holyrood.	19	
20	GREENE, Q.C.:	20	
21	Q. Do you think that that's inconsistent in		
22	you're approaching the issue?	22	
23	MR. HAYNES:	23	
24	A. I think the overriding thing that we're	24	
25	trying to do is to achieve some rational	way 25	5 and it's just a follow up to some discussion
	Pag	e 214	Page 216
1	that we can actually achieve some rate	1	1 you had with Mr. O'Brien on reliability. If
2	smoothing in the transition to post Musk	trat 2	2 you could scroll down, please. 096, sorry.
3	Falls. So, I mean, it may be a little bit	3	3 MS. MASSEY:
4	different, but I don't think it's wrong.	4	4 Q. Sorry.
5	But again, from the mechanics of it all, I	5	5 GREENE, Q.C.:
6	think Mr. Fagan would be the best to	6	
7	notionalize the note and tales if your will		6 Q. And it's just to give you the opportunity to
	rationalize the puts and takes, if you wil		7 provide your perspective to the Board on
8	on that particular aspect.	8	7 provide your perspective to the Board on8 what the takeaway should be from this.
9	on that particular aspect. GREENE, Q.C.:	8	 7 provide your perspective to the Board on 8 what the takeaway should be from this. 9 MR. HAYNES:
9 10	on that particular aspect. GREENE, Q.C.: Q. And I just have two short topics left. Th	8 9 10	 7 provide your perspective to the Board on 8 what the takeaway should be from this. 9 MR. HAYNES: 0 A. On our SAIDI and SAIFI?
9 10 11	on that particular aspect. GREENE, Q.C.: Q. And I just have two short topics left. The first is the Exploits generation. The only	8 9 10 11	 7 provide your perspective to the Board on 8 what the takeaway should be from this. 9 MR. HAYNES: 0 A. On our SAIDI and SAIFI? 1 GREENE, Q.C.:
9 10 11 12	on that particular aspect. GREENE, Q.C.: Q. And I just have two short topics left. Th first is the Exploits generation. The only thing we have on the record is in PUB-N	8 9 10 11 11 12	 provide your perspective to the Board on what the takeaway should be from this. MR. HAYNES: A. On our SAIDI and SAIFI? GREENE, Q.C.: Q. Before we get to that, this is the end
9 10 11 12 13	on that particular aspect. GREENE, Q.C.: Q. And I just have two short topics left. The first is the Exploits generation. The only thing we have on the record is in PUB-N 038 and PUB-NLH-039, which is that the	8 9 10 11 11 12 12 12 13	 provide your perspective to the Board on what the takeaway should be from this. MR. HAYNES: A. On our SAIDI and SAIFI? GREENE, Q.C.: Q. Before we get to that, this is the end consumer performance that you did talk about
9 10 11 12 13 14	on that particular aspect. GREENE, Q.C.: Q. And I just have two short topics left. The first is the Exploits generation. The only thing we have on the record is in PUB-N 038 and PUB-NLH-039, which is that the agreement with Nalcor expired December	8 9 10 11 11 11 12 12 13 er 31, 14	 provide your perspective to the Board on what the takeaway should be from this. MR. HAYNES: A. On our SAIDI and SAIFI? GREENE, Q.C.: Q. Before we get to that, this is the end consumer performance that you did talk about with Mr. O'Brien?
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$\begin{vmatrix} 1 \\ 2 \\ 3 \end{vmatrix}$		D			
		Page 217	1		Page 219
	A.	No, we're not back to that level yet.	1		as well. So, you know, we think that we are
1 2	GREENE, Q.		2		hitting the right direction and you know, I
1 3	Q.	No.	3		can't say when we're going to land. It's a
4	MR. HAYNE		4		continuous improvement and you'd have to
5	А.	But we are trending the right way. We are	5		actually go back and look at the planned
6		still – you know, there are still things	6		work versus, you know, the other work as
7		that are happening, but we are obviously	7		well, which would be a considerable
8		recovering from the 2013-2014. So, we are	8		exercise, but the targets are set on
9		moving the right way.	9		continuous improvement and we will get there
	GREENE, Q.		10		over time. But there's a -
11	Q.	And is your target to get back there or -	11	GREENE, Q.	
12	MR. HAYNE		12	Q.	And that is your goal?
12	A.	Our target is continuous improvement. We	12	MR. HAYNE	, ,
	А.				Um?
14		look at our planned outages and the other	14	A.	
15		thing I think we need to, you know, to put	15	GREENE, Q.	
16		in context is that particular number does	16	Q.	That's your goal, I take it.
17		include some planned outages and plant	17	MR. HAYNE	
18		upgrades. So, it's not just, you know,	18	A.	The goal is to go back to a high level of
19		forced outages and things that go bump in	19		performance on those particular aspects.
20		the night. It's other work that we're	20	GREENE, Q.	
21		doing. So that target is based on our work	21	Q.	And that's tracking your performance against
22		plan and if we're doing any significant	22		yourself. Now, if we could go – my last
23		rebuild in areas, then there are outages	23		area is NP-187, which is Hydro's performance
24		that would figure into that particular	24		versus CEA.
25		number.	25	MR. HAYNE	
		Page 218			Page 220
1	GREENE, Q.	•	1	A.	Yes.
2	Q.	You have said your focus is on reliability	2	GREENE, Q.	
$\frac{2}{3}$	χ.	with respect to a balance of costs, but when	3	Q.	And this is from – again from a reliability
		we actually look at the performance, we	4	٧٠	perspective how Hydro would compare with
5		don't see performance going back to historic			perspective new right would compare with
			<u>٦</u>		
			5		your peers, and I won't take you through
$\begin{bmatrix} 3\\ 6\\ 7 \end{bmatrix}$		levels or not 2008-2012 average or even	6		your peers, and I won't take you through each number, but it doesn't paint a pretty
7		levels or not 2008-2012 average or even anything prior to the outages of 2014. So,	6 7		your peers, and I won't take you through each number, but it doesn't paint a pretty picture of how Hydro's performance ranks
7 8		levels or not 2008-2012 average or even anything prior to the outages of 2014. So, what level of comfort can you give to the	6 7 8		your peers, and I won't take you through each number, but it doesn't paint a pretty picture of how Hydro's performance ranks against its others and again, I wanted to
7 8 9		levels or not 2008-2012 average or even anything prior to the outages of 2014. So, what level of comfort can you give to the Board that reliability is a priority and	6 7 8 9		your peers, and I won't take you through each number, but it doesn't paint a pretty picture of how Hydro's performance ranks against its others and again, I wanted to give you the opportunity to put your
7 8 9 10		levels or not 2008-2012 average or even anything prior to the outages of 2014. So, what level of comfort can you give to the	6 7 8 9 10		your peers, and I won't take you through each number, but it doesn't paint a pretty picture of how Hydro's performance ranks against its others and again, I wanted to give you the opportunity to put your perspective on it for the Commissioners when
7 8 9 10 11	(12:45 p.m.)	levels or not 2008-2012 average or even anything prior to the outages of 2014. So, what level of comfort can you give to the Board that reliability is a priority and that it will improve?	6 7 8 9 10 11		your peers, and I won't take you through each number, but it doesn't paint a pretty picture of how Hydro's performance ranks against its others and again, I wanted to give you the opportunity to put your perspective on it for the Commissioners when they're assessing this.
7 8 9 10 11 12	MR. HAYNE	levels or not 2008-2012 average or even anything prior to the outages of 2014. So, what level of comfort can you give to the Board that reliability is a priority and that it will improve? S:	6 7 8 9 10 11 12	MR. HAYNE	your peers, and I won't take you through each number, but it doesn't paint a pretty picture of how Hydro's performance ranks against its others and again, I wanted to give you the opportunity to put your perspective on it for the Commissioners when they're assessing this. S:
7 8 9 10 11	· · ·	levels or not 2008-2012 average or even anything prior to the outages of 2014. So, what level of comfort can you give to the Board that reliability is a priority and that it will improve? S: Everything we do, from the point of view of	6 7 8 9 10 11 12 13	MR. HAYNE A.	your peers, and I won't take you through each number, but it doesn't paint a pretty picture of how Hydro's performance ranks against its others and again, I wanted to give you the opportunity to put your perspective on it for the Commissioners when they're assessing this. SS: Thank you. One of the things that we have
7 8 9 10 11 12	MR. HAYNE	levels or not 2008-2012 average or even anything prior to the outages of 2014. So, what level of comfort can you give to the Board that reliability is a priority and that it will improve? S:	6 7 8 9 10 11 12		your peers, and I won't take you through each number, but it doesn't paint a pretty picture of how Hydro's performance ranks against its others and again, I wanted to give you the opportunity to put your perspective on it for the Commissioners when they're assessing this. S:
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7 8 9 10 11 12 13 14	MR. HAYNE	levels or not 2008-2012 average or even anything prior to the outages of 2014. So, what level of comfort can you give to the Board that reliability is a priority and that it will improve? S: Everything we do, from the point of view of all our work planning and looking at live line work, looking at different ways to do	6 7 8 9 10 11 12 13 14		your peers, and I won't take you through each number, but it doesn't paint a pretty picture of how Hydro's performance ranks against its others and again, I wanted to give you the opportunity to put your perspective on it for the Commissioners when they're assessing this. S: Thank you. One of the things that we have to keep in mind when we look at this
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7 8 9 10 11 12 13 14 15 16 17 18	MR. HAYNE	levels or not 2008-2012 average or even anything prior to the outages of 2014. So, what level of comfort can you give to the Board that reliability is a priority and that it will improve? S: Everything we do, from the point of view of all our work planning and looking at live line work, looking at different ways to do it. You know, that is the goal. So, you know, it is not one single particular item that's actually going to drive that	6 7 8 9 10 11 12 13 14 15 16 17 18		your peers, and I won't take you through each number, but it doesn't paint a pretty picture of how Hydro's performance ranks against its others and again, I wanted to give you the opportunity to put your perspective on it for the Commissioners when they're assessing this. S: Thank you. One of the things that we have to keep in mind when we look at this compared to the CEA is the actual regions, and I can't speak to the details. Mr. LeBlanc could. But in the CEA comparison to other utilities, there's kind of a large
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7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	MR. HAYNE	levels or not 2008-2012 average or even anything prior to the outages of 2014. So, what level of comfort can you give to the Board that reliability is a priority and that it will improve? S: Everything we do, from the point of view of all our work planning and looking at live line work, looking at different ways to do it. You know, that is the goal. So, you know, it is not one single particular item that's actually going to drive that reliability. It's a collection of things. Our performance under our frequency load shedding and any line trips that we have on transmission or generation do cause outages to Newfoundland Power. Our Isolated Rural	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23		your peers, and I won't take you through each number, but it doesn't paint a pretty picture of how Hydro's performance ranks against its others and again, I wanted to give you the opportunity to put your perspective on it for the Commissioners when they're assessing this. SS: Thank you. One of the things that we have to keep in mind when we look at this compared to the CEA is the actual regions, and I can't speak to the details. Mr. LeBlanc could. But in the CEA comparison to other utilities, there's kind of a large pool of utilities that cover, you know, I'll use an example, maybe Toronto Hydro, for instance, which basically is all city work. We have a lot of rural things and I think there are discussions at CEA to actually
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	MR. HAYNE	levels or not 2008-2012 average or even anything prior to the outages of 2014. So, what level of comfort can you give to the Board that reliability is a priority and that it will improve? S: Everything we do, from the point of view of all our work planning and looking at live line work, looking at different ways to do it. You know, that is the goal. So, you know, it is not one single particular item that's actually going to drive that reliability. It's a collection of things. Our performance under our frequency load shedding and any line trips that we have on transmission or generation do cause outages	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22		your peers, and I won't take you through each number, but it doesn't paint a pretty picture of how Hydro's performance ranks against its others and again, I wanted to give you the opportunity to put your perspective on it for the Commissioners when they're assessing this. S: Thank you. One of the things that we have to keep in mind when we look at this compared to the CEA is the actual regions, and I can't speak to the details. Mr. LeBlanc could. But in the CEA comparison to other utilities, there's kind of a large pool of utilities that cover, you know, I'll use an example, maybe Toronto Hydro, for instance, which basically is all city work. We have a lot of rural things and I think

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1	collective of a broad diversity of	1	CHAIR:
2	utilities, as opposed to a specific group of	2	Q. Thank you. Go to Panel questions. Mr.
3	utilities that would be operating in a more	3	Oxford, do you have any questions for this
4	rural area. But Mr. LeBlanc can actually	4	witness?
5	probably detail that more than I can. But	5	COMMISSIONER OXFORD:
6	there are concerns about our comparative	6	Q. No, thank you.
7	there from that perspective.	7	COMMISSIONER NEWMAN:
8	GREENE, Q.C.:	8	Q. No questions.
9	Q. Is it a goal to improve performance relative	9	CHAIR:
10	to others of peers in CEA?	10	Q. And I have no questions, you'll be pleased
11	MR. HAYNES:	11	to hear, Mr. Haynes. I guess with that that
12	A. Our goal is to improve performance, period,	12	means we're finished with this witness.
13	on all assets.	13	What's the wish of the -
14	GREENE, Q.C.:	14	MR. YOUNG:
15	Q. Thank you, Mr. Haynes. That completes my	15	Q. Thank you.
16	questions.	16	CHAIR:
17	1	17	Q. Should we take a five-minute break and you
18	Q. Thank you, Ms. Greene. I guess we're back	18	guys can get – that'll work better.
19	to redirect, Mr. Young, or Mr. Templeton, is	19	(BREAK – 12:50 p.m.)
20	it? I'm sorry.	20	(RESUME - 12:56 p.m.)
21	MR. YOUNG:	21	CHAIR:
22	Q. Yes, thank you, Madam Chair.	22	Q. Thank you. Hydro, would you like to
23	MR. JAMES HAYNES, RE-EXAMINATION BY MR. ALEX TEMPLETON	23	introduce your witness before I do the oath?
24	MR. TEMPLETON:	24	MR. TEMPLETON:
25	Q. Thank you, Madam Chair. Very limited	25	Q. Yes, thank you very much. Ms. Dalley, can
	Page 222		Page 224
1	redirect for Mr. Haynes. Mr. Haynes, in the	1	you state your full name for the record,
2	course of your testimony on April 23rd, you	2	please.
$\begin{vmatrix} 2\\ 3 \end{vmatrix}$	were discussing with Mr. Browne the rate	$\begin{bmatrix} 2\\ 3 \end{bmatrix}$	MS. DALLEY:
4	mitigation committee that you've also	4	A. Sure, Dawn Dalley.
5	referenced here today, and I'd just like to	5	MR. TEMPLETON:
6	take you to the transcript at page 116 of	6	Q. And your current position at Newfoundland
7	April 23rd. This was the portion of the	7	and Labrador Hydro?
8	discussion around the various members of	8	MS. DALLEY:
9	that rate mitigation committee. I'd just	9	A. Vice-President of Corporate Services and
10	ask you to confirm the identity of the	10	Regulatory Affairs.
10	individual members of that committee.	10	MR. TEMPLETON:
11	MR. HAYNES:	11	Q. Thank you very much. I understand you
12	A. Yes, I made a mistake yesterday going from		prefer to be affirmed, as opposed to an oath
13	memory. From the Investment Evaluation	13	on the Bible?
14	folks, I had said David Jones and Aborn	14	MS. DALLEY:
15	Warren. It's in fact Rob Hull is the	15	MS. DALLET. A. Yes.
10		10	MR. TEMPLETON:
	representative on that group, not those folks. They are at occasion meetings	17	
18 19	folks. They are at occasion meetings		Q. Okay, thank you. CHAIR:
	obviously when we're discussing points, but		
20	the committee itself is Rob Hull, not Dave and Aborn.	20	Q. Okay, thank you. Ms. Dalley, do you affirm
21		21	that the evidence to be given by you shall
$\begin{vmatrix} 22\\ 22 \end{vmatrix}$	MR. TEMPLETON:	22	be the truth, the whole truth and nothing
23	Q. Okay. Thank you, Mr. Haynes. Just one memorat Madam Chair. That's all the	23	but the truth?
24 25	moment, Madam Chair. That's all the	24	MS. DALLEY:
. / .	questions, Madam Chair.	25	A. I do.

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1	CHAIR:	1	A. In 2011, so I had responsibility for
2	Q. Thank you very much. Welcome back.	2	customer service and energy efficiency teams
3	MS. DALLEY:	3	inside of Hydro, as well as Corporate
4	A. Thank you.	4	Communications across all the Nalcor Energy
5	CHAIR:	5	companies. I held that position until 2016,
6	Q. Direct.	6	I believe it was around the March timeframe,
7	MS. DAWN DALLEY, AFFIRMED, EXAMINATION-IN-CHIEF BY MR.	7	when I transferred back into Newfoundland
8	ALEX TEMPLETON	8	and Labrador Hydro in the current position
9	MR. TEMPLETON:	9	that I'm in. At that time, the addition was
10	Q. Thank you. Ms. Dalley, could you begin by	10	customer service, energy efficiency and
10	please providing the Panel with an overview	11	regulatory affairs and then subsequent to
11		12	the reorganization, which took place over
12 13	of your work experience? MS. DALLEY:	12	e , 1
			2016, I also took responsibility for HR,
14	A. Sure. I joined Newfoundland and Labrador	14	safety, environment, as well as corporate
15	Hydro in 2003 as the Manager of Corporate	15	communications for Newfoundland and Labrador
16	Communications for Newfoundland and Labrador	16	Hydro.
17	Hydro at that time. I may get some of the	17	MR. TEMPLETON:
18	dates wrong here as I go through it, but in	18	Q. Thank you, Ms. Dalley. So, in your current
19	2008, I was transferred to Nalcor Energy,	19	position, can you just review your various
20	the parent company in the same capacity with	20	areas of responsibility with respect to the
21	the additional responsibility at that time	21	company?
22	of what was called Shareholder Relations,	22	MS. DALLEY:
23	but is essentially to be the interface with	23	A. Sure. On the Human – I'll start on the
24	the Provincial Government on many issues.	24	other side, the Human Resources side. It's
25	In 2011, I was appointed to Vice-President	25	all matters related to Human Resources,
	Page 226		Page 228
1	of Corporate Relations role and Customer	1	labour relations and occupational health.
2	Service, which was a dual role. So, I was	2	And then on the corporate safety as well as
3	in Nalcor Energy, but I had direct	3	it relates to Newfoundland and Labrador
4	responsibilities within the subsidiary	4	Hydro; the environmental services team,
5	company of Hydro at the time.	5	again as it relates to Hydro's activities
6	MS. GLYNN:	6	from an environmental planning and
7	Q. Ms. Dalley, I hate to interrupt, but some of	7	compliance perspective; regulatory affairs,
8	the parties are having difficulty hearing	8	which we've already spoken of, which is the
9	you. I don't know if you can move the mike		regulated team and all activities as a
10	closer.	10	regulated utility; customer service, which
10	MS. DALLEY:	10	is service to our 38,000 direct customers,
11 12	A. Yeah, I tried that. Unfortunately it's	11	the services – I guess, and that come with
$\begin{vmatrix} 12\\ 13 \end{vmatrix}$		12	e ,
13	fixed, which means I'm leaning in. MS. GLYNN:		that, billing, meter reading, our meter
		14	shop, operations, as well as our call centre
15	Q. Okay. Can you move it up?	15	and our key account functions which you
16	MS. DALLEY:	16	heard Mr. Haynes talk about a little bit.
17	A. Oh, yeah, okay.	17	And then on the energy efficiency side as
18	MS. GLYNN:	18	well, which would be twofold really, our CDM
19	Q. Yeah, maybe that would help.	19	programs that relate to Hydro and Hydro's
20	MS. DALLEY:	20	customers, as well as partner programs that
21	A. Is that a bit better? Yes, okay. I'll lean	21	we would have in place with Newfoundland
22	in as well.	22	Power through the Take Charge relationship.
1 -			
23	MS. GLYNN:	23	(1:00 p.m.)
23 24 25	MS. GLYNN: Q. Thank you. MS. DALLEY:	23 24 25	(1:00 p.m.) MR. TEMPLETON: Q. Thank you, Ms. Dalley, so you've had the

1 opportunity to review the evidence that hast 1 of Corporate Services and Regulatory 2 been filed in respect to this General Rate 2 Affairs, that's 104-53. 3 MS, DALLEY: 4 A. Yes, that's my code. 6 MR O'BRIEN: 6 Q. That's your code, okay. So with that, right 7 Q. Including the various responses to your 8 MR O'BRIEN: 8 mequest, for information filed by the 9 MR. DALLEY: 9 patries? 10 A. 1 do. 11 A. Yes, I have. 11 MR. D'BRIEN: 12 MR. TEMPLETON: 12 Q. Doy on have any report or reporting 13 Q. Okay, and are you prepared to adopt that 13 moligations to the CEO at this point? 14 evidence as it regards your various areaso? 14 MS. DALLEY: 15 responsibit? 16 MR O'BRIEN: 2 16 MS. DALLEY: 10 hoat reports in to you and hene we have 19 Q. Okay, and ary ou prepared to adopt that 14 MS. DALLEY:		Page 229		Page 231
2 been flied in respect to this General Rate 2 Affairs, that's 104-53. 3 Application? 3 MS. DALLEY: 5 A. Yes, I have. 5 MR. TEMPLETON. 7 Q. Including the various responses to your request for information filed by the parties? 9 MS. DALLEY: 6 Q. That's your code, okay. So with that, right now you report directly to the president, request for information filed by the parties? 9 MS. DALLEY: 10 A. 1 do. 11 A. Yes, I have. 11 MR. TEMPLETON. 13 Q. Okay, and are you prepared to adopt that evidence as it regards your various areas of responsibility? 15 A. No, 1 do not. 16 MS. DALLEY: 10 RO TBRIEN. 17 A. Yes, I am. 17 Q. Okay, and you have an executive assistant for a low ou and then we have that the the way up through you, that we've seen on that bar. 18 MR. TEMPLETON. 18 that reports in to you and then we have that. 19 Q. Okay, thank you much. 10 host of individuals that would report all the assistant for all of the Ilydro you that we've seen on that bar. 23 Q. Madam Chair, that completes our direct you responsibility? 5 Q. Okay, all right, I was going to ask th	1	•	1	
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Г	24, 2010				verbatilit Court Reporters
1	0	Page 233	1	4 1	Page 235
	Q.	Take me through, what's the –		•	t, as well as shareholder and
2	MS. DALLE		2	U U	nent relations?
3	А.	Sure, well just as a matter of efficiency	3	MS. DALLEY:	
4		when the manager of energy efficiency	4		t's correct.
5		retired, we made that position redundant and	5	MR. O'BRIEN:	
6		rolled it under the manager of customer	6	•	o that was a Nalcor role. Do you
7		services as a cost savings and efficiency	7	•	y role with Nalcor right now?
8		element, so it's really now the team is	8	MS. DALLEY:	
9		customer service and energy efficiency and	9	A. No, I do	not.
10		then the other groups are essentially the	10	MR. O'BRIEN:	
11		same.	11	· ·	So if we look at each of the
12	MR. O'BRIE	N:	12	departme	ents here, we've got really six
13	Q.	So those two, the manager of customer	13	departm	ents now, can you give me an
14		service is now manager of customer service	14	overview	w, sorry, the percentage of time that
15		and energy efficiency and all of the	15	your job	function would be focussed on each
16		individuals underneath the manager of energy	16	one of the	nose departments?
17		efficiency now report through to customer	17	MS. DALLEY:	-
18		service?	18	A. I mean, I	I could look at—I've looked at this
19	MS. DALLE	Y:	19	_	
20	A.	That's correct.	20	MR. O'BRIEN;	
21	MR. O'BRIE	N:	21	Q. Like wo	uld you spend 50 percent on
22	Q.	Yeah, okay. And prior to holding this	22	-	ry, 20 percent, like that sort of
23		position which you hold right now of vice-	23	thing?	
24		president of Corporate Services and	24	MS. DALLEY:	
25		Regulatory Affairs, the last position you	25	A. I don't s	pecifically code my time into those
		Page 234			Page 236
1		held prior to that just didn't include all	1	departm	ents, so I would be making a guess
2		of these departments, is that right? From	2		ink that it does depend and I have
3		March 2016 forward you had a modified role,	3		at this before because it is a broad
4		I guess you didn't have some of these	4		control, so you know, I want to be
5		departments, is that right?	5		able, just from an organizational
6	MS. DALLEY		6		e perspective that we've had
7	А.	That's correct. And I'm not sure if your	7		ration to that.
8		left to right is the same as mine, but	8	MR. O'BRIEN:	
9		regulatory affairs, customer service and	9	Q. Okay.	
10		energy efficiency.	10	MS. DALLEY:	
11	MR. O'BRIE		11		e've had consideration to that, so it
12	Q.	Okay, and the rest of those, in terms of	12		be, I think it's fair to say that the
13	×۰	communication, you didn't have that role in	13		bably three largest drivers are
13		March of 2016?	13	-	bry customer service and human
14	MS. DALLEY		14	•	es, and percentage of time it would
15	A.	No.	15		epend, there are days and weeks
10	MR. O'BRIE		10		t's 90 percent regulatory or some
17	Q.	That came with the reorg process?	17		Feels like 100. There are others,
10	MS. DALLEY	• •	10	-	are HR matters underway and we're
20	A.	It did.	20		with them on an ongoing basis, you
20	MR. O'BRIE		20		you'd see that come up, but it's fair
$\begin{vmatrix} 21\\22 \end{vmatrix}$	Q.	Okay, and your role prior to that when you	21		hat I think the largest contributor
$\begin{vmatrix} 22\\23 \end{vmatrix}$	Ų٠	were with Nalcor, I understood you had	22	-	be regulatory.
23			23 24	MR. O'BRIEN:	~ 105u1u101 y.
		Clistomer service concervation and demand			
24		customer service, conservation and demand management and corporate communications, is	24 25		would be regulatory, okay.

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1	Page 237	1	Page 239
	MS. DALLEY:		resources, some of the changes that took
$\begin{vmatrix} 2 \\ 2 \end{vmatrix}$	A. Yes. MR. O'BRIEN:	$\begin{vmatrix} 2\\ 2 \end{vmatrix}$	place again before Mr. Haynes returned into
			the fall of 2016, would have been the
4	Q. And you're responsible for costs in all of		creation, I guess, of the president position
5	these areas, for supporting costs in all of these areas in this case?	5	which Mr. MacIsaac held and I think he was
		$\begin{bmatrix} 6\\7 \end{bmatrix}$	appointed towards the end of November in
0	MS. DALLEY:		2016. He held that position for about four
8	A. Yes. MR. O'BRIEN:	8	months, so not a long time and there was a
9		9	period of transition between Mr. MacIsaac's
10	Q. Are you responsible for the annual budgets	10	leaving, Mr. Haynes coming, in June of that
11	of each one of these areas?	11	year and then we started to do the, I'll
12	MS. DALLEY:	12	say, whether it's common services or court
13	A. Yes.	13	services, but the reorganization of that
14	MR. O'BRIEN:	14	piece out of the matrix and back into Hydro
15	Q. Would that include operating and capital or	15	in the summer of 2016, so I would have been
16		16	engaged when Mr. Haynes came back.
17	MS. DALLEY:	17	MR. O'BRIEN:
18	A. Very little capital in a lot of these	18	Q. When he came back.
19	departments, but there is some in customer	19	MS. DALLEY:
20	service, for example, where we are doing AMR		A. Yes.
21	projects and yes, I do see those and review	21	MR. O'BRIEN:
22	them, but they're primarily driven out of	22	Q. Before that, who would have been sort of
23	engineering.	23	steering the ship in terms of the reorg
24	MR. O'BRIEN:	24	process because you've moved from Nalcor
25	Q. And I would expect that most of these areas	25	into Hydro in March, who would have been
	Page 238		Page 240
1	would be primarily operating budgets.	1	responsible for doing that?
2	MS. DALLEY:	2	MS. DALLEY:
3	A. It is the case.	3	Q. I'm not entirely clear of your question, but
4	MR. O'BRIEN:	4	the direction would have come from the CEO
5	Q. So you started in March. When you started,	5	to Mr. MacIsaac at the time in the creation
6	I guess when I say you started in March, you	6	of his role. At that time the direction, I
7	started back from Nalcor into Hydro, you	7	believe, I'm not privy to MR. MacIsaac's
8	moved back in March of 2016. So before	8	conversations, but his direction would have
9	that, your role was in the matrix	9	been, you know, the creation of his role by
10	organizational structure of Nalcor, is that	10	the CEO and then his direction was to get an
11	fair?	11	executive level position created in Hydro
12	MS. DALLEY:	12	for regulatory affairs. So that would have
13	A. It was.	13	been the, you know, initial transition into
14		-	
	MR. O'BRIEN:	14	that role which he created.
15		14	
15 16	MR. O'BRIEN:	14	that role which he created.
	MR. O'BRIEN: Q. And Hydro has moved away from that structure	14 15	that role which he created. MR. O'BRIEN:
16	MR. O'BRIEN: Q. And Hydro has moved away from that structure now, we've heard some testimony from Mr.	14 15 16	that role which he created. MR. O'BRIEN: Q. So, did the creation of your role in March
16 17	MR. O'BRIEN: Q. And Hydro has moved away from that structure now, we've heard some testimony from Mr. Haynes on that. And Mr. Haynes indicated	14 15 16 17	that role which he created. MR. O'BRIEN: Q. So, did the creation of your role in March 2016, was more focused on creation of a
16 17 18	MR. O'BRIEN: Q. And Hydro has moved away from that structure now, we've heard some testimony from Mr. Haynes on that. And Mr. Haynes indicated that the sort of reorg process had already	14 15 16 17 18	that role which he created. MR. O'BRIEN: Q. So, did the creation of your role in March 2016, was more focused on creation of a regulatory executive position in Nalcor?
16 17 18 19	MR. O'BRIEN: Q. And Hydro has moved away from that structure now, we've heard some testimony from Mr. Haynes on that. And Mr. Haynes indicated that the sort of reorg process had already begun when he came back as president in June	14 15 16 17 18 19	that role which he created. MR. O'BRIEN: Q. So, did the creation of your role in March 2016, was more focused on creation of a regulatory executive position in Nalcor? MS. DALLEY:
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1	Q.	Okay. All right, so when Mr. Haynes came	1		through various departments we would have
2		back in June of 2016, how soon after would	2		met with—so we established essentially a
3		you have taken on the role of, I guess,	3		structure or framework and an approach to
4		vice-president over the human resources and	4		taking that on. And we would have met with
5		labour relations and the management and	5		the various entities as they were, as we
6		environment and safety and health? How did	6		were going through them. So, we wouldn't
7		that work?	7		have done the environment team, for example,
8	MS. DALLE	Y:	8		without consideration to both side and the
9	А.	I'm not sure of the exact timing, but I	9		work that was there. So, we would have met
10		believe it's September, August/September, I	10		with the environment folks and walked
11		recall Mr. Haynes presenting the structure	11		through what their-what work they did for
12		to the board of directors in August of that	12		Hydro, what work they did for Nalcor. We
13		year. And so we would have had staffing	13		examined the work plans, understood what was
14		transitions and, to be fair, tweezing apart	13		required on both side and then basically put
15		the organization itself and then actually,	15		a structure in place around that, but it was
16		you know, not just necessarily physically	16		a collaborative process, but decisions and
1					
17		relocating people, but you know, system	17		recommendations ultimately went to Mr.
18		wise, moving them and relocating them	18		Haynes and then to the Board.
19		considering work plans for that year did	19	MR. O'BRIEN	
20		take some time. So, I believe there were	20	Q.	Okay, so in terms of that collaboration and
21		some individuals, for example, the manager	21		that team, was it—so, I guess it involved
22		of safety wouldn't have joined us until, I	22		financial people, human resources people and
23		think, it was January. So, there was a	23		ultimately some recommendations then were
24		target to have some of those, I'll say	24		made to Mr. Haynes in terms of an overall
25		personnel transitions completed by January	25		structure? Is that fair?
		Page 242			Page 244
1		of 2017.	1	MS. DALLEY	-
1 2	MR. O'BRIEI	of 2017.	1 2	A.	That's correct.
1	MR. O'BRIEI Q.	of 2017.	1 2 3		That's correct.
2		of 2017. N:		A.	That's correct.
2 3		of 2017. N: And were you a part of the process in trying	3	A. MR. O'BRIEN	/: That's correct. J:
2 3 4		of 2017. N: And were you a part of the process in trying to come up with who we need in what department, what sort of departments we	3 4	A. MR. O'BRIEN	7: That's correct. N: Okay. And in terms of the financial piece,
2 3 4 5		of 2017. N: And were you a part of the process in trying to come up with who we need in what department, what sort of departments we need, that kind of thing?	3 4 5	A. MR. O'BRIEN	 That's correct. N: Okay. And in terms of the financial piece, did you have an individual from Nalcor and an individual from Hydro, how did that work?
2 3 4 5 6 7	Q.	of 2017. N: And were you a part of the process in trying to come up with who we need in what department, what sort of departments we need, that kind of thing?	3 4 5 6	A. MR. O'BRIEN Q.	 That's correct. N: Okay. And in terms of the financial piece, did you have an individual from Nalcor and an individual from Hydro, how did that work?
2 3 4 5 6 7 8	Q. MS. DALLE A.	of 2017. N: And were you a part of the process in trying to come up with who we need in what department, what sort of departments we need, that kind of thing? Y: Yes.	3 4 5 6 7 8	A. MR. O'BRIEN Q. MS. DALLEY	 That's correct. N: Okay. And in terms of the financial piece, did you have an individual from Nalcor and an individual from Hydro, how did that work? I can only see in my mind's eye the
2 3 4 5 6 7 8 9	Q. MS. DALLE' A. MR. O'BRIEI	of 2017. N: And were you a part of the process in trying to come up with who we need in what department, what sort of departments we need, that kind of thing? Y: Yes. N:	3 4 5 6 7 8 9	A. MR. O'BRIEN Q. MS. DALLEY	 That's correct. N: Okay. And in terms of the financial piece, did you have an individual from Nalcor and an individual from Hydro, how did that work? I can only see in my mind's eye the individual from Hydro. So, I believe it was
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2 3 4 5 6 7 8 9 10 11	Q. MS. DALLE A. MR. O'BRIEI Q.	of 2017. N: And were you a part of the process in trying to come up with who we need in what department, what sort of departments we need, that kind of thing? Y: Yes. N: That was part of it, okay. Anyone else involved in that?	3 4 5 6 7 8 9 10 11	A. MR. O'BRIEN Q. MS. DALLEY A.	 That's correct. N: Okay. And in terms of the financial piece, did you have an individual from Nalcor and an individual from Hydro, how did that work? I can only see in my mind's eye the individual from Hydro. So, I believe it was only someone from Hydro, but I'm not positive on that.
2 3 4 5 6 7 8 9 10 11 12	Q. MS. DALLE A. MR. O'BRIEI Q. MS. DALLE	of 2017. N: And were you a part of the process in trying to come up with who we need in what department, what sort of departments we need, that kind of thing? Y: Yes. N: That was part of it, okay. Anyone else involved in that? Y:	3 4 5 6 7 8 9 10 11 12	A. MR. O'BRIEN Q. MS. DALLEY A. MR. O'BRIEN	 That's correct. N: Okay. And in terms of the financial piece, did you have an individual from Nalcor and an individual from Hydro, how did that work? I can only see in my mind's eye the individual from Hydro. So, I believe it was only someone from Hydro, but I'm not positive on that.
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	Page 245		Page 247
1	is that fair?	1	to figure out, sort of, what we need to do
$\begin{vmatrix} 1\\2 \end{vmatrix}$	MS. DALLEY:	2	and how we're going to do it.
$\begin{vmatrix} 2\\3 \end{vmatrix}$	A. That's correct.	$\begin{vmatrix} 2\\ 3 \end{vmatrix}$	MS. DALLEY:
1 .	MR. O'BRIEN:	-	
		4	5 5 1 1
5	Q. Okay. Was government consulted at all with	5	that we were working against we were, you
6	respect to that reorganization process?	6	know, doing this.
1	MS. DALLEY:	7	MR. O'BRIEN:
8	A. They were made aware that it was underway	8	Q. Okay. And what was the ultimate goal of the
9	and then they would have seen-probably not		restructure process?
10	at the granularly that we're talking about	10	MS. DALLEY:
11	here, but they would have seen the top line	11	A. I think there were, you know, there were a
12	structure for the company. We would have	12	number of items at the time and I think Mr.
13	provided that to them.	13	Haynes has referenced these already in his
14	MR. O'BRIEN:	14	testimony, but part of it was direction to,
15	Q. Okay. And would that be the executive, sort	15	whether I use the right wording, to some
16	of, line structure.	16	degree further ring fence or pull Hydro into
17	MS. DALLEY:	17	a separate entity that had more autonomy
18	A. Yes.	18	over its, not just its day to day, but it's,
19	MR. O'BRIEN:	19	you know, strategic interests over the—
$\begin{vmatrix} 1 \\ 20 \end{vmatrix}$	Q. So, once you've come up with the structure	$\begin{array}{c} 1 \\ 20 \end{array}$	certainly we looked at the near term. We
$\frac{20}{21}$		$20 \\ 21$	
	and provided some recommendations to Mr.		understood what was coming from—even with
22	Haynes, that would have been in and around	22	the incorporation of Muskrat Falls and the
23	September or so or would it have been later?	23	integration, there was also a tremendous
24	MS. DALLEY:	24	corporate change happening at the Nalcor
25	A. I believe it was earlier than that.	25	level. So, we did look at this as a—it may
			, , , , , , , , , , , , , , , , , , , ,
	Page 246		Page 248
1	MR. O'BRIEN:	1	Page 248 indeed be a longer term structure, it's a
1 2	MR. O'BRIEN: Q. Earlier than that?	1 2	Page 248 indeed be a longer term structure, it's a fairly, I would say, similar structure to
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1 2	MR. O'BRIEN: Q. Earlier than that?		Page 248 indeed be a longer term structure, it's a fairly, I would say, similar structure to
1 2 3	MR. O'BRIEN: Q. Earlier than that? MS. DALLEY:		Page 248 indeed be a longer term structure, it's a fairly, I would say, similar structure to what you'd see in a lot of utilities. It's
1 2 3	MR. O'BRIEN: Q. Earlier than that? MS. DALLEY: A. Well, I shouldn't say that, the top line structure, the executive structure went to		Page 248 indeed be a longer term structure, it's a fairly, I would say, similar structure to what you'd see in a lot of utilities. It's not the same. We've looked at utilities
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1 2 3 4 5 6 7	MR. O'BRIEN: Q. Earlier than that? MS. DALLEY: A. Well, I shouldn't say that, the top line structure, the executive structure went to the Board and again, by recollection, in August. So, the rest of it would have	3 4 5 6 7	Page 248 indeed be a longer term structure, it's a fairly, I would say, similar structure to what you'd see in a lot of utilities. It's not the same. We've looked at utilities across the country, so it varies from utility to utility, but we did look at, you know, the next two or three years being a
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	Page 249		Page 251
1	from his testimony that one of the concerns	1	this morning. So, if there are matters that
2	was that Hydro might be getting lost in the	2	are common from a policy perspective, we
3	shuffle a little bit in the matrix	3	certainly have very good relationships and
4	organization. Is that a fair representation	4	we liaise with our compatriots and Nalcor on
5	from your –	5	those matters, but we go to the table
6	MS. DALLEY:	6	representing Hydro's interests and
7	A. I think that's a fair characterization.	7	customer's interests. Therefore—so it is a—
8	MR. O'BRIEN:	8	it's not a diluted focus. I think that was
9	Q. Okay. And did you feel that there were any	9	a word that was used over the last few days.
10	particular issues, say, with operations	10	MR. O'BRIEN:
11	management in the matrix structure or	11	Q. Okay. So, in terms of realigning the
12	financial management of Hydro within the	12	departments, I understood from the evidence
13	matrix structure, any particular issues that	13	that that was one of the primary changes.
14	you could put your finger on?	14	As the individual responsible for Human
15	MS. DALLEY:	15	Resources, would you have had your finger on
16	A. I think that at a high level when, you know,	16	that yourself as to realigning it or was
17	with a broad scope of responsibilities that	17	this the team decided how individuals would
18	is contingent in, not just in our matrix	18	be realigned, say, from Nalcor into Hydro or
19	structure, but I think in most matrix	19	in Hydro out of Nalcor? Who made those type
20	structures have that kind of dynamic, one of		of decisions?
21	the things, you get the benefit of sharing	$\begin{vmatrix} 20\\21 \end{vmatrix}$	MS. DALLEY:
22	resources, which to be fair, we think within	$\begin{vmatrix} 21\\22 \end{vmatrix}$	A. You mean in the process itself?
$\begin{vmatrix} 22\\23 \end{vmatrix}$	the re-organization that we've done that	$\begin{vmatrix} 22\\23 \end{vmatrix}$	MR. O'BRIEN:
24	we're sharing the right resources at this	24	Q. Yes.
25	point. There may be some adjustments and	25	MS. DALLEY:
	Рада 250		Dage 252
1	Page 250 changes to that, but we feel that the	1	Page 252
1	changes to that, but we feel that the	1	A. It's fair to say that I was engaged and
1 2 3	changes to that, but we feel that the resources that we've left inside of that	1 2 3	A. It's fair to say that I was engaged and involved in those decisions in representing
$\begin{bmatrix} 1\\ 2\\ 3\\ 4 \end{bmatrix}$	changes to that, but we feel that the resources that we've left inside of that structure are beneficial to customers. But	3	A. It's fair to say that I was engaged and involved in those decisions in representing Hydro's interest.
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		Page 253		Page 25
	А.	That's certainly the plan that we're	l	costs across the Nalcor entities.
2		operating from and that I'm aware of, yes.	2	Compensation and benefits, two real drivers
3	MR. O'BRIE		3	for that. One is strategic for us,
4	Q.	I wonder if we could pull up PUB-NLH-30,	4	compensation is, but as it was, again when I
5		Revision 1. I just want to ask you Ms.	5	first joined Hydro and Hydro was providing
6		Dalley just about certain functions like	6	all the compensation policies and strategies
7		that now provide common services to Nalcor	7	across Churchill Falls, a Labrador company
8		Alliance that were moved out of Hydro into	8	at the time. So, the parent company
9		Nalcor. I want to get you to take me	9	basically provides that, you know, I'll saw
10		through, sort of the logic behind that. If	10	governance and oversight, but I will,
11		we go through, we see an answer here of 58	11	whether I re-visit it now, I will get back
12		positions in common services, business units	12	to Hydro's input in that because we have
13		that were transferred to Nalcor and that	13	quite a significant amount of input into
14		includes 41 FTEs from the information	14	those decisions. And the ability to come
15		systems department, but we've got a list of	15	outside the policy direction, if require.
16		the home business units on the side. For	16	Talent management, again that is something-
17		human resources, for example, those	17	and this is where I say it's a, you know,
18		movements or those individuals there, can	18	from a performance management. So, that
19		you just give me a high-level overview of	19	individual is someone that oversees the
20		the logic behind moving them out of Hydro	20	cycles of performance management. So, that
21		into Nalcor?	21	individual oversee the cycles, makes sure
22	MS. DALLE	Y:	22	the system is up and running, takes feedback
23	А.	Sure, and I think there are probably, you	23	into the system, changes the performance
24		know, three, maybe three and a half and four	24	management system. However, our HR
25		buckets there when you look at those rolls.	25	resources in Hydro manage our performance
		Page 254		Page 25
1		So, payroll being the initial one. So, the	1	management processes, they manage the
2		context around payroll when we discussed was	2	outcomes and they manage any kind of
3				
		this was a transactional service, there was	$\frac{2}{3}$	performance improvement plans, for exampl
4		a group of individuals that provided that		performance improvement plans, for exampl that come out of the performance manageme
4 5		a group of individuals that provided that service that, whether or not we—and I'll use	3	performance improvement plans, for exampl that come out of the performance manageme process. So, we do have one of our
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5 6 7		a group of individuals that provided that service that, whether or not we—and I'll use the term "contracted out" because that's how we, you know, thought of it. So, whether we	3 4 5 6 7	performance improvement plans, for exampl that come out of the performance manageme process. So, we do have one of our individuals that sheppards that through our team, but again, the system work and the
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23 24 25		to. But that's—so monthly I will look at the intercompany costs, my folks know, I		
$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\end{array} $	MR. O'BRIE Q. MS. DALLE A. CHAIR: Q. Upon conclu	Okay. Maybe we can break at this point and I'll take you back to this one when we start tomorrow, Ms. Dalley, if I have any more questions.		
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