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1 CHAIR:
 2 Q. Good morning, everyone. For the record, I'm
 3 Andy Wells, Chair of these proceedings, and
 4 on my left is Vice-Chairman Darlene Whalen, on
 5 my right are Commissioners Jim Oxford and
 6 Commissioner Dwanda Newman. In January of
 7 2014, the Board commenced an investigation and
 8 a hearing into the supply issues and power
 9 outages that were experienced on the Island
 10 Interconnected System in late December, 2013,
 11 and going into early January, 2014. The
 12 parties to the investigation are, of course,
 13 Newfoundland and Labrador Hydro and
 14 Newfoundland Power. The Intervenor are the
 15 Consumer Advocate, the Island Industrial
 16 Customers consisting of Corner Brook Pulp and
 17 Paper, and North Atlantic Refining, and Teck
 18 Resources. We have two further Intervenor,
 19 Mr. Danny Dumaresque and the Grand River
 20 Labrador Incorporated, and I don't have the
 21 name of the individual from the Grand River
 22 here. Anyway, we'll ask the parties to
 23 identify themselves. I guess, we'll do it
 24 right now. So first, Newfoundland Hydro, I
 25 guess.

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1 MR. MACDOUGALL:
 2 Q. Good morning, Mr. Chair and Commissioners,
 3 David MacDougall, external counsel for
 4 Newfoundland and Labrador Hydro. I'm joined
 5 today with my colleague, Jennifer Grey, and
 6 with Geoff Young, in-house counsel at Hydro,
 7 and we will have a witness panel and I will
 8 introduce them when they're put forward.
 9 KELLY, Q.C.:
 10 Q. Good morning, Mr. Chairman and Commissioners,
 11 Ian Kelly, and with me Gerard Hayes for
 12 Newfoundland Power.
 13 CHAIR:
 14 Q. And our intervenors, Industrial Customers?
 15 MR. COXWORTHY:
 16 Q. Paul Coxworthy for the Island Industrial
 17 Customers, Mr. Chair.
 18 MR. JOHNSON:
 19 Q. Chairman and Commissioners, Tom Johnson,
 20 Consumer Advocate in these proceedings.
 21 MR. DUMARESQUE:
 22 Q. Mr. Chairman, Danny Dumaresque, along with Mr.
 23 Bill Kennedy, my legal advisor.
 24 MS. FRAMPTON:
 25 Q. And Roberta Frampton Benefiel. I'm

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1 representing Grand Riverkeeper Labrador.
 2 CHAIR:
 3 Q. Okay, thank you. Board staff present are
 4 Cheryl Blundon, our Board Secretary; Jacqui
 5 Glynn, legal counsel; Maureen Greene, Board
 6 Hearing Counsel, and Sam Banfield, our
 7 Engineering Consultant. The Board's
 8 investigation is being undertaken in two
 9 phases. Phase One concerns the adequacy and
 10 reliability of supply on the Island
 11 Interconnected System up to the
 12 interconnection with Muskrat Falls, and Phase
 13 Two relates to the same issues, adequacy and
 14 reliability of supply after the Muskrat Falls
 15 interconnection. The Board is continuing its
 16 work on Phase Two, which includes ongoing
 17 investigation by the Board's consultant,
 18 Liberty Consulting Group, as well as the
 19 intervenors and their consultants. It's
 20 expected that reports on Phase Two, including
 21 a report from Liberty, will be filed later on
 22 this year. Today's hearing is part of the
 23 Board's process for Phase One. As I said, to
 24 assist with your investigation, we engaged the
 25 services of Liberty. Their initial work

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1 focused on the outage causes and actions that
 2 should be taken by Hydro and Newfoundland
 3 Power to reduce the risk of further outages
 4 for the winter. Liberty's interim report was
 5 released on April 24th, 2014, providing
 6 preliminary conclusions and recommendations
 7 relating to adequacy and reliability of supply
 8 on the Island Interconnected System. The
 9 Board's interim report was issued on May 15th,
 10 2014. It set out the Board's initial findings
 11 about the causes of the January, 2014 outages
 12 and identified the key priority items that
 13 should be undertaken to address winter
 14 readiness in advance of the interconnection
 15 with Muskrat Falls. This investigation
 16 continued throughout 2014 as the Board with
 17 the assistance of its consultants, monitored
 18 utilities progress in relation to the required
 19 key actions. In December, 2014, the Board
 20 received the Phase One final report of the
 21 Liberty Consulting Group relating to
 22 Newfoundland and Labrador Power - Newfoundland
 23 and Labrador Hydro and Newfoundland Power.
 24 Both utilities filed reports, responses to
 25 Liberty's reports, in January, 2015. The

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1 intervenors advised that they did not wish to
 2 file additional expert evidence, but were
 3 provided the opportunity to ask questions in
 4 relation to the reports, and, of course, all
 5 reports and documentations are available on
 6 the Board's web page. The Board published
 7 notices of today's hearing inviting
 8 participation and received two requests to
 9 make presentations setting out the specific
 10 areas to be addressed. I believe that these
 11 presenters are here today. I see Mr. Ball,
 12 and I understand Keith Morgan of Nu-Quest
 13 Distribution is also here as well. Before I
 14 ask the intervenors to proceed, I think I
 15 should just clarify for the assembly here
 16 today that our electrical system consists of
 17 generation assets, transmission assets, and
 18 distribution assets. Generation and
 19 transmission are primarily, but not solely,
 20 the responsibility of Newfoundland Hydro.
 21 Distribution is primarily, but not solely, the
 22 responsibility of Newfoundland Power, and, in
 23 fact, one can say for the sake of simplicity,
 24 and not being inaccurate, that Newfoundland
 25 Power is the primary customer of Newfoundland

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1 Hydro, and the records of our proceedings to
 2 date shows that the Board has found no
 3 significant issues with respect to
 4 distribution, the distribution system,
 5 Newfoundland Power. The issues we are
 6 addressing arise primarily almost completely
 7 from generation issues and transmissions
 8 issues which are solely the responsibility of
 9 Newfoundland Hydro. So, we're going to have
 10 the two intervenors first, and if there are
 11 other members of the public who wish to speak,
 12 by all means please make yourself known to our
 13 Board Secretary. Following the two
 14 presentations by Mr. Ball and Mr. Morgan,
 15 Newfoundland and Labrador Hydro and
 16 Newfoundland Power will make a presentation,
 17 and we've asked both parties to address the
 18 specific issues raised by the presenters. In
 19 addition, Mr. Dumaresque has indicated he'd
 20 like to question Newfoundland and Labrador
 21 Hydro with respect to three areas of interest,
 22 and the Board has advised Hydro to address
 23 these issues in its presentation. Other
 24 intervenors have indicated that based on the
 25 record they did not wish to conduct a cross-

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1 examination, the intervenors will be given an
 2 opportunity to pose questions to the utility
 3 representatives. We'll hear from Newfoundland
 4 Hydro first, followed by questions, if any,
 5 from Newfoundland Power, Mr. Dumaresque, the
 6 Consumer Advocate, the Industrial Customers,
 7 Grand Riverkeeper, and then that will be
 8 followed by Newfoundland Power, with the same
 9 lineup with respect to questioning. At the
 10 conclusions of the presentations and
 11 questioning a date for written submissions
 12 from the parties and the intervenors will be
 13 set. If there are any other persons present
 14 who have questions or comments following
 15 today's presentation, they may be put to the
 16 Board in writing immediately following. The
 17 Board's Secretary can assist you with this,
 18 and as I say, please see her before you leave.
 19 I note that April 7th, 2015, has been set as
 20 the last date for the filing of written
 21 submissions from the public. The Board will
 22 consider all the information and issue its
 23 final report on Phase One. The Board has
 24 determined that certain costs related to the
 25 outage will be subject to a separate

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1 proceeding in the fall. I also would like to
 2 emphasize for the sake of the record that the
 3 events which occurred on March 4th, 2015, will
 4 not be addressed in this hearing or the
 5 Board's Phase One Report. We are in the
 6 process of gathering information from both
 7 utilities on the system events of that day,
 8 and the Board has not yet received a report
 9 from Newfoundland and Labrador Hydro in
 10 relation to these events. Unless the Board's
 11 investigation is complete, it would be
 12 premature to address the March 4th, 2015
 13 events. In terms of timing for today's
 14 proceedings, we're scheduled to set if it
 15 necessary until 2 o'clock. We'll take a short
 16 break at the appropriate time, which I guess
 17 I'll decide. So let us move to the agenda.
 18 Where is my agenda? Here we go. Papers
 19 everywhere. I would ask for public
 20 presentations, and Mr. Ball, if you would come
 21 forward. Mr. Ball, of course, is leader of
 22 the Official Opposition and he's indicated he
 23 wishes to speak for ten minutes.
 24 MR. BALL:
 25 Q. Good morning, and first of all, thank you for

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1 the opportunity to present to the Public
 2 Utilities Board this morning. Mr. Chair and
 3 Commissioners, what brings me here today is to
 4 elaborate on the complaint that the Official
 5 Opposition filed with the PUB in January,
 6 2014, following what became widely known as
 7 DarkNL. Of course, this was a series of
 8 widespread controlled and uncontrolled power
 9 outages that left many people in the province
 10 without power.

11 Our complaint at the time centred around
 12 Newfoundland and Labrador's Hydro failure to
 13 provide adequate, reliable, and reasonable
 14 service as envisioned in Section 37 of the
 15 Public Utilities Act. Given the series of
 16 failures in equipment, operations, and
 17 communications at Hydro, we believe that this
 18 hearing is crucial particularly given the
 19 public's exclusion in the lead up to the
 20 outages. The public ought to have an official
 21 forum to voice their concerns.

22 We also believe the PUB is the proper
 23 forum for this investigation, given the
 24 Board's mandate includes the regulation of
 25 electricity utilities in the province to

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1 ensure safe and reliable service. The powers
 2 of the Public Utilities Board are enshrined in
 3 the Public Utilities Act and its accompanying
 4 regulations. The PUB is an esteemed
 5 administrative tribunal that has served this
 6 province well at least since 1949.

7 So I can clearly say the Official
 8 Opposition has every confidence in the PUB and
 9 we commend the PUB for the work it has done
 10 and continues to do on behalf of the rate
 11 payers in the province. Further, we commend
 12 the PUB on commissioning Liberty Consulting
 13 Group to provide an objective analysis of the
 14 January, 2014, outages, and it is our
 15 contention that the outages of 2014 were the
 16 result of failures in equipment, operations,
 17 leadership, and communications. So the focus
 18 of this submission today is Hydro's failure to
 19 communicate.

20 The PUB is mandated to ensure Hydro
 21 provides safe and reliable service. Hydro's
 22 service was neither safe nor reliable leading
 23 up to or during the events of January 2nd to
 24 the 8th, 2014. Hydro failed to engage the
 25 public in the days leading up to January 2nd,

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1 failing to practice open communication.
 2 With multiple generation units out of
 3 service and a cold snap and winter storm on
 4 the way, Hydro was particularly vulnerable to
 5 any equipment or operations issues that could
 6 and, in fact, did arise, and Liberty, of
 7 course, pointed this out. The number, nature,
 8 and short timeframe of these failures brought
 9 into question Hydro's practices for equipment,
 10 operation, and maintenance. It is our belief
 11 that failures extended beyond equipment and
 12 operations to communications. Hydro should
 13 have engaged the public much earlier with
 14 concrete ways to conserve energy in an effort
 15 to prevent or at least mitigate power outages.
 16 Hydro should have simultaneously communicated
 17 the need to prepare for the possibility of
 18 extended power outages. Instead what we had
 19 were residents just getting two hours to
 20 prepare to gather supplies for coming outages,
 21 such as food, water, generators, gasoline to
 22 even power them, flashlights, batteries and
 23 the like; basic needs.

24 In a province where hundreds of
 25 communities live with boil orders, where many

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1 of the island's residents live in rural and
 2 remote communities, and would likely have to
 3 arrange travel to obtain supplies in bulk, two
 4 hours notice is inadequate. Persons with
 5 disabilities in our province may require
 6 certain supports during such an emergency, and
 7 many businesses were also impacted by lost
 8 revenue and lost product. It is incumbent on
 9 us to reflect on how the failure to
 10 communicate impacted people differently.
 11 Giving residents only two hours notice to
 12 conserve energy was just not a practical
 13 solution. Hydro's handling of the 2014 power
 14 outages demonstrated a gross failure to
 15 communicate, and this failure to communicate
 16 is what created the crisis. So what is the
 17 crisis or was it a crisis?

18 So while Government refused to utter the
 19 word, we had 190,000 customers without power,
 20 and Liberty pointed out that Hydro lacked a
 21 customer service strategy at the time, and
 22 while the Public Utility has since developed a
 23 customer service strategy road map, Liberty
 24 emphasized a need to commit the funding
 25 necessary to successfully implement such a

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1 plan. The coined phrase, "DarkNL" served as
 2 more than a brand for the fallout of Hydro's
 3 failure to manage and mitigate the widespread
 4 electricity outages. It actually filled a
 5 void by creating a forum for the public to
 6 communicate with one another and to speculate
 7 in the absence of a reliable and advanced
 8 communication from Hydro. On January 9th,
 9 2014, Hydro publicly apologized to the
 10 province through local media. It seemed Hydro
 11 had learned a lesson around open and
 12 transparent communications from DarkNL when in
 13 2014 the Public Utility committed to a new
 14 colour coded advanced notification protocol to
 15 alert residents of a potential power shortage.
 16 The protocol was a recommendation coming out
 17 of Liberty's interim report and the Chair made
 18 mention of that in April of 2014.

19 The protocol was meant to keep the public
 20 better informed about supply issues so
 21 residents can prepare for potential outages
 22 and conserve energy to prevent or at least
 23 mitigate outages. It involves three levels of
 24 notification; power watch, power warning, and
 25 power emergency. Power watch, the first

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1 level, notifies the public that energy demand
 2 is approaching the system's capacity, but
 3 requires no immediate action from the public.
 4 Level 1 is symbolized by a green plug. Level
 5 2 or power warning notifies the public that
 6 energy levels are approaching maximum demand
 7 and this warning asks the public to conserve
 8 energy and prepare for the possibility of
 9 outages, and Level 2 is symbolized colour
 10 coded by an orange exclamation point. Level
 11 3, or power emergency, reiterates the need to
 12 conserve power and notifies customers that
 13 rotating outages are coming. Level 3 also
 14 stresses the importance of safety when
 15 considering alternate sources of power during
 16 these outages. Level 3, that's the red
 17 flashlight.

18 (10:15 a.m.)
 19 This was Hydro's communication response
 20 from the lessons learned from the January,
 21 2014, power outages, but what we do know is
 22 even as in March of 2015, Hydro bypassed
 23 Levels 1 and 2 of their advance notification
 24 protocol and issuing a Level 3 emergency
 25 notification at 7:56 A.M. and this was just

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1 three minutes before tweeting about problems
 2 at two units in Holyrood. Hydro attributed
 3 those outages in March to the combination of
 4 three factors which all related to equipment
 5 failures and some that were known to them for
 6 days. Tens of thousands of residents
 7 experienced power outages that morning, and
 8 even before the notification was issued
 9 children were on school buses enroute to
 10 classes when Hydro finally issued a Level 3
 11 notification, and this delay in notification
 12 had safety implications on these children and
 13 parents were left in limbo, already gone to
 14 work, and bus drivers were left to navigate
 15 flashing traffic lights. Despite
 16 acknowledging the contributing factors to the
 17 outages that morning, Hydro did not utilize
 18 the advance notification protocol effectively.
 19 So less than three months after announcing the
 20 protocol Hydro was clearly not following it.
 21 So while Hydro has indicated it will
 22 investigate these events surrounding the March
 23 4th, 2015, power outages, it is our belief
 24 that internal investigation is insufficient.
 25 In conclusion, fourteen months have

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1 passed since the 2014 blackouts highlighted
 2 Hydro's failure to provide adequate and
 3 reliable and reasonable service as legislated.
 4 So what is particularly troubling today in
 5 this hearing being further contextualized by
 6 the power outages of March 4th, 2015, Hydro's
 7 failures in equipment, operations, leadership,
 8 and communications were just not isolated to
 9 DarkNL, the failures continue. 2015 marks the
 10 third consecutive year that rate payers have
 11 experienced such significant power outages.
 12 And the final report of Liberty Consulting
 13 Group cautioned, even with the installation of
 14 the new combustion turbine, the new capacity
 15 assistance arrangements with certain
 16 industrial customers, generation reserves are
 17 very low and the risk of outages remains high
 18 for the 2015 to 2017 winter seasons.

19 Electricity is an essential service. As
 20 Newfoundlanders and Labradorians we live in
 21 one of the harshest climates in the world, and
 22 while we cannot control the weather, and while
 23 equipment is bound to fail from time to time,
 24 how the public utility like Newfoundland and
 25 Labrador Hydro communicates with the public

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1 and manages such crisis as DarkNL is within
 2 their control. The public ought to be valued
 3 as a partner in working together with these
 4 challenging times.
 5 Unreliable service, poor communications,
 6 and inadequate planning for winter service is
 7 inexcusable. The implementation of the
 8 recommendations from the Liberty Report
 9 requires close monitoring by the Public
 10 Utilities Board, and we have full faith in
 11 your ability to do just that.
 12 On behalf of the Official Opposition, I'd
 13 like to thank you for this opportunity this
 14 morning to present and we look forward to the
 15 findings from Phase One, as well as the
 16 ongoing work that are being completed on Phase
 17 Two, the reliability issues that you mentioned
 18 earlier, Mr. Chair, on the Muskrat Falls post
 19 Muskrat Falls interconnection. So thank you
 20 very much.
 21 CHAIR:
 22 Q. Thank you, sir. Next we have Mr. Keith
 23 Morgan, Nu-Quest Distribution.
 24 MR. MORGAN:
 25 Q. Good morning. Thank you very much for the

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1 opportunity to present to the Board on behalf
 2 of my client, Nu-Quest Distribution Inc. I
 3 guess, one of the questions is who is Nu-Quest
 4 and I can indicate that they're just a small
 5 pharmaceutical wholesaler basically
 6 distributing throughout Newfoundland and
 7 Labrador. They have about ten employees and
 8 basically are Newfoundland owned and operated,
 9 and obviously take a very keen interest in the
 10 events that are occurring here today, and
 11 that's why they have me here.
 12 What are their concerns? They are
 13 concerned about the future supply of power.
 14 Obviously, their business depends upon a
 15 reliable supply of power to their facility in
 16 order to be able to maintain critical care
 17 drugs, cancer drugs, and other drugs that are
 18 needed for treatment of patients, and
 19 regulation of temperature is critical in those
 20 particular products and they need to have a
 21 reliable supply of power for that. They are
 22 concerned regarding the process that occurred
 23 in relation to the regulation of the power
 24 failure that occurred in these events that led
 25 to this inquiry, and how that was regulated by

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1 Newfoundland Power in the distribution of
 2 power. They're also concerned about the
 3 accountability of both Newfoundland Hydro and
 4 Newfoundland Power relating to the management
 5 of the system. As with the comments of the
 6 Official Opposition, they are concerned with
 7 respect to how it has been managed over time,
 8 and how we got to this point, and, obviously,
 9 that has led to their interest in these
 10 proceedings.
 11 From my own perspective, a legal one,
 12 obviously I've looked at - tried to come to
 13 what the duty was for Newfoundland and
 14 Labrador Hydro as well as Newfoundland Power
 15 in trying to organize my thoughts and my
 16 presentation to you here today, and I've
 17 provided you with some materials outlining
 18 what I believe as to the duty that's there for
 19 the utilities in relation to the operation of
 20 the system. In that regard, I've provided you
 21 with an excerpt of the Electrical Power
 22 Control Act, and in particular, Section 3 of
 23 that particular legislation, 3(a)(1) and
 24 3(b)(2), and 3, that all sources and
 25 facilities for the production, transmission,

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1 and distribution of power in the province
 2 should be managed and operated in a manner
 3 that will result in consumers in the province
 4 having equitable access to an adequate supply
 5 of power, and (3), that would result in power
 6 being delivered to consumers in the province
 7 at the lowest possible cost, consistent with
 8 reliable service. So this is, I guess, a
 9 codification of the requirement that they're
 10 equitable access, but also they're to be
 11 reliable. That's a statutory requirement as
 12 held out in the Electrical Power Control Act.
 13 This is also followed up in the various
 14 documentary materials that I've supplied to
 15 you. There is an excerpt from McGill Law
 16 Journal. This is relating to
 17 telecommunications, but it also speaks
 18 generally to the issues with respect to the
 19 obligation to the common law duty that's there
 20 associated with the obligation for the utility
 21 and I found - it's an old case, it's one
 22 that's from the Supreme Court of Canada back
 23 in 1893, but it's quoted at page three of that
 24 excerpt, and it indicates and the Chief
 25 Justice basically delivering a majority

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1 judgment said in relation to the water
 2 distribution, but it's akin to power
 3 distribution as well, "The water company's
 4 statutory duty to supply meant that it was not
 5 a mere commercial vendor of a commodity, but a
 6 public body intrusted with the management of
 7 the water for the benefit of the whole of the
 8 inhabitants, a status which compelled them to
 9 supply this element necessary, not merely for
 10 the private purposes and uses of individuals,
 11 but indispensable for the preservation of the
 12 public health and the general salubrity of the
 13 city". He went on to say, "The city is, in a
 14 sense, a trustee of the water works, not for
 15 the body of rate payers exclusively, but for
 16 the benefit of the general public or at least
 17 of that portion of the residents in the city".
 18 Again I put this - I've read this specifically
 19 to the Board because it makes the relationship
 20 here between Newfoundland Power and
 21 Newfoundland Hydro akin to a trustee of these
 22 resources for the benefit of the province. It
 23 holds them to a very high standard, I would
 24 submit. I think that that's what has to be
 25 measured now by the PUB in making their

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1 findings in relation to how the system is
 2 managed and is to be managed. I guess, that's
 3 where we are approaching this at this stage,
 4 and that particular type of analysis was also
 5 in the case that I supplied to you with Hunt
 6 and West Bank, this is a water supply system
 7 case, but it did in that case - this was in
 8 the water distribution situation. At
 9 Paragraph 66, it says, "It must be borne in
 10 mind that the availability of the substance of
 11 the Defendant is bound to distribute something
 12 over which it has little control and the rate
 13 of supply of the system through rainfall, etc,
 14 is not reasonably foreseeable with any degree
 15 of precision. All the Defendant can do is
 16 distribute the water fairly and reasonably to
 17 the users". This it did in this particular
 18 case. However, in this case, we've got the
 19 supply of power that is the issue and the
 20 supply of power is something that is
 21 foreseeable and it can be done with a degree
 22 of precision. The question is whether that
 23 was done in this case, and has been done, and
 24 will continue to be done within the province.
 25 (10:30 a.m.)

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1 Lastly, I've cited the case here or given
 2 you the case of Nova Scotia Power and Caliper.
 3 This is dealing with the issue of notice, and
 4 the issue here - this is a Court of Appeal
 5 decision from Nova Scotia. This is a
 6 situation where they were going to cut the
 7 power for a particular user. The user said,
 8 yes, as long as it's not too cold because I
 9 could have a freeze up in my water pipes if
 10 it gets too cold. So they said, that's fine, but
 11 they cut the power anyway even though there
 12 was extreme cold at the time, and as a result
 13 the person did have freezing in their pipes
 14 and there were damages and they sued, and they
 15 were successful. That was upheld by the Court
 16 of Appeal. So again there's a concrete
 17 instance in which the negligence of the
 18 utility in the application of its own
 19 protocols resulted in liability for the
 20 utility overall to the public. In this
 21 particular case, we've already had the Liberty
 22 Mutual (sic.) Report and the Executive Summary
 23 that provided an explanation as to why, or
 24 least attempted to give an explanation as to
 25 why this happened, and in my - I guess, if

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1 you're looking at page one of the summary, it
 2 says that there were two different sets of
 3 causes; the insufficiency of generating
 4 resources to meet customer demands, and issues
 5 with operation of key transmission system
 6 equipment. It then goes on in the second page
 7 of the Executive Summary to say that there was
 8 issues with respect to the failure to complete
 9 planned outage work needed to ensure the
 10 availability of a full range of generating
 11 facilities, needs to plan its resources to
 12 meet more severe weather than it assumed to
 13 date, needed to review the planning criteria
 14 Hydro has long used, adding new generation
 15 capacity. These things are all things that
 16 were clearly within the control of
 17 Newfoundland Hydro in assessing their own
 18 system, and even though it's not specifically
 19 said, this is a failure and it's a negligent
 20 operation and management of the system. This
 21 is what is of concern, obviously, to my
 22 client, that the system that they're
 23 critically relying upon is being negligently
 24 maintained and operated and planned for.
 25 That's what's being found in the Mutual

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1 Report. So the question coming
 2 from the authorities that I've
 3 put forward, and I would
 4 suggest is the law and it's
 5 codified in the Electrical
 6 Power Control Act, is did
 7 Newfoundland Light and Power
 8 and Newfoundland and Labrador
 9 Hydro treat customers fairly
 10 and reasonably on rotating and
 11 unplanned outages. That's the
 12 question that we are concerned
 13 with, and obviously it's only
 14 an element of what you are
 15 determining as a Board, but
 16 it's one that's critically of
 17 concern to my client, and the
 18 first issue is, were the
 19 customers treated fairly. In
 20 this regard, there's a number
 21 of different pieces of
 22 information that we've received
 23 in relation to the feeder
 24 selection. This is the actual
 25 outlets that are providing the

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1 power to the various areas of
 2 this city as well as throughout
 3 the province. We know from the
 4 interim report at page 20 that
 5 the large feeders were
 6 specifically excluded from the
 7 power outages, the rotations
 8 that were there as far as who
 9 was going to receive power and
 10 who wasn't. We also know that
 11 the Avalon Peninsula bore the
 12 brunt of the load shedding, and
 13 that's from the Newfoundland
 14 Power response to inquiries for
 15 number 22 at note 7. It
 16 indicates that there is 160
 17 feeders that were on the Avalon
 18 and it bore the brunt of the
 19 outages, and I think
 20 anecdotally, everybody knows
 21 that has communication with
 22 people that are outside of the
 23 Avalon, that they may have lost
 24 their power once, if at all,
 25 but the people that are on the

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1 Avalon lost it regularly.
 2 There's also an indication that
 3 60 percent of the overall
 4 feeders that were there on the
 5 Avalon are automatic as opposed
 6 to 40 percent being manual and
 7 that the automatic ones were
 8 shut down more frequently than
 9 those who were on manual
 10 because it was more accessible
 11 than the manual shutdowns. We
 12 also know that there were
 13 critical customers that were
 14 there and that were excluded
 15 from the consideration, and the
 16 evidence or the indication that
 17 we have is that there's 57 of
 18 the feeders, now they're all
 19 located on the Avalon, but
 20 those 57 feeders were all
 21 excluded. We get to a
 22 situation where, I'd suggest,
 23 that we've got a funnel, that
 24 everything - the obvious ones
 25 are being knocked off, so then

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1 you've got a very few number of
 2 feeders that are bearing the
 3 brunt of all the outages that
 4 are occurring to be able to
 5 deal with this problem as
 6 created by Newfoundland and
 7 Labrador Hydro in the
 8 maintenance of its system, and
 9 that's not fair.
 10 So if we look at the process that they
 11 used in the load shedding, it also is
 12 indicative of the fact that they used a
 13 situation where it was all small feeders that
 14 were used to reduce the overall load that was
 15 required because they did it incrementally, so
 16 that it was a systemic type of discrimination
 17 on the rate users. If the load was getting
 18 critical, they'd knock off another feeder, and
 19 that's the process. They're not knocking off
 20 large feeders, and they were specifically
 21 excluded, anyways, so then you have small
 22 feeders that are all being incrementally
 23 knocked off, so anyone that has any great deal
 24 of load is going to be maintained, but the
 25 ones with the small are going to bear the

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1 brunt, and I would submit that that is not in
 2 accordance with their obligation that's there
 3 to distribute the power fairly to all
 4 customers.
 5 So that's of concern to my client.
 6 They're also concerned with respect to these
 7 critical customers. There's a critical
 8 customer list that we've become aware of.
 9 This is something that until this event
 10 occurred we had no knowledge of, but the thing
 11 about the critical customer list and it's
 12 there as indicated in what material has been
 13 filed, that those critical customers are
 14 selected, determined, and maintained
 15 exclusively and solely by Newfoundland Light
 16 and Power. Nobody else has any input into it,
 17 nobody has any involvement with it. It's
 18 there sole and exclusive preserve to determine
 19 who is going to be critical, and why is that
 20 an issue; because those critical customers are
 21 the ones that are going to be preserved on the
 22 power if there's power available, and they're
 23 going to be the first ones reconnected if the
 24 power is out. We would again submit that
 25 that's not fair. It shouldn't be this

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1 exclusive reserve of the utility to be able to
 2 determine as to who stays on and who stays
 3 off. There should be some public oversight
 4 there.
 5 The second point that we wish to raise
 6 was whether the obligation to treat customers
 7 reasonably has been maintained. In this
 8 regard, what we take critical issue with is
 9 relative to the notice, the fact that there
 10 was no notice provided to anyone in relation
 11 to the outages that occurred. The
 12 justification that was provided in the
 13 response to the inquiries was that this is
 14 required to be able to make sure that there
 15 was a minimal number of people that were
 16 knocked off the system at any one particular
 17 time. We don't accept that. It doesn't make
 18 any sense, it doesn't accord with commonsense,
 19 and we wonder whether there's anything else
 20 that's at play in that particular
 21 circumstance. If we had advance notice and
 22 everybody knew the number of feeders that were
 23 being excluded was a very small number of
 24 feeders, and it was all localized in a
 25 particular area, then it would be open to

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1 public question. Now we have no public
 2 notice, we have no accountability to the
 3 public as to what and who are going to be
 4 knocked off, and it's put on the guise that
 5 that reduces the number of overall customers
 6 that are excluded. It doesn't accord with
 7 commonsense because ultimately all they have
 8 to do is give notification that these
 9 particular areas may be knocked off, but if we
 10 have a peak that reaches this particular
 11 level, they will be knocked off, this is the
 12 list of numbers that are going to be knocked
 13 off over the next 24 hours potentially. If
 14 you don't lose your power, nobody is going to
 15 be worried about it, but if you lose your
 16 power, well, then you know that you're going
 17 to lose your power and you can prepare for it.
 18 The suggestion that we're going to reduce the
 19 number of people in order to forecast it, and
 20 then we're obligated to knock people off the
 21 system, it makes no sense. So if it doesn't
 22 make any sense, why, in fact, did they do
 23 this. I don't know. I don't know the answer
 24 to that question, but I do know that their
 25 industrial customers who are on large feeders

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1 all have a right to sue a negligence for loss
 2 of power, as you do as well, the Public
 3 Utilities Board. All those large feeders were
 4 excluded from power outages, and it's not -
 5 there may be an explanation, the reason may be
 6 part of it, I don't know, but the fact that
 7 the smaller customers generally accept it and
 8 they take it and they go on and they say,
 9 okay, it's a cost of doing business, we lost
 10 our power, as with my client they lost their
 11 power. It cost them \$40,000.00, they
 12 estimate. Are they going to bear that cost?
 13 They are. There's no action started, there's
 14 nothing been doing about it, but if it were a
 15 large industrial customer, they would have a
 16 right of action and they would have a right of
 17 action in negligence, and I would submit,
 18 based upon the findings of the Liberty Mutual
 19 Report, they might be successful. So there is
 20 an opportunity there that is an issue. It's
 21 one that, I think, is not in accordance with
 22 the duty that's there, that's incumbent upon
 23 the utilities to provide, and, therefore, it's
 24 something that the Board, in its capacity as a
 25 public oversight body, can, in fact, be

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1 involved and this is what is being requested
 2 of you now in this report.
 3 Moving forward, from our perspective, how
 4 can the system be improved to be able to deal
 5 with these concerns that we've brought to the
 6 PUB. I think first and foremost, the critical
 7 customer selection and maintenance of those
 8 particular lists has to be one that has to
 9 have some formal protocols imposed upon it.
 10 It also has to have some public oversight. It
 11 can't be specifically limited to the exclusive
 12 discretion of the power utility to be able to
 13 determine as to who and when the power is to
 14 be allowed to be maintained on a critical
 15 basis. I think that needs to be expanded. As
 16 far as the feeder selections are concerned,
 17 the process in relation to rotating blackouts,
 18 again that needs to have public oversight and
 19 involvement, and it may be a situation where,
 20 yes, in practical purposes to be able to
 21 preserve the utility and the reliability and
 22 the rates that are there, that the commercial
 23 - the customer base has to be looked at to be
 24 able to bear the brunt of power outages as
 25 opposed to industrial customers, but that's

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1 one that has to have some involvement to be
 2 able to make sure that the obligations that
 3 are there to all customers are met, and that
 4 they're treated fairly in the overall system.
 5 So that this process needs to be opened up,
 6 and, I guess, finally that there must be - the
 7 process relating to the rotating of blackouts
 8 must be improved such that there is notice
 9 given. You cannot have these random blackouts
 10 that nobody knows where they're coming from,
 11 and all of a sudden you're in the process of
 12 going down into your basement and your power
 13 goes out. I mean, it makes no sense. You
 14 know, you can't prepare for it, you can't deal
 15 with it. The cost on the public is inordinate
 16 to be able to deal with the situation that is
 17 not justified or justifiable.
 18 Those would be my comments, and I thank
 19 you very much for the time that you've
 20 provided to us.
 21 CHAIR:
 22 Q. Thank you, sir. So there's no other members
 23 of the public who may wish to appear? Nobody
 24 has asked to. Okay, I guess, now we'll
 25 proceed with presentation from Hydro, and I

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1 understand that Mr. Henderson, Rob Henderson,
 2 Vice President, and Dawn Dalley, Vice
 3 President, Corporate Relations Customer
 4 Service, Mr. Paul Humphries, another Vice
 5 President of System Operations are going to be
 6 jointly making this presentation.
 7 MR. MACDOUGALL:
 8 Q. Mr. Chair, while the Newfoundland and Labrador
 9 Hydro panel get situate, I would just like to
 10 mention, unlike the earlier presenters, this
 11 is a panel from one of the parties who has
 12 filed significant evidence in the proceeding
 13 here, and they will be available for cross-
 14 examination, so I'm assuming they will be
 15 affirmed because they will be under cross-
 16 examination following the presentation.
 17 CHAIR:
 18 Q. Oh, okay, you want them sworn in.
 19 MR. MACDOUGALL:
 20 Q. Yes.
 21 CHAIR:
 22 Q. Okay, all right.
 23 MS. GLYNN:
 24 Q. That wasn't the intention, these are just
 25 presentations with questions, it wasn't

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1 supposed to be an evidentiary based
 2 proceedings here.
 3 MR. MACDOUGALL:
 4 Q. So the cross-examination is not forming part
 5 of the evidentiary base? We are at your
 6 pleasure, Mr. Chair. I assumed it was since
 7 it was a continuation of the public -
 8 MS. GLYNN:
 9 Q. It was intended just to be questions.
 10 CHAIR:
 11 Q. Okay, so you're happy with that?
 12 MS. GLYNN:
 13 Q. That there would be no sworn evidence
 14 presented.
 15 CHAIR:
 16 Q. Okay, so we're not going to be swearing you
 17 in, sir.
 18 MR. MACDOUGALL:
 19 Q. That's no problem, Mr. Chair.
 20 MR. HENDERSON:
 21 Q. Good morning, Mr. Chair, and Commissioners.
 22 My name is Rob Henderson. I'm the Vice
 23 President of Newfoundland and Labrador Hydro.
 24 I will ask my - the others at the table to
 25 introduce themselves.

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1 (10:45 a.m.)
 2 MS. DALLEY:
 3 Q. Dawn Dalley, Vice President of Corporate
 4 Relations and Customer Service with
 5 Newfoundland and Labrador Hydro.
 6 MR. HUMPHRIES:
 7 Q. Paul Humphries, Vice President of System
 8 Operations and Planning with Newfoundland and
 9 Labrador Hydro.
 10 MR. HENDERSON:
 11 Q. I'd like to start first of all by saying that
 12 Hydro apologizes for the impact of the
 13 interruptions that occurred back in January,
 14 2014. We certainly understand the significant
 15 impact that it had on our customers and the
 16 users of electricity in the province. We are
 17 very much committed to preventing the
 18 reoccurrence of such events. Immediately
 19 following it, we went into an investigation of
 20 our own to look into what happened and
 21 understand what happened, and do what we can
 22 to prevent such things from happening again.
 23 Over the course of the last year, we've
 24 provided a considerable amount of information
 25 to the Board through the - to the public as

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1 well. There was the initial utility reports
 2 that you mentioned earlier, and our response
 3 to those reports, and to the many intervenor
 4 R-5s to help people understand how we manage
 5 the system and what we do.
 6 We undertook a substantial amount of
 7 action in response to those. We agreed with
 8 the recommendations that came from those
 9 reports, and took action over the course of
 10 last year and made significant progress with
 11 respect to those last year. In this
 12 presentation, we're going to address the
 13 specific areas of interest that were
 14 previously indicated by the presenters that we
 15 were provided, and then we'll also be
 16 available for any questions that anybody may
 17 have.
 18 I'll start with giving a little bit of
 19 background, and then with respect to outage
 20 coordination and communications that we were
 21 asked to speak to, Mr. Humphries and Ms.
 22 Dalley will each speak to that, and then I'll
 23 come back and speak to the combustion turbine
 24 questions and with some concluding remarks.
 25 To provide some background, this incident

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1 began really in December, 2013, when Hydro was
 2 experiencing difficulty with its generating
 3 facilities in a number of different plants.
 4 We actually had five different plants that had
 5 problems, and they began in the middle of
 6 December. We had a problem with Hardwood's
 7 combustion turbine which had a failure of a
 8 fuel control valve that initiated - that
 9 basically prevented that unit from coming on
 10 and staying on after it just went through a
 11 major overall. We had some difficulties with
 12 the ice in Exploits River, and we had some
 13 difficulties with the Holyrood Plant. Two
 14 different units had difficulties. One was a
 15 forced draft fan motor problem on Unit 3, and
 16 we had a control valve problem on Unit 2. The
 17 combination of all those generation problems
 18 resulted in a limited amount of capacity that
 19 we had on the power system to meet customer
 20 demand. As a result of that, we started to
 21 experience outages to customers, we had
 22 experienced the rotating outages that began on
 23 January 2nd. Those continued on January 3rd.
 24 While we were working to repair and take care
 25 of the issues, we did not have sufficient

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1 capacity to meet customer demands during that
 2 period of time.
 3 Ms. Dalley will talk a bit about the
 4 communications about that. Right now, I'll
 5 just give you the technical facts of what
 6 happened on the system, but there was some
 7 communications with customers and we certainly
 8 understood the significant impact that it had.
 9 Throughout all of the time that this was
 10 occurring, we had coordination going on with
 11 Newfoundland Power where we were sharing
 12 information with them on what was happening on
 13 the power system, as well as involved with the
 14 communications out to the customers and to the
 15 general public.
 16 We did an internal investigation of
 17 events with specific review of the outages. I
 18 didn't mention that after we had the problem
 19 with the generation, we had a secondary
 20 problem which was with the transmission
 21 system, which initiated the failure of a
 22 transformer at Sunnyside, which that
 23 transformer failed and it resulted in
 24 significant widespread transmission problems
 25 on January 4th and 5th, and they carried on an

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1 impact on the generation supply through to
 2 January 8th when we were able to restore
 3 sufficient generation that we were able to
 4 meet customer demands following January 8th.
 5 I wanted to indicate those issues.
 6 When we received the Liberty Report and
 7 initial Board recommendations, we accepted
 8 those, and a lot of those aligned with items
 9 that we had previously identified in our own
 10 report and we continued to work on those
 11 throughout 2014, as I previously mentioned.
 12 We recognized that there was a necessity to
 13 provide thorough and timely reporting to
 14 customers, and all stakeholders, including the
 15 Board with respect to potential service
 16 disruptions and the status of those. Our
 17 internal investigation focused on short term
 18 load forecasting, which Mr. Humphries will
 19 speak to in a minute, generation planning and
 20 winter readiness; winter readiness being a
 21 very strong focus of the entire team at Hydro
 22 to get all of the annual maintenance work, our
 23 capital program complete, so that we had
 24 everything ready for December 1st, 2014, going
 25 into the winter that's just ending now.

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1 So we've accepted those and we're going
 2 to continue to carry on that work. There was
 3 a number of those items that were identified
 4 in 2014 which we'll carry on in 2015. There
 5 was also the recommendations that came out of
 6 Liberty's final report which we've taken and
 7 they are now part of our action plan and a
 8 part of our work plan for 2015, which we will
 9 continue to execute and report on our
 10 progress.
 11 I'll now ask Mr. Humphries to speak to
 12 the communications between the utilities.
 13 MR. HUMPHRIES:
 14 Q. Thank you. I guess, at the system operations
 15 level, communications between the two
 16 utilities is continually, it happens on a
 17 daily basis, and, in fact, an hourly basis,
 18 24/7, 365. Since the events of last winter,
 19 we have made some changes at both increase or
 20 enhance the information transfer between the
 21 two control centres, and also tried to ensure
 22 that the proper discussions happen in a timely
 23 manner as we approached an event similar to
 24 what we had in the winter of 2014.
 25 We have modified our system operating

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1 instruction T-001, which deals with generation
 2 reserves. The two operating groups
 3 continually monitor the level of reserves on
 4 the system, but now this instruction requires
 5 that as the generation reserves fall to a
 6 level within 70 megawatts of the triggers that
 7 will activate the advance notification
 8 protocol which Ms. Dalley will talk about in
 9 more detail in a few moments, our operations
 10 staff enter into communications at that point
 11 to understand the implications of the events
 12 that may become happening, discuss mitigations
 13 that they take to prevent an event, and also
 14 to start preparation for the eventuality that
 15 the event could escalate and end up in a
 16 situation where we are either in a
 17 notification process or, in fact, we get to a
 18 stage where we have a rotating outage
 19 situation.
 20 In addition, we've also increased the
 21 access of information, online real time
 22 information which Newfoundland Power operators
 23 see from the Hydro system. This would include
 24 online status of both generation and
 25 transmission assets, so that as events happen,

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1 Newfoundland Power operators will be aware of
 2 this firsthand, so that they will already have
 3 seen what has happened and this will sort of
 4 enhance the discussions between the two
 5 utilities in mitigating and reacting to
 6 events.
 7 Now I'll pass it on to Ms. Dalley to get
 8 into some more of the external communication
 9 aspects.
 10 MS. DALLEY:
 11 Q. From a general perspective, I thought I would
 12 start by explaining, I guess, the grounding of
 13 our communications principles overall. Really
 14 it comes from a position of trying to be open
 15 and honest in our communication with the
 16 public, treating people with -
 17 MS. GLYNN:
 18 Q. Ms. Dalley, I don't think we can hear you
 19 quite in the back. Sorry about that.
 20 MS. DALLEY:
 21 Q. I'll snuggle a little closer with Mr.
 22 Henderson. Treating our customers and the
 23 public with respect and dignity, and also
 24 foundationally on team work across the company
 25 because the information that we are provided

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1 from operations, field operations and system
 2 operations, is critical in forming the
 3 messages that we send to our customers and the
 4 public. Overall our objective is to be
 5 transparent, accessible, and provide timely
 6 information to all stakeholders.

7 Some other pieces which we've understood
 8 at the time and I would say we understand more
 9 today would be that we need to use as many,
 10 for lack of a better word, channels to reach
 11 customers because when we communicate with the
 12 public at large, we don't have a direct
 13 customer relationship with many of them, so
 14 we're relying on our largest customer,
 15 Newfoundland Power, to reach their customers
 16 as well as the public, so we don't have direct
 17 channels to them in many cases, so we rely on
 18 mass media, which means that we actually need
 19 more notification, more time than otherwise
 20 you might have if you had new technologies
 21 like texting and items like that.

22 The other things that we try and do in
 23 situations like this is manage expectations.
 24 We know very well from customers that the
 25 expected time to restore is the critical piece

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1 of data that customers want. They want to
 2 know - if there's an outage, they know there's
 3 an outage, their power is gone. They want to
 4 know when it's coming back, so that ETR, as we
 5 call it, the estimated time of restore, is
 6 absolutely critical, and that during the
 7 outages last January, one of the things that
 8 we found we were doing quite extensively,
 9 which is not uncommon, is to correct
 10 misinformation that may get out as well
 11 because we've got a proliferation of media
 12 channels, that information happens quite
 13 quickly and flows quite quickly from those
 14 social channels often to traditional media, so
 15 we find ourselves live, I guess, in a
 16 situation monitoring media, responding, and
 17 answering questions and correcting information
 18 that goes out during that time.

19 First I'll acknowledge, I guess, the
 20 Leader of the Opposition's point this morning
 21 that there wasn't enough notification in the
 22 January outages, and there certainly was not.
 23 From our perspective, once we kicked into gear
 24 and started communicating, we moved quite
 25 rapidly to make ourselves accessible, to get

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1 as much information out as quickly as we could
 2 to members of the public. When we look at
 3 that today from the surveying we've done with
 4 customers, we completed a joint outage
 5 communication survey with Newfoundland Power
 6 to customers across the province, and we
 7 understood from that survey that customers
 8 needed - about 60 percent of customers would
 9 want to have within the day notice of rotating
 10 outages, and about 40 percent wanted one day's
 11 notice.

12 During that day on January 2nd, we got
 13 out as duly noted by the other presenter this
 14 morning, that we were out within about two
 15 hours before the rotating outages, but we also
 16 weren't warning of rotating outages at the
 17 time. We were asking people to conserve to
 18 try and prevent the rotating outages. So even
 19 the messages at that point weren't a warning
 20 of rotating outages, it was a call for
 21 conservation to assist us in stopping and
 22 preventing those rotating outages. We did
 23 over the course of the coming six or seven
 24 days during those outages, we did numerous
 25 media interviews, as everyone I'm sure is

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1 aware of, we made ourselves completely
 2 accessible during that timeframe to both
 3 traditional media, the radio stations who ran
 4 - very gratefully actually, ran call in shows
 5 during that time, which made it much, much
 6 easier for us to communicate to the public,
 7 and advise them of what was happening. We
 8 also did numerous social media updates on
 9 Twitter and Facebook, which may not reach
 10 everyone, but we also understand that you need
 11 a multi-channelled approach when you're
 12 communicating with customers. You need radio,
 13 you need TV, you need those social media
 14 outlets. Now we have - I know Newfoundland
 15 Power, to their customers, have texting
 16 options available on outages. So you have to
 17 take all opportunity for all of those channels
 18 to try and reach people in as timely a way as
 19 you can. We did website updates, we handled
 20 numerous briefings, I think seven press
 21 briefings, over that period, with Newfoundland
 22 Power and, in some cases, with government
 23 officials during that time, and we also did a
 24 joint energy conservation advertising campaign
 25 to try and, again, push the message out very

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1 quickly. So there was some coordination to
 2 organize that and get it into the media as
 3 soon as we could. One of the key
 4 recommendations coming out of the Liberty and
 5 the Public Utilities Board recommendations was
 6 a Joint Storm and Outage Communications Plan,
 7 so what we discovered during the outages was
 8 both utilities had teams that were working
 9 quite hard and were able to respond to their
 10 own outages, but when it came to that
 11 coordination, which was critical when the
 12 Hydro supply had an issue on the Newfoundland
 13 Power customers, was we needed to outline the
 14 roles and responsibilities clearly. We need a
 15 process for inter-utility sign off of
 16 information, to make sure both utilities were
 17 aware of the messages were; make sure that
 18 communications activities and timelines were
 19 clearly outlined; that we had pre-prepared key
 20 messages and templates. For the most part,
 21 what is happening from a customer perspective
 22 is, although the cause may change, the impact
 23 on the customer is very similar, and the
 24 information the customer wants is almost
 25 exclusively the same around when is my power

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1 coming back, and then getting updates on what
 2 has happened, and that was validated during
 3 the outage communication research that we did
 4 last year. Making sure everyone had key
 5 contact information that we understood, to be
 6 honest, where people were 24/7, so we could
 7 contact them and reach them if we needed to,
 8 and then we also worked with our Systems
 9 Operations Team to design the advance
 10 notification protocol, which folks spoke about
 11 this morning. So that advance notification
 12 protocol was specifically designed coming out
 13 of last January, and it was prompted upon a
 14 system reserve basis, so there would be
 15 certain levels of system reserves which would
 16 prompt us to head to the advance notification
 17 protocol. So the next slide shows that. So
 18 what you've got here is the green, orange and
 19 red, I'm making sure the colours are the same
 20 when they're on the screens, and then aside
 21 it, the T001, which is the operating protocol
 22 used by the system operators. So you'll see
 23 that the T001 there at the top, on the right-
 24 hand side, starts with a Level 2. There is
 25 actually a Level 1, which prompts a discussion

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1 and call between utilities, that is--doesn't
 2 involve any contact with customers or any
 3 notification to customers, it prompts an--
 4 well, I guess an additional level of
 5 communication, and Mr. Humphries points, the
 6 control centres are consistently chatting
 7 daily, so this prompts a discussion to say,
 8 you know, hey, our reserves our getting tight,
 9 and I believe the level on the initial
 10 notification is 240, yes?
 11 (11:00 a.m.)
 12 MR. HUMPHRIES:
 13 Q. Yes. That sounds right.
 14 MS. DALLEY:
 15 Q. So it's 240 megawatts on system-wide basis,
 16 which is the largest unit, 170 megawatts,
 17 which would be, you know, the largest unit at
 18 Holyrood, for example, then plus an additional
 19 70 megawatts, and what that would do is
 20 prompt, again, a discussion between utilities,
 21 so that as utilities we have the ability, in
 22 advance, to start planning in case we have to
 23 provide notification. So then you head to a
 24 Level 2, which is--you're in the 24-hour
 25 period at that point, and just to provide some

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1 context around this, we are consistently
 2 monitoring the system over, really, a seven-
 3 day window. So we look forward seven days
 4 every day on the reserves. We now have a new-
 5 -and I'll talk about our response to some of
 6 this in a second, but we have a new process
 7 for the winter monitoring of the system now,
 8 which is a daily status briefing which happens
 9 every morning, which involves system
 10 operations, our system on-call individuals,
 11 folks from our Regulatory Team, Shareholder
 12 Relations and Communications, and we go
 13 through that status report on the seven-day
 14 basis to make sure, internally, everyone is
 15 aware of what is happening on the system, what
 16 the seven-day forecast looks like, whether or
 17 not we see any vulnerabilities in the system
 18 as we look forward, and a discussion of any
 19 oncoming system events that may indeed take us
 20 into a reserve issue and a notification. So
 21 looking forward then, from the public's
 22 perspective, if we see the reserves getting
 23 less than the largest generating unit, which
 24 is 170 megawatts, on a 24-hours basis, so if
 25 today we see that tomorrow, the reserves would

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1 be less than 170 megawatts, that prompts us to
 2 issue a public notification and a Power Watch.
 3 So the point to customers is there's no
 4 immediate action required, but that we are
 5 watching the system closely and that they
 6 should be prepared to conserve if we need them
 7 to conserve. Then from that, we go to the
 8 Level 3 Notification, which is a current-day
 9 generation, so and again, Mr. Humphries could
 10 speak better to how the forecasting systems
 11 pick up in the current day, but the current-
 12 day generation margin is less than half of the
 13 largest generating unit, so you're down to 85
 14 megawatts on that day at that point, and your
 15 forecast is more--you know, I guess you're in
 16 the same day, so it's--I'm trying to think of
 17 the right frame, but it's more accurate,
 18 because you're in the day, and the system is
 19 picking up the load and the customer behaviour
 20 through the day. So at that point, we would
 21 issue a Power Warning to conserve electricity.
 22 This is a warning that current-day electricity
 23 supply is getting close to the maximum demand,
 24 and people should be prepared for power--
 25 rotating power outages. So if I take that

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1 back to last January, on New Year's Day, we
 2 would have been issuing a Power Watch, or
 3 before that. There is some utility in doing
 4 it close to the time, so that you don't lose
 5 the momentum if you see an event coming. So
 6 to issue something, for example, five or six
 7 days ahead, you may actually not gain the
 8 traction you require on the day when you need
 9 action to be taken, and then on the day of,
 10 the January 2nd, we would have issued a Power
 11 Warning that day to conserve and to prepare
 12 for the possibility of rotating outages, and
 13 then the T001, again, the operating protocol,
 14 takes you into a generation shortfall is
 15 imminent and there are no reserve margins, and
 16 then we go to a Power Emergency, which means
 17 rotating outages are in effect, we're asking
 18 customers to conserve electricity, and we're
 19 warning them about the safety protocols that
 20 are required if indeed they are in a power
 21 outage situation. That notification system, I
 22 will note, if you can't see the footnote here
 23 on the slide, but when that notification was
 24 developed and filed with the Board, it was
 25 footnoted, maybe it should have been a little

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1 bigger, that that is not meant to cover off
 2 immediate supply issues. So when something
 3 happens that you don't have that foresight of
 4 seeing it coming. So often on the system, for
 5 example, I'll use the example of under
 6 frequency load shedding when you have an
 7 immediate power outage that happens, in which
 8 case it would be difficult to apply a
 9 notification system of this magnitude. This
 10 was really developed coming out of last
 11 January's outages, where we would have
 12 advanced notification of generation shortfalls
 13 at a system level and a system-reserve level.
 14 From a customer service perspective, and Mr.
 15 Chair, you noted this in the beginning of your
 16 remarks, that Newfoundland Power is the
 17 primary distribution company in the province
 18 with, I believe, close to 80 percent of direct
 19 customers. Newfoundland and Labrador Hydro
 20 has a distribution to the remaining customers,
 21 both in Labrador and rural areas of the
 22 province, on the island. We provide direct
 23 distribution service to areas on the Great
 24 Northern Peninsula, the Baie Verte Peninsula,
 25 some of our real remote communities on the

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1 south coast, and then up on the coast of
 2 Labrador and Labrador Interconnected System.
 3 So from a customer service perspective, we
 4 had, again, several of the very similar
 5 issues, albeit on a much smaller magnitude, at
 6 the distribution level, during those supply
 7 disruptions last year. We did some of the
 8 same processes that Newfoundland Power has
 9 done for their customers, we looked at our
 10 list of priority feeders, we've made sure--in
 11 our case, they were maintained by the three
 12 regional areas, so we took those lists,
 13 consolidated them into one common list, and
 14 made sure that we identified the critical
 15 customers that were there on those lists,
 16 because customers self-identified, so we made
 17 sure that we had a consolidated list, and that
 18 it was current and up to date, and then we
 19 identified those sensitive customers and
 20 developed a feeder rotation list. We also
 21 completed, as I mentioned earlier, the joint
 22 customer research project with Newfoundland
 23 Power, to better understand customer-outage-
 24 related needs and expectations, which was
 25 incredibly helpful to both utilities and the

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1 joint outage communications protocol, but I
 2 think as practitioners inside the utility
 3 world, understanding your customers is
 4 absolutely critical, and that outage research
 5 was very, very good and provided some great
 6 information to us on how to design our
 7 communication programs to make sure we were
 8 better able to reach those customers. We
 9 streamlined processes for information sharing
 10 between system operations and other internal
 11 stakeholder groups that--I spoke to the daily
 12 systems meetings, that's one step that we took
 13 over the winter, and we'll be evaluating the
 14 utility of that as we head into the summer and
 15 into next winter. Another step that we took
 16 was to get a direct channel to the
 17 communications on call. So what happens now,
 18 if there's a system event inside the control
 19 room, the control centre calls the system on
 20 call, and the next call is made to the
 21 communications on call, so that there is
 22 immediate notification. We are also
 23 continuing to evaluate an expansion of our
 24 online and customer contact and outage
 25 management technologies. As I mentioned, we

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1 have a very small distribution business, so we
 2 don't have the same magnitude of technology in
 3 place right now that a large utility would
 4 have, however we are in the process of
 5 updating our customer information system, and
 6 so we'll be looking, as we go forward, to
 7 include new technologies, like texting to
 8 customers and other mediums, to make sure that
 9 we can do more immediate notification to our
 10 customers--direct customers in that situation,
 11 and we're also looking at the possibility that
 12 we can even implement that over into our
 13 website to provide more public notification,
 14 because again, when there's an outage,
 15 customers generally have a tendency to go to
 16 their utility, but the outage communication
 17 survey, if I recall, showed that about 30
 18 percent of either of our customers,
 19 Newfoundland Power's and Hydro's, would go to
 20 the other utility's websites to look for
 21 information. So we understand that we need to
 22 be aware of that, that customers will come to
 23 our site looking for, you know, the outage
 24 that's impacting them and what is happening.
 25 So again, we'll look at future communications

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1 and technologies. I'll turn it back to Mr.
 2 Henderson.
 3 MR. HENDERSON:
 4 Q. Okay. Again, responding to the issues that
 5 were presented to us last week, we put
 6 together some points regarding the new
 7 combustion turbine. So some background on the
 8 combustion turbine. We made application to
 9 the Board back on April 10th, 2014, to install
 10 a new combustion turbine. The combustion
 11 turbine was in Hydro's plans, for installation
 12 of a combustion turbine in 2015, to be
 13 completed before the end of 2015, but we
 14 accelerated that project after the events of
 15 January, 2014, and looking at customer load
 16 growth and what we might be able to do based
 17 on what we were able to understand from the
 18 available already-built combustion turbines.
 19 We decided to accelerate that and went to
 20 tender for that, for installation of a new
 21 combustion turbine, a 100-megawatts combustion
 22 turbine, in--late in 2014, and the Board
 23 approved that on May 7th, and at that time,
 24 the Board acknowledged that this was a--I'll
 25 say a fast-tracked project that required fast

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1 action, and so we moved on that right away.
 2 The public tender was issued on April 7th, in
 3 advance of the application, and it closed on
 4 April 21st, and the contract was awarded on
 5 May 16th, and then on June 9th, we began
 6 clearing of the site to enable the full
 7 construction of the facility. As I mentioned,
 8 it's an extremely aggressive timeline for this
 9 project and for a project of this magnitude.
 10 Typically for us, we estimate it to be an 18-
 11 to 24-month project, and we were setting out
 12 here with an aggressive timeline to get this
 13 done in seven to eight months. We provided
 14 regular updates to the Board throughout the
 15 construction. They began in July, I think,
 16 of--was our first report, and then biweekly
 17 starting in August. The project is very--
 18 well, right now it's within budget. We
 19 carried it out safely, and of course, with due
 20 regard to the environment. The unit was first
 21 synchronized to the system on January 21st in
 22 2015, and it was fully available to the power
 23 system on February 27th, and at that point, we
 24 were including it in our reserves. Prior to
 25 that, the CT was not required, we were meeting

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1 customer requirements and the system reserves
 2 were good up to that point in time, and so at
 3 that point, right now the unit is part of our
 4 reserves, it has been operated, and the
 5 industrial customers indicated they were
 6 interested in how much it has been used, and
 7 we've--since it became available to the
 8 system, we've operated on--we've had 16 starts
 9 of the unit, and we've operated it on 15
 10 separate days. It's run, well, primarily from
 11 a system spinning reserve requirement. In all
 12 of those cases there, it was brought on to
 13 enable the power system to have additional
 14 spinning reserve. There was nothing in
 15 particular on the system that was an issue
 16 that required it, other than just to have that
 17 extra reserve of connected generation. There
 18 was one day, on March 4th, in which it was put
 19 on and did directly supply load in addition to
 20 providing the spinning reserve. So in
 21 conclusion, Hydro does apologize to customers
 22 for the hardship that they experienced due to
 23 the events of last January. Hydro has taken
 24 action in response to its own investigation
 25 and the recommendations of the Phase One

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1 Outage Inquiry. We are committed to ensuring
 2 a reliable and least-cost power supply to the
 3 residents and businesses of the Province, and
 4 to timely and effective communications with
 5 our customers and stakeholders. Hydro will
 6 continue to work with all stakeholders in
 7 meeting this mandate and ensuring there is
 8 confidence in Hydro's system. Hydro would
 9 also like to thank all of our employees. We
 10 are committed to delivering safe and reliable
 11 electricity every day, and acknowledge those
 12 who worked very hard during the outages to
 13 restore the power, and continue to work
 14 throughout 2014 to complete the significant
 15 amount of work that we did in 2014 to be ready
 16 for the winter of 2014 and '15. Thank you,
 17 and we'll take any questions.

18 CHAIR:
 19 Q. The order of questioning, then, is we'll start
 20 now with Newfoundland Power, if they have any
 21 questions.
 22 (11:15 a.m.)
 23 MR. KELLY:
 24 Q. We have no questions at this time. Thank you,
 25 Mr. Chairman.

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1 CHAIR:
 2 Q. Okay. Mr. Dumaresque is next.
 3 MR. DUMARESQUE:
 4 Q. Yes. Thank you, Mr. Chairman. Yes, I have a
 5 number of questions. First of all, I would
 6 like to point out a recommendation of Liberty
 7 10.2, when it comes to the governance of Hydro
 8 or lack thereof, and they point out that
 9 certainly the present structure of governance
 10 is not acceptable, and that indeed, there
 11 should be a change where Hydro should have its
 12 own separate executive, and indeed, have its
 13 own structure, so that it would be able to
 14 respond in a more appropriate manner, and I
 15 note on Hydro's submission to the Board as a
 16 result--in response to the recommendation of
 17 Liberty, that the senior-most position
 18 responsible for Hydro continues to be the
 19 President and CEO, and I guess my first
 20 question is, today we are having the first
 21 formal presentation to the people of the
 22 province in response to the crisis of January
 23 2014, and I would like to know where is the
 24 President and CEO of Nalcor? Why is he not
 25 here to answer? Because, as you say, he is

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1 the final power.
 2 MR. HENDERSON:
 3 Q. When we put together the panel today, we put
 4 this panel together in response to the issues
 5 that were indicated to us that we'd be
 6 speaking to today, and so we put forward the
 7 three of us as being the most appropriate to
 8 respond to those issues that had been put
 9 forward. For that reason, Mr. Martin wasn't
 10 asked to attend.

11 MR. DUMARESQUE:
 12 Q. Okay. I would like to deal with, first of
 13 all, as I indicated to the Board, about the
 14 communications between utilities. So I know
 15 Mr. Humphries, you spoke about an enhanced
 16 communication protocol. I wonder if you could
 17 explain exactly what you did different after
 18 DarkNL and what you were doing before in the
 19 communicating between you and Newfoundland
 20 Power?
 21 MR. HUMPHRIES:
 22 Q. Well, really there's not a whole lot we've
 23 done different, other than the fact that from
 24 the issue of monitoring the system reserves,
 25 we've now made this change to our protocol,

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1 that it is required, that as we approach a
 2 level of alert, the 240 megawatt range, if we
 3 see that, the probability of that happening
 4 within a seven-day period, we initiate the
 5 formal discussions between the two utilities
 6 to ensure that we're aware of it, we
 7 understand it, we are looking at the
 8 mitigations and also preparing for the
 9 eventuality that we do end up in an emergency
 10 that we--so that we are ready to act.

11 MR. DUMARESQUE:
 12 Q. You mentioned in your communication that--
 13 earlier to us, that access online by
 14 Newfoundland Power is now available. So does
 15 that mean that Newfoundland Power could not
 16 see what the status of your generating
 17 capacity would be online leading up to January
 18 of 2014?

19 MR. HUMPHRIES:
 20 Q. Leading up to January of 2014, Newfoundland
 21 Power did have access to certain portions of
 22 the system, but since 2014, we've made a lot
 23 more of the information available so now that
 24 they can see down at our generation level, at
 25 our transmission level, throughout the whole

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1 system. So they are aware of events as they
 2 happen.

3 MR. DUMARESQUE:
 4 Q. When it comes to the communication on an
 5 urgent basis, I guess, or when you--obviously,
 6 we would all love it if we could see six days
 7 and further ahead, when it comes to
 8 communications after you are presented with an
 9 urgent situation, what would be the protocol?
 10 For example, hypothetically, if 2:00 a.m. in
 11 the morning, something happened, what would
 12 happen between the two utilities, who would
 13 call whom, and is there a protocol, is there
 14 somebody on call or what is--where is the
 15 executive of both utilities at that stage in
 16 the supply of electricity?

17 MR. HUMPHRIES:
 18 Q. Well, first, in the Hydro organization, we
 19 would have an individual that's our system on
 20 call representative, so if there is an event,
 21 obviously the two control centres communicate
 22 first, our system operators would notify our
 23 system on call, and that system on call person
 24 would reach out to the other individuals.
 25 There is an executive on call, there is

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1 communications people on call to start the
 2 chain of reaction and communications that
 3 would be required, based on the severity of
 4 the event.

5 MR. DUMARESQUE:
 6 Q. So when you say the system on call, obviously
 7 somebody from the control room of either
 8 Newfoundland Power or Newfoundland Hydro, in
 9 this case Newfoundland Hydro, who would they
 10 call? If it was a situation in Holyrood,
 11 would they be calling the manager of the
 12 Holyrood plant, or who would they be calling?

13 MR. HUMPHRIES:
 14 Q. The system on call person is an operations
 15 manager who--he would be called by the
 16 dispatcher or the energy control centre person
 17 when an event happens, and then that person
 18 would reach out. If it were a Holyrood issue,
 19 he would reach out to the Holyrood people.
 20 Obviously, if it involves executive
 21 requirement, he'd reach to the executive on
 22 call, and as well, notify the communications
 23 people.

24 MR. HENDERSON:
 25 Q. If I just may just interrupt for a sec, just

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1 to add an extra level of clarity there, for
 2 each of our areas of our operations, for
 3 instance the Holyrood plant, there is on-call
 4 people for the plant. So if there is an issue
 5 that occurs within that plant, the operators
 6 of that plant--and there's operators in that
 7 plant 24 hours a day, 7 days a week, they
 8 would call their on call, who would then
 9 arrange for whatever action needs to be--is
 10 required in the plant, whether it's to bring
 11 in instrumentation people, additional
 12 operators, various different types of
 13 tradesworkers, to come in and deal with the
 14 issue in the plant. So there is an on-call
 15 person who is responsible for each of the
 16 facilities. We have the same for each of our
 17 regions. We have operating regions in Central
 18 Newfoundland for our transmission and
 19 distribution operations, same in Labrador, and
 20 on the Northern Peninsula, our Hydro
 21 generation facilities have people on call as
 22 well. So all of those people will react and
 23 address any issues within those facilities.
 24 The system on call is another level of on call
 25 that deals with broader system events, which

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1 Mr. Humphries was addressing.
 2 MR. DUMARESQUE:
 3 Q. So the system on call, for example, at
 4 Holyrood, if you had a situation where one of
 5 the units was not available and you knew it
 6 wasn't going to be available, who on the
 7 executive of Nalcor would be called, and when
 8 would they be called? Would they be called
 9 within five minutes after knowing that or half
 10 an hour, or when would the call come to
 11 whoever would be on that list, then? And is
 12 that list that you have at the executive
 13 level--because somebody has to make decisions,
 14 so on that list, is that restricted only to
 15 the senior executive of Hyrdo, or does it
 16 extend to executive of Nalcor?
 17 MR. HENDERSON:
 18 Q. In addition to our system on call, which is a
 19 person dealing with the power system, we have,
 20 at Nalcor--well, we have a corporate emergency
 21 response plan, and in the corporate emergency
 22 response plan, there is an executive that's on
 23 call. There's always one executive on call
 24 for Nalcor, all throughout the whole year. So
 25 the system on call person, if the event is

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1 significant, which--that the system on call
 2 person will determine, they will make a call
 3 to the executive on call. The executive on
 4 call will then determine the level of response
 5 required corporately, and whether they
 6 activate our corporate emergency response
 7 plan, which would bring in a number of
 8 different resources within the company, which
 9 would include our engineering support people,
 10 our health and safety people, the supply
 11 chain. There's a whole range of different
 12 parts of the business that would get called
 13 out to support a corporate emergency, and that
 14 would be initiated by the executive on call.
 15 MR. DUMARESQUE:
 16 Q. Yeah. So is it fair to conclude, then, that
 17 the executive on call would extend to, say,
 18 the Vice President of Communications of
 19 Nalcor, or the Vice President--the Chief
 20 Operating Officer of Nalcor? Outside of the
 21 Hydro executive, as per your position, is that
 22 fair to say, that all executives, and indeed,
 23 all executives are rotated during various
 24 times during the winter when they would be the
 25 one on call for any given day, is that fair?

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1 MR. HENDERSON:
 2 Q. That would be correct.
 3 MR. DUMARESQUE:
 4 Q. Yeah. So it's not restricted to just the
 5 Hydro executive and/or his or her designate?
 6 MR. HENDERSON:
 7 Q. No, that's correct. It's a Nalcor corporate
 8 emergency response plan, so all of the
 9 executives within Nalcor take a turn in the
 10 rotation for executives on call.
 11 MR. DUMARESQUE:
 12 Q. Okay, and so this is what's in place now, or
 13 has been in place since January of last year,
 14 or was that there before?
 15 MR. HENDERSON:
 16 Q. That has been in place for a number of years.
 17 I'm not sure how many, but it's been quite a
 18 few years.
 19 MR. DUMARESQUE:
 20 Q. Yeah. So there's no real change, then, from
 21 previous to January and after January on who
 22 was put on that executive call protocol during
 23 an emergency situation?
 24 MR. HENDERSON:
 25 Q. That's correct.

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1 MR. DUMARESQUE:
 2 Q. Okay. I'd like to touch on the public
 3 communications, and I know it's easy to
 4 understand the colour schemes, like we see it
 5 at street lights, you know, red, green, and
 6 yellow, but could you please go over that
 7 protocol again, and the levels of Power Watch,
 8 Power Warning, Power Emergency. You say
 9 there's also a Level 1 that operates, as well?
 10 MS. DALLEY:
 11 Q. That's right. So it works closely with the
 12 T001, which is the operating--I'm sorry, it's
 13 very hard to look at the mic--hit the mic at
 14 the same time.
 15 MR. DUMARESQUE:
 16 Q. That's okay.
 17 MS. DALLEY:
 18 Q. So the T001 has a Level 1 in there, which is a
 19 pre-notification between utilities. It
 20 prompts, again, I guess an advanced level of
 21 discussion between the utilities, to notify
 22 them of the forecast. As my fellow panelists
 23 have indicated, the utilities, both
 24 Newfoundland Power and Hydro, are aware that--
 25 you know, can see the data, so they understand

1 the level of system reserves, but this prompts
 2 a discussion that really leads to whether or
 3 not--you know, or I guess of advanced
 4 notification of whether we head into the next
 5 level. So the Level 2 notification is a 24-
 6 hour generation reserve forecast. When you're
 7 looking at that, it's, again, system-wide
 8 reserves right across the island, and whether
 9 those reserves are less than the largest
 10 generating unit. So the first level, again,
 11 just to go back, is 240 megawatts, which is
 12 the largest generating unit of 170 plus an
 13 additional 70 megawatts that would, if it fell
 14 below that, 239, that would prompt a
 15 discussion between utilities, and if you go to
 16 the T001 Level 2, that gets us to a discussion
 17 when your reserves--expected reserves in the
 18 24-hour window, so today for tomorrow, for
 19 example, it would be falling below the largest
 20 unit on the system, which is the Holyrood Unit
 21 at 170 megawatts. At that level, what that
 22 would prompt from a communications perspective
 23 is the issue of a Power Watch--the issuance of
 24 Power Watch. So we would be telling customers
 25 that there's no immediate action required from

1 Now I'll say that these are guidelines based
 2 off of last January from--very specifically.
 3 So you know, we looked forward at that work
 4 with Newfoundland Power to design a protocol,
 5 and this is what came out of those
 6 discussions. The Level 4, which is the
 7 generation shortfall is imminent, essentially
 8 reserve margins have fallen to the point where
 9 we will not be able to meet the projected
 10 customer demand, and that would invoke a Power
 11 Emergency where rotating power outages were in
 12 effect, we would be asking customers to
 13 conserve electricity, and again, doing as much
 14 as we could to promote safety in light of that
 15 when utilizing alternative sources of
 16 generation or candles or other things that
 17 people have a tendency to use during power
 18 outages.

19 MR. DUMARESQUE:

20 Q. Thank you, and as you said earlier in your
 21 presentation, you stand convicted, I guess, of
 22 not applying proper public notification in
 23 January of 2014. So at that time, what was
 24 the protocol that was in place?

25 MS. DALLEY:

1 them, but we're watching the system closely.
 2 We would let them know that essentially,
 3 demand for tomorrow looks to be getting in the
 4 area where we would be below the largest unit,
 5 and that they should be prepared to conserve
 6 if we're asked--if they are asked, and we
 7 would start educating them on what it is we'd
 8 be looking for them to do as part of that
 9 conservation call. In the day of, so the
 10 current-day generation one, again, the
 11 forecast is much tighter and more accurate.
 12 You'd be getting into a Level 3, where we saw
 13 the reserve margin less than half of the
 14 largest generating unit, so 85 megawatts. So
 15 on that morning, when we woke up and went in
 16 to the office, we looked at the daily forecast
 17 and saw that the peak forecast for that
 18 evening was going to be less than 85 megawatts
 19 on the reserve margin, again, across the
 20 island, we would start putting out a Power
 21 Warning, asking folks to conserve electricity,
 22 that there's a warning that current-day
 23 electricity supply is getting close to the
 24 maximum demand, and we would be telling them
 25 to be prepared for possible rotating outages.

1 Q. It was generally following our general outage
 2 protocol. So that day what happened was
 3 communications were notified of the expected
 4 generation shortfall for that evening that
 5 morning, and it was a situation rightful that
 6 we hadn't been in many times before, certainly
 7 not to the point of--and the level that we had
 8 experienced that day, so we immediately
 9 started to prepare materials to issue a notice
 10 to customers for conservation that evening.

11 (11:30 a.m.)

12 MR. DUMARESQUE:

13 Q. So as you will recall, on Boxing Day, December
 14 26th, 2013, I guess probably it could be
 15 classified as part of this event, because on
 16 that day you lost the fan and motor and that
 17 lost 100 megawatts on Unit 3. So at that
 18 point, would you have talked to Newfoundland
 19 Power and said to them, listen, we just lost
 20 this and no, there's no spare part in the
 21 building, or indeed in the province, so would
 22 you then have Newfoundland Power on standby
 23 saying we got cold temperatures, we--you know,
 24 we're now in a situation? Would that
 25 conversation have taken place at that time?

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1 MS. DALLEY:
 2 Q. I'm going to turn over to Paul, Mr. Humphries,
 3 I guess, because it's within the System
 4 Operations protocols.
 5 MR. HUMPHRIES:
 6 Q. Well, at that time, the fact that the unit was
 7 not available would have been made known to
 8 Newfoundland Power, and that there was a
 9 general concern that it was a peak-load
 10 period, but at that time, on the 26th, we did
 11 not envisage an issue within the next 24 hours
 12 during that period, but they were--would have
 13 been aware that the generation was not
 14 available, and we had 100 megawatts less
 15 reserve available, yes.
 16 MR. DUMARESQUE:
 17 Q. So at that point, you could have--you would
 18 have and did communicate with Newfoundland
 19 Power, but you didn't think it would be
 20 appropriate to communicate with the public in
 21 a formal way that you had lost 100 megawatts
 22 of the 150 on that particular machine?
 23 MR. HENDERSON:
 24 Q. I have to say, at that time, we did not have a
 25 protocol for notifying the public, so at that

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1 time, it was something that we were managing,
 2 and until we had the events and did our review
 3 this year--we've basically identified these
 4 types of situations and scenarios where they
 5 would be more communications to the public--at
 6 that time, we would not have identified, as a
 7 concern, that we had to notify the public, so
 8 it didn't happen, but as Ms. Dalley said, in
 9 hindsight, we feel that if that would have
 10 been an event in the future, we would.
 11 MR. DUMARESQUE:
 12 Q. Yeah. So at that time, there was no plan, but
 13 of course, now you have a plan. As you know,
 14 on December the 1st, 2014, you had to file a
 15 report to the Public Utilities Board showing
 16 the availability of generation, and certainly
 17 the Board mandated you to provide updates
 18 regularly before that, but the December 1st
 19 deadline was extremely real, and indeed, you
 20 filed a report on that day. At that
 21 particular time, I noted to you, and that was
 22 during my tour of Holyrood plant on December
 23 the 9th, that although you had filed a report
 24 and said that all things were ready, Unit 1
 25 was classified--and that report as not--I

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1 forget the exact terminology, but certainly
 2 would not be classified for in service,
 3 because there was still some vibration issues
 4 to be addressed. Is that correct?
 5 MR. HENDERSON:
 6 Q. I would have to check the record on that, but
 7 the Unit 1 at Holyrood had gone through
 8 significant balancing runs through November,
 9 and on December 1st, it was available to the
 10 system. The vibration issues, which are
 11 corrected by balancing on the turbine, that
 12 was complete by December 1st.
 13 MR. DUMARESQUE:
 14 Q. Yes. As we discussed on December the 9th,
 15 when I went to Holyrood and talked to the
 16 control room operators and yourself, I think
 17 we concluded that there were a number of run-
 18 ups on that particular unit, Unit 1, and of
 19 course, Unit 1 was also the unit that had to
 20 be totally replaced as a result of the
 21 incident of January 11th, 2013. So at that
 22 point, I know that certainly I wondered if, in
 23 fact, the unit was not being returned
 24 prematurely, but as you're saying now, on that
 25 date, that you were confident that that unit

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1 would be performing as you expected all the
 2 rest of them to be. There was nothing unusual
 3 about that unit at that time?
 4 MR. HENDERSON:
 5 Q. The unit had been totally--the balancing had
 6 all been done, and it met all of the
 7 requirements for continuous reliable operation
 8 throughout the winter.
 9 MR. DUMARESQUE:
 10 Q. And as a result, I guess, of you having this
 11 report filed with the PUB, and as a result of
 12 applying all the due diligence to asset
 13 readiness, you embarked upon a province-wide
 14 advertising campaign. I know several weeks
 15 ago, you--well, just to--for people's
 16 clarification, I don't know how you would not
 17 know about it, but anyway, it was the Ready
 18 for Winter advertising campaign. Can you
 19 please tell me why that was done, and what the
 20 cost of doing that was?
 21 MS. DALLEY:
 22 Q. Yeah. We embarked upon that coming out of
 23 last year, because what we wanted to do was
 24 provide information to people of the province
 25 around the state of readiness for the winter.

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1 We understood that confidence in the
 2 electricity system coming out of last winter
 3 had been seriously diminished, our research
 4 told us that as well, so we wanted to advise
 5 people of the work that Hydro had put into the
 6 system, that we had accepted the
 7 recommendations coming out of the various
 8 inquiries, and that we had done substantial
 9 work in getting ready for winter. We also
 10 wanted to provide information to customers on
 11 what they should do in light of outages to
 12 make sure that they were safe in their
 13 operation of alternative generation and other
 14 sources of supply, be it heat and Coleman
 15 stoves and the like, and we also wanted to
 16 educate them on the advance notification
 17 protocol that was put in place, so that when
 18 we issued a Power Watch, Warning or Emergency,
 19 they were aware of why that was happening and
 20 essentially, they can take steps accordingly
 21 and also for, in particular, to conservation.
 22 There was confusion coming out of last January
 23 about whether the messages that we were asking
 24 customers--things we were asking customers to
 25 do were clearly understood in the tight

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1 timeframes. Even in the advanced notification
 2 protocol and the outage--subsequent outage
 3 research that we did, you know, 60 percent of
 4 customers were okay with same-day notification
 5 on, you know, rotating outages and calls for
 6 conservation. It means you need to be really
 7 succinct and tight in the information that
 8 you're asking--I guess, the information you're
 9 giving them and the request that you're making
 10 to them. So we wanted to provide advance
 11 notification, I guess, and awareness and
 12 education to customers to that end. The cost
 13 of that program was about \$400,000, about
 14 \$1.42 per customer.
 15 MR. DUMARESQUE:
 16 Q. So as a result of that communication, did you
 17 do the research on people before that or after
 18 that?
 19 MS. DALLEY:
 20 Q. What research in particular? The outage
 21 communication survey was done jointly by
 22 Newfoundland Power and Newfoundland and
 23 Labrador Hydro in July of last year and filed
 24 it with the Board.
 25 MR. DUMARESQUE:

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1 Q. Yeah. Okay, so that was probably--formed some
 2 of the basis for that advertising campaign,
 3 the messaging, as you just indicated, is that
 4 correct?
 5 MS. DALLEY:
 6 Q. Yes.
 7 MR. DUMARESQUE:
 8 Q. Yeah. I know, I saw a number of the ads, and--
 9 --saw them on internet and Facebook and
 10 wherever I went, but I don't recall seeing the
 11 green, orange or red notification process.
 12 Was that there, or did I miss it?
 13 MS. DALLEY:
 14 Q. Yes, it was.
 15 MR. DUMARESQUE:
 16 Q. It was there? Okay. So when you said earlier
 17 that you now, instead of the--or in addition
 18 to the weekly forecasting, you do daily status
 19 briefing. Was the daily status briefing prior
 20 to January of 2014 and -
 21 MS. DALLEY:
 22 Q. No, it was not.
 23 MR. DUMARESQUE:
 24 Q. It was not? Okay, it was not. I guess
 25 there's no point in asking why it wasn't, it

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1 just wasn't there. So that came in after, and
 2 when did that take effect?
 3 MS. DALLEY:
 4 Q. That was implemented for this winter. I'd
 5 have to go back and check when we started it.
 6 It was late November.
 7 MR. HENDERSON:
 8 Q. That's right.
 9 MR. DUMARESQUE:
 10 Q. So yeah, so it wasn't started immediately
 11 after we got out of the trouble in January the
 12 8th, it was then--you never got started, you
 13 say, until November of 2014?
 14 MS. DALLEY:
 15 Q. That's right, in the current form.
 16 MR. DUMARESQUE:
 17 Q. Okay. So in a situation, then, where you
 18 don't know what's going to happen, but as you
 19 said before, if--as you said before, in the
 20 event of a unit not being available at 2:00
 21 a.m. during the winter months, who would have
 22 been called, in particular, do you--starting
 23 January 1, would it still be the same
 24 executive of Nalcor?
 25 MR. HENDERSON:

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1 Q. The process would have been the same. The
 2 power system operator, once the event or issue
 3 is identified, would be notifying the system
 4 on call person, who would then initiate the
 5 communications out, and then the determination
 6 of the appropriate reaction or action to take
 7 with that event. In addition, like I said, if
 8 it was an issue at the Holyrood plant, then
 9 the plant people would also be addressing it
 10 through their on call.

11 MR. DUMARESQUE:

12 Q. Okay. So you know, without getting into the
 13 cause of what happened on March the 4th, at
 14 2:00 a.m. in the morning you knew that Unit 1,
 15 the one that was--had vibration issues noted
 16 in its December 1st report was down. You knew
 17 at 2:00 a.m. she would not be available. You
 18 knew at 6:00 p.m. that when you tried the new
 19 CT Unit, she did not start. And why did it
 20 take until 7:56 a.m., as the leader of the
 21 Opposition pointed out for you, to issue a
 22 Power Emergency notice and over--jump over the
 23 other two notices, which you have told us that
 24 you had in place, you were going to abide by,
 25 but obviously you did not do it?

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1 MS. DALLEY:

2 Q. So from the perspective that--first of all,
 3 the advance notification system, as I
 4 mentioned earlier, was well designed in
 5 response to the January supply outages of last
 6 year, and the triggers are actually, I guess,
 7 prompted based on island-wide system reserves,
 8 so at no point during those outages on March
 9 4th and 5th did the system reserves actually
 10 drop below the notification level. So that's
 11 something that we will correct going forward
 12 with I guess early notifications on what we're
 13 looking at, a system--what we would
 14 categorize, I guess, as system
 15 vulnerabilities. So if we have a unit out, we
 16 have a line out for maintenance, the system
 17 reserves are fine, but it turned out there are
 18 other contingencies that we need to be aware
 19 of, so we will be implementing a new
 20 communications protocol to advise the public
 21 of those, in essence, vulnerabilities.

22 MR. DUMARESQUE:

23 Q. Vulnerabilities, yes. According to your own
 24 published report, which you gave and filed
 25 with the PUB, at 7:25 a.m., we lost Hardwoods,

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1 Stephenville, Star Lake and Unit 3.
 2 Obviously, 560 megawatts at that time was gone
 3 from the system. That was the status that you
 4 filed with this Board as to where you were.
 5 Why did it take that extra 30 or 29 minutes to
 6 advise the public that we were indeed into a
 7 Power Emergency system?

8 MR. MACDOUGALL:

9 Q. Mr. Chair, before the panel responds, I do
 10 note your comments at the beginning, for the
 11 record, that we weren't going to get into the
 12 March 4th events. Certainly, we're aware that
 13 the March 4th events are something that was
 14 recent and that people have an interest in.
 15 This panel would be able to go to some level
 16 on that, but investigations are still
 17 undergoing, and it is not part of the formal
 18 planning for this process, so we're in your
 19 hands, if you would like us to go farther. We
 20 probably can't go too deep, we would be open
 21 to continue to answer some questions, but I'm
 22 cognizant of your comments at the beginning,
 23 and just wanted to re-raise those, and to let
 24 you know that we could only go so far, in that
 25 our investigations continue on that subject

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1 matter as well.

2 CHAIR:

3 Q. Well, I think we should hear on--I mean, this
 4 is not a technical question, this is a
 5 procedural question relating to corporate
 6 communications, I presume, Mr. Dumaresque, is
 7 it?

8 MR. DUMARESQUE:

9 Q. Absolutely. I'm not looking for any technical
 10 briefing on why this occurred. I'm asking
 11 only questions on exactly the timeline that
 12 occurred, and it has been published and
 13 recorded and filed with the Public Utilities
 14 Board, and indeed, I would like to know what
 15 communication took place at 2:00 a.m., who did
 16 you, Hydro, call? Which executive was called
 17 at 2:00 a.m. and say that our 170 megawatt
 18 Unit 1 is not available? When did you call
 19 Newfoundland Power and tell them that that
 20 Unit would not be available that day?

21 MS. DALLEY:

22 Q. So again, I'm going to look to Mr. Humphries.
 23 I can talk about when Corporate Communication
 24 was notified and the steps to the public, but
 25 I can't speak to the processes before that.

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1 MR. DUMARESQUE:
 2 Q. So Corporate Communications was not notified
 3 before--at 2:00 a.m. or at any -
 4 MS. DALLEY:
 5 Q. No.
 6 MR. DUMARESQUE:
 7 Q. When were you notified?
 8 MS. DALLEY:
 9 Q. So Corporate Communications received
 10 notification at 7:18 a.m. in the morning. The
 11 communications team, like most everyone else,
 12 were actually in their homes, and getting
 13 their families and kids ready to go to school,
 14 etcetera, so we had a remote mobilisation of
 15 that team. Contact was made with Newfoundland
 16 Power from the communications team at 7:25.
 17 There are various conversations that take
 18 place in Newfoundland Power between their
 19 communications team and their systems
 20 operations team, and our side between our
 21 system operations team and our communications
 22 team, to make the determination around whether
 23 or not it was a power emergency or a power
 24 warning. The determination was made, and you
 25 can appreciate the public and customer

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1 pressure that happens, because they lose their
 2 power immediately, so they want information
 3 immediately. From our perspective, we have to
 4 assess the situation, understand what's
 5 happening, so I've used the example before or
 6 internally that between 7:18 and 8:00, I have
 7 26 calls that I handled during that time, so
 8 there was immediate--you know, it's not as if
 9 people collapse into a physical location and
 10 start planning. We had folks home with their
 11 kids, etcetera, who were clearing things away
 12 to get on the phone and start making calls and
 13 get the information were required to issue the
 14 public notification. So in light of that, we
 15 were notified at 7:18 and we had the public
 16 communication out at 7:56, as noted earlier.
 17 The other piece was within the advance
 18 notification targets in the protocol, the
 19 targets we have for public communications, we
 20 actually met those targets. So it was a 30-
 21 minute notification inside the protocol, which
 22 was met. It's, I believe, a one-hour notice
 23 to media, which was met. So now we were going
 24 back to that protocol in light of an immediate
 25 situation like that, where the system reserves

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1 didn't trigger the system notifications, and
 2 saying, okay, what advance notification do we
 3 need in place, and are our timelines
 4 appropriate, considering that situation? You
 5 know, so we're looking at seeing whether or
 6 not we can get to a 15-minute window to get
 7 information out. We're trying to also
 8 determine how we can streamline the processes
 9 between utilities once again. So one of the
 10 things which we've recommended to Newfoundland
 11 Power, for example, is that once there is an
 12 immediate--or a system event that is immediate
 13 and impacts their customers as well as ours,
 14 that is system prompted, that we get their
 15 system operations and communications team on a
 16 conference call with our system operations and
 17 communications team, so that we eliminate a
 18 lot of the web of calls that are happening as
 19 we clarify, and just get on a call and have
 20 that determination made, and then move from
 21 there. So there are things like that that
 22 we're investigating, that we hope to
 23 streamline the situation that we experienced
 24 on March 4th.
 25 (11:45 a.m.)

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1 MR. DUMARESQUE:
 2 Q. Thank you. So 7:18, Corporate Communications
 3 was informed. At 2:00 a.m., after having the
 4 unit down then for some 60 to 70 hours, at 2
 5 a.m., the operator of the control room knew
 6 that Unit 1 was not coming back. So who did
 7 the operator call, and which executive of
 8 Newfoundland--or Nalcor, I guess, in this
 9 case, was notified at that time? Who was
 10 notified and indeed, if you know, what action
 11 did that particular person take from 2:00 a.m.
 12 until 6:00 a.m.?
 13 MR. HENDERSON:
 14 Q. In terms of notification, the notification
 15 that we were following at that time is that if
 16 there was an event or something that changed,
 17 then people would be notified. At that point
 18 in time, the unit was in the start-up process,
 19 so there was nothing at that point that
 20 triggered a phone call out. There was an
 21 expectation that the combustion turbine would
 22 be on at 6:00 a.m., and with the combustion
 23 turbine on at 6:00 a.m., that's the new 123
 24 megawatt combustion turbine on at 6:00 a.m.,
 25 the system reserves were fine, the--at that

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1 time, with that coming on, there would have
 2 been no issue from the system perspective. So
 3 it was actually when the combustion turbine
 4 failed to start in the morning--is really when
 5 it became apparent that the situation had
 6 gotten to the point that there may need action
 7 to be taken. At that time, there was a number
 8 of phone calls. As Ms. Dalley talked about,
 9 there was--communications got involved, but it
 10 was more in around--within a half an hour, I'd
 11 say, of 6:00 a.m. that the phone calls started
 12 to notify people, and I don't have all the
 13 details in my head as to how all of that
 14 happened, but I know that, for instance,
 15 myself, I was notified in that timeframe, and
 16 in discussions with people to--making phone
 17 calls to understand the situation and
 18 understand what the impact might be of the
 19 situation. Knowing that it wasn't a system
 20 reserve situation with respect to the protocol
 21 that had been established, this was a
 22 different situation that was evolving that
 23 morning, which was very specific to the Avalon
 24 Peninsula and the voltage levels on the Avalon
 25 Peninsula.

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1 MR. DUMARESQUE:
 2 Q. Okay. So are you saying, then, that at 2:00
 3 a.m. when the 170 megawatts of power was
 4 schedule to come back and it could not come
 5 back because the operator couldn't get the
 6 machine to go, are you saying that the
 7 operator then decided, on its own, not to call
 8 anybody, knowing that we were into a very cold
 9 morning and that the demand would rise
 10 dramatically? And you're saying that he made
 11 no call whatsoever to anybody?
 12 MS. GLYNN:
 13 Q. Mr. Dumaresque, the events of March 4th, none
 14 of this information that is being asked has
 15 been provided on the written record by Hydro.
 16 The information that you're asking for the
 17 panel to provide is beyond the scope of this
 18 hearing.
 19 MR. DUMARESQUE:
 20 Q. Well, I take my direction from the Chair, with
 21 respect, and at this point, I understood that
 22 I'm talking about only the procedural
 23 communications, which is central to what was
 24 done. What did Hydro do to change the
 25 communications internally and with the public

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1 to make sure after January 2nd to the 8th that
 2 this would not happen again? And I'm only
 3 trying to recreate real life experiences. No
 4 research, no theory, no fancy drawings. I'm
 5 talking about what happened in a
 6 communications protocol in real life.
 7 MS. GLYNN:
 8 Q. And the investigation into those events is
 9 continuing.
 10 MR. DUMARESQUE:
 11 Q. The cause of them, I understand and respect,
 12 is continuing, but I'd like to know--because
 13 this is the only real example that we can see
 14 how the improved communications was really
 15 tested, and how the protocols that were in
 16 place--whether they worked or now, and I mean,
 17 I'm hearing right now that with one unit gone
 18 at Holyrood, there was no call made from the
 19 control room to anybody on the Nalcor
 20 executive or the Hydro executive, and if
 21 that's the case, I mean, that's pretty
 22 alarming. Obviously, this system is broken,
 23 fundamentally just as broken now as it was in
 24 January of 2014.
 25 MS. GLYNN:

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1 Q. So the cause of that event and the response to
 2 that event is still under investigation by
 3 Hydro and is still pending before this Board.
 4 MR. KENNEDY:
 5 Q. With all due respect, though, we're still just
 6 asking a question about communication. It's a
 7 simple question, can be asked simply or
 8 answered. It should be answered simply by
 9 saying this person called this person. That
 10 did not happen, and again, we go back to the
 11 point that Mr. Dumaresque was making insofar
 12 as there is supposed to have been a new and
 13 improved communication system, but it doesn't
 14 appear that there was any communication system
 15 or in fact, any change in a communication
 16 system, or certainly not one that this panel
 17 is willing to discuss, and again, I mean, we
 18 could ask, what is the change that was made in
 19 January of 2014? Where is that? Where is the
 20 hard copy? Where is the change? And it's not
 21 being answered.
 22 MR. MACDOUGALL:
 23 Q. Mr. Chair, with respect, on the record, I
 24 believe that the panel has been attempting to
 25 address the questions as best they can within

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1 the ambit of the point I just recently raised,
 2 and the panel, particularly Ms. Dalley, has
 3 specifically--excuse me.
 4 CHAIR:
 5 Q. That is a hard one for me.
 6 MR. MACDOUGALL:
 7 Q. Specifically stated that the protocol that was
 8 put in place deals with the amount of system
 9 reserves that are in place, and then Mr.
 10 Henderson specifically stated also that this
 11 issue came on quickly, and that the situation
 12 that occurred was not specifically within that
 13 protocol, and then he's explained what was
 14 occurring on that day, and Ms. Dalley has
 15 indicated that those events are continuing to
 16 be under investigation and that they will be
 17 reviewed with respect to potentially taking
 18 the protocol and enhancing it and making the
 19 protocol better going forward. So I think
 20 that is the record to date, which I don't
 21 think, respectfully, is the comments that have
 22 just been made by Mr. Dumaresque and his
 23 counsel. So I just wanted to point that out,
 24 and I do believe Hydro is able to answer
 25 questions with respective communication within

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1 that ambit.
 2 MR. KENNEDY:
 3 Q. And Mr. Chair, this Board should have appeared
 4 here this morning, or this panel should have
 5 appeared here today prepared to answer that
 6 type of question, and if they don't or didn't,
 7 then that's a fault, too.
 8 CHAIR:
 9 Q. Mr. Dumaresque, are you still unsatisfied with
 10 the response of Hydro's lawyer to your line of
 11 questioning?
 12 MR. DUMARESQUE:
 13 Q. Yes. Absolutely, Mr. Chair, and I don't have
 14 a lot more questions and they're all, you
 15 know, a part of the communications procedure
 16 between utilities, and indeed, the public
 17 notification. Nothing to do about the cause,
 18 the technical cause of the situation, and I
 19 certainly believe that because it's been less
 20 than a month, there's no question that the
 21 panel can answer whether indeed the Executive
 22 of Nalcor got a call between 2:00 and 6:00
 23 a.m., and indeed, I'd like to know then what
 24 happened at 6:00 a.m.
 25 CHAIR:

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1 Q. I think you--did you answer that question or
 2 not?
 3 MR. HENDERSON: (phonetic)
 4 Q. I did.
 5 CHAIR:
 6 Q. Well, repeat for the record what the answer
 7 is, so that we'll clearly know.
 8 MR. DUMARESQUE:
 9 Q. Yes. At 2:00 a.m., when the operator in the
 10 plant knew that your scheduled return of Unit
 11 1 would not be happening for that day, where--
 12 who made the call, or was there a call made
 13 from Holyrood to the Executive of Nalcor, and
 14 if so, who was the call made to, and what did
 15 they do after receiving such a call?
 16 MR. HENDERSON:
 17 Q. There was no call made. The issue that day
 18 was not a system reserve, which fell into our
 19 protocol. On that day, there was two units on
 20 start up for that morning. It wasn't until
 21 6:00 or, well, shortly after 6:00 a.m., that
 22 the situation became evident, that the
 23 combustion turbine would not be on, and
 24 therefore the situation evolved at that point
 25 in time, and there was a lot of discussion,

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1 communications going on at--starting in around
 2 6:30, in which the system -
 3 CHAIR:
 4 Q. So you're saying at 6:00, it became a reserve
 5 issue, is that what you're saying?
 6 MR. HENDERSON:
 7 Q. That's correct.
 8 MS. DALLEY:
 9 Q. Yes.
 10 MR. HENDERSON:
 11 Q. And it wasn't a system reserve, Mr. Chairman,
 12 it was an issue with respect to the Avalon
 13 Peninsula voltage.
 14 CHAIR:
 15 Q. Well, yes, yes.
 16 MR. HENDERSON:
 17 Q. The system reserves were still well in excess
 18 of the protocol, which was established with
 19 respect to all of the alert levels and that
 20 sort of thing.
 21 CHAIR:
 22 Q. So there is your answer, Mr. Dumaresque. I
 23 think maybe it's a good time to take a 15-
 24 minute break. Have you got many more
 25 questions?

1 MR. DUMARESQUE:
 2 Q. Yes, I have.
 3 CHAIR:
 4 Q. And please don't feel, you know, I'm not
 5 trying to -
 6 MR. DUMARESQUE:
 7 Q. Thank you very much. No, I have quite a few
 8 more questions.
 9 CHAIR:
 10 Q. Okay, no. Well, let's take a 15-minute break.
 11 MR. DUMARESQUE:
 12 Q. I appreciate the break.
 13 CHAIR:
 14 Q. Thank you.
 15 (RECESS 11:57 a.m.)
 16 (RESUME 12:20 a.m.)
 17 CHAIR:
 18 Q. So Mr. Dumaresque, we are back to you, sir.
 19 MR. DUMARESQUE:
 20 Q. Thank you, Mr. Chairman. As we left it just
 21 before the break, we heard that there was no
 22 call made at 2:00, between 2:00 and 6:00 a.m.
 23 on March the 4th, knowing that we had 170
 24 megawatts of power not available for that day
 25 with rising demand, very cold day, and as

1 MR. HENDERSON:
 2 Q. On March 3rd, it was on the system providing
 3 spinning reserve, which means that the--it was
 4 on at a very low load. It wasn't at full
 5 load, it was at a low load, and it was ready
 6 to move up to a higher load if the system
 7 required it.
 8 (12:30 p.m.)
 9 MR. DUMARESQUE:
 10 Q. Okay. So at 12:00, when you went--well, you
 11 were probably home before that, but at 12:00
 12 that night when she was shut down, certainly
 13 you had no reason to believe that she wouldn't
 14 start at 6:00 in the morning?
 15 MR. HENDERSON:
 16 Q. That's correct. It had been used on the
 17 previous--as I said, that day on the 3rd--on
 18 March 2nd and on February 28th with--you know,
 19 successfully.
 20 MR. DUMARESQUE:
 21 Q. So can you please tell me what the start-up
 22 time would be after this unit has been idle
 23 for any number of hours? What would be the
 24 start-up time for maximum capacity, knowing
 25 that we were going to need 100 plus megawatts

1 we've heard from Mr. Anderson earlier, the
 2 fall back plan, I guess, or the expectation
 3 would be, without that generation, they would
 4 be able to turn to the new combustion turbine
 5 to kick in at 6:00 a.m. So I'd like to ask
 6 you, Mr. Henderson, you indicated earlier as a
 7 result of an inquiry from the industrial
 8 customers that the CT had operated or had
 9 performed several times prior to this, but at
 10 any point from--in this year up to March the
 11 4th, was the combustion turbine called upon to
 12 assist in a peak demand capacity?
 13 MR. HENDERSON:
 14 Q. The combustion turbine was put on for system
 15 reserves starting on February 28th. It ran
 16 twice that day, during the morning peak, the
 17 evening peak. Then on March 2nd, it also ran
 18 for the morning peak and the evening peak.
 19 March 3rd it ran all day, pretty well from
 20 7:00 in the morning to midnight, and but then
 21 on March 4th, it didn't get on until 7:25,
 22 when it was expected to be on at around 6:00.
 23 MR. DUMARESQUE:
 24 Q. So on March the 3rd, then, all day it was
 25 contributing power to the grid as required?

1 now that the 170 wasn't available, what would
 2 be the start-up time?
 3 MR. HENDERSON:
 4 Q. Well, once the generator is put on to the
 5 system, connected, it's about 20 minutes to go
 6 from it's zero output to full output, and then
 7 from a start, it's in around 40 minutes from
 8 start to full output.
 9 MR. DUMARESQUE:
 10 Q. Yeah. So it would take 40/45 minutes, and I
 11 think that's the evidence that you filed with
 12 the Board, around 45 minutes, it would take,
 13 to get it to full capacity assisting the
 14 system. So I guess it's certainly--maybe you
 15 could also go back and indicate to us what
 16 would normally be the peak period of demand on
 17 a cold winter's day? Would that be 9:00 or
 18 what time?
 19 MR. HENDERSON:
 20 Q. The daily load shape changes throughout the
 21 year, but generally speaking, there's a peak
 22 in the morning when people first get up in the
 23 morning and showering and getting ready for
 24 work and school, and then there's another peak
 25 in the evening when people are having their

1 supper and people are home from work and doing
 2 their home activities. So there's two times
 3 each day. Those peaks, in the evening they
 4 could be three or four hours long. That would
 5 be on a very cold day, it could run until
 6 later in the evening. And generally speaking,
 7 in the morning, it would probably run from
 8 7:30 until perhaps 9:30/10:00, in that range,
 9 and then it tends to fall off after that.
 10 There can be, depending on the time of the
 11 year, a bit of a peak around lunch time, and
 12 that would be, I think, more typically in the
 13 summer time when there's not so much heating
 14 load involved.

15 MR. DUMARESQUE:

16 Q. Yeah, so it's fair to say that on a cold
 17 winter's morning, that peak would probably be
 18 in the area of 7:00 to 7:30, and you knew at
 19 2:00 a.m. that you didn't have 170 megawatts
 20 available, and of course, you knew in the
 21 event that the unit would not start, that you
 22 were looking at about 45 minutes from start to
 23 full performance. Certainly wouldn't it have
 24 been prudent to have started up the unit
 25 before 6:00 am. and see if, in fact, she was

1 schedule of events to have such an addition to
 2 the generation as this, that it would take in
 3 the order of 18 to 24 months, is that correct?

4 MR. HENDERSON:

5 Q. That's generally correct. When we are putting
 6 forward plans for that type of a plant, that
 7 would be the timeframe that you'd expect.

8 MR. DUMARESQUE:

9 Q. I'd like to draw your attention to your
 10 application that you made to the Public
 11 Utilities Board on April the 10th, 2014, Page
 12 8, and you have indicated specifically that an
 13 analysis with budgetary quotations from
 14 suppliers as determined, that by going to the
 15 pre-owned but unused or after market, a
 16 combustion turbine can be brought into service
 17 at Holyrood in late 2014, and nowhere in your
 18 application did you ever raise any concern
 19 about not being able to put this unit in place
 20 by December of 2014, is that correct?

21 MR. HENDERSON:

22 Q. What we were doing is we had identified this
 23 option and put together a very aggressive
 24 project schedule to put together and establish
 25 and commission a 120--or we were looking at

1 going to be able to perform as required?

2 MR. HENDERSON:

3 Q. The unit had been operating successfully in
 4 the previous seven days, coming on as required
 5 at the time that the system operator asked for
 6 it to come on. Basically, the unit is put on
 7 as needed, and we don't have it on for hours
 8 when it's not, and it normally would perform
 9 such that you're putting it on in advance, but
 10 you wouldn't put it in several hours in
 11 advance. So we've been looking at that,
 12 certainly, in the event that happened that
 13 day, and looking at what is the appropriate
 14 time to start it up, and we're looking at
 15 those protocols in terms of how much earlier
 16 the unit might be started to allow for some
 17 starting failures.

18 MR. DUMARESQUE:

19 Q. Thank you. Okay, well, I'd like now to turn
 20 to the question of the process of acquiring
 21 and putting the combustion turbine in place,
 22 and a couple of things I'd like to start with,
 23 and that is in your earlier presentation
 24 today, you indicated that you were undertaking
 25 an aggressive timeline, that in the ordinary

1 that time, 100-megawatt facility, and we were
 2 looking at an aggressive schedule to bring
 3 that in, which we knew was a much shorter
 4 timeframe than it would typically take, and so
 5 from it going to an already-built turbine, we
 6 could cut down, certainly, on the schedule,
 7 but it was still a very aggressive schedule,
 8 to take a site which had nothing there and
 9 construct all of the civil works, get all of
 10 your permitting and everything in place, and
 11 to construct and design and do all the
 12 engineering at the one time to establish a
 13 facility of that nature. It was very
 14 aggressive, and we put forward the aggressive
 15 schedule and worked with the supplier to keep
 16 on that, but with a strong focus of ensuring
 17 that what we put in is going to be there for
 18 the long term, that it would be a reliable
 19 facility built with required quality to ensure
 20 that it's--it will meet the long-term needs of
 21 our customers. So it was aggressive, and we
 22 stayed focused, and we had a lot of people
 23 working very long days to ensure that was done
 24 as quickly as we could, again ensuring proper
 25 safety and quality.

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1 MR. DUMARESQUE:
 2 Q. Thank you for that response, but you never
 3 answered my question. Would you please tell
 4 me if you indicated, in your application to
 5 the Board on April the 10th, at any time in
 6 that presentation, which was tens of pages,
 7 and subsequent to evidence, at any time did
 8 you indicate to the Public Utilities Board
 9 that you are looking at 18 to 24 months to be
 10 able to put this unit in place, and
 11 specifically, not only to the--that you didn't
 12 give that indication, but indeed, you gave
 13 every indication that this would be done for
 14 December or the winter season of 2014/2015,
 15 isn't that correct?
 16 MR. HENDERSON:
 17 Q. The schedule which we would have provided
 18 would have indicated that we were working and
 19 had set out a schedule to have this in service
 20 late in 2014.
 21 MR. DUMARESQUE:
 22 Q. So at no point in the application did you
 23 raise the concern, and therefore, I submit you
 24 should never indicate to the public now that
 25 there was ever any concern, that it would take

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1 18 to 24 months, because, indeed, you gave
 2 every piece of evidence to say that you would
 3 be supporting--you would be able to have this
 4 CT in place by the fall of 2014. Furthermore,
 5 could you please indicate to me in the tender
 6 document that you issued on April the 7th, did
 7 you specify an in-service date for this unit,
 8 this successful unit? Did you specify an in-
 9 service date?
 10 MR. HENDERSON:
 11 Q. The tender did specify an in-service date,
 12 which would have been the--I think the first
 13 week of December.
 14 MR. DUMARESQUE:
 15 Q. I would like to draw your attention to that,
 16 and as a matter of fact, you filed evidence
 17 with this Board indicating that the central--
 18 one of the central conditions that you would
 19 attach to your tender that you put out on
 20 April the 7th was that it must be in service
 21 by December the 7th, is that correct?
 22 MR. HENDERSON:
 23 Q. The tender was only for those facilities that
 24 could meet that kind of aggressive timetable.
 25 MR. DUMARESQUE:

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1 Q. In your submission to the Public Utilities
 2 Board, you indicated that a used or--not--what
 3 was it--not previously used unit, but isn't it
 4 true that you had a choice? Isn't it true
 5 that there was a new capacity, 100 megawatts
 6 of new capacity, brand new capacity, that was
 7 available to you and came out through the
 8 tender process?
 9 MR. HENDERSON:
 10 Q. There were four suppliers that bid on that
 11 job, and I think--well, just let me make sure
 12 I have it. Yes, there was four that bid on
 13 the job, and I believe two of them were for
 14 new units, and the other two were for unused
 15 units that had been previously constructed.
 16 MR. DUMARESQUE:
 17 Q. Yes. So contrary to what you submitted in the
 18 application to the Board on April the 10th,
 19 there were in fact brand new units that became
 20 available as a result of the tender process,
 21 but I'd just like to ask you, do you know a
 22 Mr. Kerry McDonough?
 23 MR. HENDERSON:
 24 Q. No, I don't.
 25 MR. DUMARESQUE:

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1 Q. Okay. I am not surprised that you wouldn't
 2 know him, but Mr. McDonough is an employee of
 3 PW Power Systems, and PW Power Systems, I
 4 would submit to you, and this individual, is
 5 very well known to Newfoundland Hydro, and for
 6 two and a half years, he was working very
 7 close with your--the engineering department as
 8 to a possible configuration of additional
 9 generation, and indeed, worked quite closely,
 10 and can you confirm that indeed his company,
 11 PW Power Systems, put forward four brand new
 12 Mitsubishi units in the tender of April 21st?
 13 MR. HENDERSON:
 14 Q. There is an RFI that has all of this
 15 information there, it's GTCANLH004, and PW
 16 Power Systems was one of the bidders on the
 17 tender, and so the answer is yes, they did
 18 bid.
 19 MR. DUMARESQUE:
 20 Q. They did bid, and could you please indicate to
 21 the public of the province if they gave an in-
 22 service date of guarantee that this would be
 23 in place?
 24 MR. HENDERSON:
 25 Q. They, like the other bidders that were

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1 considered, all had between the 5th and the
 2 7th of December as their proposed in-service
 3 date.
 4 MR. DUMARESQUE:
 5 Q. And can you please confirm that in this case,
 6 their in-service date was December the 5th?
 7 MR. HENDERSON:
 8 Q. That's right.
 9 MR. DUMARESQUE:
 10 Q. Yes, and the in-service date for the other
 11 tender, ProEnergy, was December the 7th?
 12 MR. HENDERSON:
 13 Q. ProEnergy, actually, was December 6th.
 14 MR. DUMARESQUE:
 15 Q. December 6th, sorry, yeah. It met your
 16 December 7th requirement, and as you know,
 17 these brand new units, contrary to the
 18 application to the Public Utilities Board, and
 19 I would submit, contrary to every piece of
 20 evidence that has been given to the public,
 21 indeed on April the 21st, Newfoundland Hydro
 22 had a choice, either to accept a seven-year-
 23 old turbine, or they could go with brand new
 24 units. So, I'd like to ask you what gave you
 25 the confidence, what gave you the reassurance

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1 that you should proceed with the seven-year-
 2 old turbine and the five-year-old generator,
 3 as opposed to a brand new generating capacity
 4 with -
 5 CHAIR:
 6 Q. Mr. Dumaresque, I mean, these are issues--you
 7 know, the Board has opened up a prudency
 8 review on these and related matters, and we'll
 9 be assisted by Liberty, and that report,
 10 naturally, of course, will be a matter of
 11 public record and the examination and
 12 consideration by the Board, so I--but I don't
 13 want to, you know, prevent you from asking
 14 your questions, but I do think that it's kind
 15 of--you're kind of getting beyond--in the
 16 absence of the--you know, the reports and the
 17 examination that we're going to, in fact, do
 18 on this whole March 15th event, so.
 19 MR. DUMARESQUE:
 20 Q. Well, Mr. Chairman, I'd like to submit that
 21 the prudency review -
 22 CHAIR:
 23 Q. Yeah, I'm sorry, not just the--on the turbine--
 24 the turbine issue will be the--the combustion
 25 turbine issue will be a part of our prudency

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1 review, so I mean, we will have more detailed
 2 information when that is done, and that may be
 3 a better time for you to ask these questions
 4 of Hydro, you know.
 5 MR. DUMARESQUE:
 6 Q. Well, I respectfully submit, Mr. Chairman,
 7 that when we had this discussion, internal
 8 counsel, the prudency review was being done
 9 particularly to deal with the costs and the
 10 appropriateness of the costs, and I certainly--
 11 at no point, am I going to be dealing with
 12 that aspect of this purchase. I am speaking
 13 to the issues of reliability. What did Hydro
 14 do as a result of the recommendations of
 15 Liberty to prepare us, that they would have
 16 the generation available, that the DarkNL
 17 would not happen again, and of course, Liberty
 18 insisted in one of its key recommendations
 19 that the generation they had planned for 2015
 20 be moved up to 2014, and I would like to know,
 21 on the questions of reliability. Reliability
 22 only, not on the costing, and I look forward
 23 to the prudency review and the time during the
 24 GRA where the costing the appropriateness of
 25 the costing will be thoroughly analyzed.

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1 CHAIR:
 2 Q. Well, I guess we'll -
 3 MS. GLYNN:
 4 Q. So Mr. Dumaresque, are you finished with that
 5 line of questioning or are you going -
 6 MR. DUMARESQUE:
 7 Q. No, no. No, I'm not finished with that line
 8 of questioning.
 9 MS. GLYNN:
 10 Q. Okay. So one of the things that Liberty will
 11 be looking at is the choices that were before
 12 Hydro, and they will be providing a report to
 13 all of the interveners in this proceeding and
 14 addressing the choices that were available,
 15 the choice that was made by Hydro, and whether
 16 that was a reasonable choice in those
 17 circumstances, so that -
 18 CHAIR:
 19 Q. I mean, it's not just cost. There's the range
 20 of alternatives that were available, and
 21 whether the final decision made was what was
 22 prudent with respect to cost and, you know,
 23 operational consideration, so you know.
 24 MR. DUMARESQUE:
 25 Q. Well, Mr. Chairman, I mean, the aspect of the

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1 reliability and the appropriateness of this
 2 decision, in my opinion, I certainly was not
 3 led to believe that this would be a
 4 significant part of the prudence review and--
 5 but in light of the fact that on March the 4th
 6 at 6:00 a.m. when--the first time that this
 7 unit was called upon to provide emergency
 8 power, it would not start, and I would like to
 9 know what gave them the confidence to go ahead
 10 with this unit, knowing that particular
 11 situation.

12 CHAIR:
 13 Q. Well, I can only repeat for you that the
 14 events of March past are under consideration
 15 and under examination and will be fully--you
 16 know, fully documented and fully exposed to
 17 public consideration and public comment.

18 MR. DUMARESQUE:
 19 Q. Oh, yes, -

20 CHAIR:
 21 Q. I'm just wondering if you're not getting ahead
 22 of your story. I know you have a story, and
 23 you're certainly entitled to tell it, and that
 24 is your right, and you can certainly have it,
 25 but I wonder if you're not, perhaps in the

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1 advance of the Board having properly
 2 considered the matter--whether or not you're
 3 perhaps getting ahead of your story, not
 4 allowing us to proceed with the utility to
 5 address this situation. I mean, all these
 6 questions, any and every question that you may
 7 have, will certainly be--you know, obviously,
 8 as you know, you've been intimately involved
 9 in this process, will be answered by the
 10 utility and considered in the course of
 11 proceedings.

12 MR. DUMARESQUE:
 13 Q. Well, of course, Mr. Chairman, I'm guided by
 14 yourself and the Board, and if you don't feel
 15 it's appropriate at this time to deal with the
 16 issue of reliability and what led the utility
 17 to purchase this seven-year-old generator,
 18 certainly then I will adhere to your decision.

19 CHAIR:
 20 Q. Well, I honestly think--I mean, we can go
 21 back, but I honestly think we should allow the
 22 Board to proceed and do the job that it's--it
 23 can and will do in this matter, and you will
 24 have your questions answered in due course. I
 25 can assure you of that, as you--of course, you

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1 know that quite well. We will leave no stone
 2 unturned, that old hackneyed cliché.

3 MR. DUMARESQUE:
 4 Q. Okay. Well, if that's your decision, then
 5 certainly I will abide by it, and keep my
 6 questions and issues relating to this
 7 generator for the appropriate time.

8 CHAIR:
 9 Q. Yeah. Have you anything further?

10 MR. DUMARESQUE:
 11 Q. No, because when I was asked what I would be
 12 dealing with by the Board, it was quite clear
 13 in the public declaration of what I would be
 14 dealing with that I would be dealing with the
 15 combustion turbine. Not whether she looked
 16 good, or not whether there was, you know, a
 17 record of performance. I never intended to
 18 come here and discuss the looks of her.
 19 Obviously, I intended, and I think everybody
 20 expected that I would have some questions as
 21 to why they chose to buy a seven-year-old
 22 turbine, and I mean, the very fact is, Mr.
 23 Chairman, that on April the 21st, they
 24 accepted, and on May the 16th, they signed a
 25 \$100-million contract to have this unit in

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1 service by December the 6th, and that did not
 2 happen, and therefore, I wanted to ask them
 3 why they would go this way, when they had
 4 clearly the choice to buy brand new units that
 5 came with a full manufacturer's warranty, as
 6 opposed to no warranty and many, many other
 7 things that were wrong about this particular
 8 unit, that certainly the people of the
 9 province are not aware of and I believe should
 10 be aware of.

11 (12:45 p.m.)

12 MS. GLYNN:
 13 Q. Mr. Dumaresque, your indication to the Board
 14 was that you wanted to speak to the combustion
 15 turbine not being online on December 6th. You
 16 did not indicate that you wanted to get into
 17 the background of that decision. That
 18 decision is being looked at by Liberty, and
 19 will be the subject of a separate review by
 20 this Board.

21 MR. DUMARESQUE:
 22 Q. Okay, well, I guess I can--I'm only allowed to
 23 ask -

24 CHAIR:
 25 Q. And as I was just reminded, I mean, your

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1 questions now are in the public record, and
 2 they will go to Hydro, and Hydro will have to
 3 answer those questions in the course of the
 4 prudence, I mean.
 5 MR. DUMARESQUE:
 6 Q. Okay. So I guess I can ascertain, then, that
 7 I got one question: why was the combustion
 8 turbine, as contracted on May the 16th for
 9 \$100 million, to be in service by December the
 10 6th, why was she not in service on December
 11 the 6th?
 12 MR. HENDERSON:
 13 Q. There are many things that happen in the--
 14 while you're carrying out a project. This
 15 was, as I mentioned, an aggressive project
 16 schedule, there were--so there is no specific
 17 one thing. There were a number of items that
 18 occur in terms of--in constructing the unit,
 19 there's engineering design work that was going
 20 on, as you're checking things out, you'll find
 21 things that need to be adjusted. All of those
 22 types of things went on, there were--I think
 23 we have some issues with electrical equipment
 24 that were were purchasing for the unit that
 25 required some additional work, that caused

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1 some delay, so there was a number of different
 2 things related to that, which are not unusual
 3 when you're carrying out such a complex
 4 project. This project involved the--preparing
 5 a site, constructing all of the elements to
 6 install the turbine generator. It included
 7 constructing a short transmission line,
 8 installing transformers. There was a lot of
 9 things involved with it, so in order to meet
 10 that kind of a tight timeline, everything had
 11 to fall into place very precisely, and as in
 12 carrying out these projects, some things do
 13 happen that do cause you to have those things--
 14 you know, cause you to step back and make
 15 adjustments.
 16 MR. DUMARESQUE:
 17 Q. I would submit, Mr. Chairman, that there were
 18 other, very valid reasons why one would not
 19 expect this unit to be available on December
 20 the 6th, but I defer to your judgment, and I
 21 will keep those issues for the time being, and
 22 we will raise them at the appropriate time.
 23 CHAIR:
 24 Q. Okay. As you say, she looked good, though.
 25 MR. DUMARESQUE:

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1 Q. What?
 2 CHAIR:
 3 Q. As you say, she looked good, though.
 4 MR. DUMARESQUE:
 5 Q. Well, actually on the January--I think it was
 6 December the 9th, when I went to visit
 7 Holyrood, I was actually steered aside, and
 8 was told I could look at her as I was passing
 9 for the four seconds it would take the bus to
 10 go by, so I really never even got a good look
 11 at her on December the 9th. I do have
 12 pictures that were all over the internet for
 13 years, but nobody would buy it.
 14 CHAIR:
 15 Q. Well, maybe we'll arrange a proper look for
 16 you, at least. Anyway, have you got any
 17 further questions?
 18 MR. DUMARESQUE:
 19 Q. No, Mr. Chairman. Thank you very much for
 20 your time.
 21 CHAIR:
 22 Q. Okay. The next on the list is the Consumer
 23 Advocate. Sir, did you have any questions?
 24 MR. JOHNSON:
 25 Q. Just a couple of minor issues. Just to

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1 clarify for those present, the Board has asked
 2 back in February whether parties wanted to
 3 provide further evidence and to cross-examine
 4 on the basis of the voluminous record that has
 5 already been put before the Board, and as I
 6 indicated in my letter to the Board on
 7 February 23rd, in light of the very
 8 substantial agreement of Hydro, in particular,
 9 and Newfoundland Power, and certainly
 10 Newfoundland Power agreed with the
 11 recommendations and the findings, that the
 12 Consumer Advocate would have no need to cross-
 13 examine Hydro or Newfoundland Power on the
 14 evidence filed to date in the inquiry, and I
 15 just want to take this opportunity, publicly,
 16 to say that the Consumer Advocate regards the
 17 work of the Liberty Consulting Group to have
 18 been very thorough from soup to nuts in this
 19 matter, and their findings and recommendations
 20 to have been extremely well articulated in
 21 both reports that they've filed with this
 22 body. I'll be, of course, making formal
 23 submissions on Phase One of this inquiry by
 24 the appointed date, which has been agreed to
 25 be April 27th. I'll also be engaged in

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1 Newfoundland and Labrador Hydro's ongoing
 2 general rate application, which will be
 3 precisely examining Hydro's prudence in
 4 relation to Hydro's capital and operating
 5 expenses associated with the supply issues and
 6 power outages experienced by the island
 7 interconnected customers last winter. So at
 8 this stage, if I could use the vernacular,
 9 with the voluminous record before the Board,
 10 this is the furthest thing from who done it,
 11 and so I just want to ask a question or two as
 12 a follow up as regards the advance
 13 notification protocol, and I don't intend to
 14 go over the March 4th round again, but I just
 15 want to get my head around the notification
 16 that's been happening recently. For instance,
 17 on March 12th, Hydro, as you're probably
 18 aware, issued a customer advisory advising
 19 that one of the three Holyrood units was taken
 20 offline the previous night for an emergency
 21 repair, and my question was, why was that
 22 notification given? Was that something that
 23 fit your Power Watch scheme, or was there
 24 another reason for that notification?
 25 MS. DALLEY:

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1 Q. The answer is no, it doesn't fit the scheme
 2 that we currently have in place, because the
 3 advance notification protocol, as it has been
 4 developed, is based on system reserves and
 5 driven by a long-term--well, a seven-day
 6 window to the system reserves, but coming out
 7 of the March 4th outage, which we're maybe not
 8 speaking about, led us to understand that we
 9 needed to communicate with people when there
 10 are what we would say are, you know,
 11 vulnerabilities on the system or a
 12 contingency--you know, our contingencies, I
 13 guess, are reduced. So we have a unit out in
 14 Holyrood, we felt it was important to advise
 15 people of that. If have a transmission line,
 16 a main transmission line out coming to the
 17 Avalon Peninsula, we feel it's important to
 18 advise customers of that. To some degree,
 19 we're going to--so we haven't completed this
 20 work, but we're looking at the advance
 21 notification system now in light of the, you
 22 know, immediate events versus something we
 23 have a preview to over a longer period, and
 24 saying, okay, do we incorporate notifications
 25 of the type we issued on Holyrood into that,

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1 or do we, you know, have another level added
 2 to it. So we're still investigating it, but
 3 on March 12th, we felt it was prudent,
 4 considering the recent experience, to advise
 5 customers that there was a unit out of
 6 service.
 7 MR. JOHNSON:
 8 Q. So your - is it the current expectation that
 9 the public of the province, at least the
 10 customers on the Island Interconnected System,
 11 will know when there's a unit down?
 12 MS. DALLEY:
 13 Q. I think that's what we're investigating and
 14 saying, yes, and that includes - you know,
 15 we're having discussions, and again this
 16 hasn't been finalized, so I apologize to the
 17 Board because it's discussions we're still
 18 having. As I think everyone here can
 19 appreciate, we have units coming in and out of
 20 service all the time, so they come off for
 21 regular repairs, they come off for
 22 maintenance, units in Holyrood come off for
 23 maybe three or four hours to have something
 24 happen, so we're trying to put some parameters
 25 around it so there's guidance on a consistent

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1 basis versus judgment on a per incident basis
 2 where then you're relying on someone to make
 3 that call. There are a number of
 4 contingencies that we could be looking at. For
 5 example, if we have a line on the Great
 6 Northern Peninsula out of service for
 7 maintenance in the summer, but the load
 8 doesn't dictate there would be any issues, do
 9 we provide notification to customers. I think
 10 what is probably fair to articulate is that we
 11 understand that there is a desire amongst
 12 customers to have had some warning that
 13 something is coming, and unplanned outages,
 14 while we understand most customers anticipate
 15 they might happen, they would like to have
 16 some notification so that they can make plans.
 17 You know, we have to balance that with
 18 educating them around the risk that is
 19 inherent because we take units on and off all
 20 the time. So if we continue to notify people
 21 of that, then indeed they may become somewhat
 22 dull to that information and no longer
 23 respond. So it's a balance of providing that
 24 information, but yet anticipating what the
 25 risk is. We have people who are monitoring

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1 our system regularly now, looking at our
 2 reserves, you know, from a public perspective.
 3 Indeed, on social media, they're creating
 4 their own chats about what's happening on the
 5 system. So we're trying, I guess, in real
 6 time to respond to that and put information
 7 out there, but yet educate the public on what
 8 that information is. A longwinded way of
 9 saying it's in progress, and I don't have a
 10 definitive plan around what that's going to
 11 look like going forward.

12 MR. JOHNSON:
 13 Q. Okay. The rest of my inquiries regarding
 14 March 4th, I think they have been handled
 15 here, so that would be my question for you.
 16 Thank you.

17 CHAIR:
 18 Q. So you're finished, sir.

19 MR. JOHNSON:
 20 Q. Yes.

21 CHAIR:
 22 Q. Mr. Coxworthy for the Industrial Customers, do
 23 you -

24 MR. COXWORTHY:
 25 Q. Just a very brief comment, Mr. Chair, thank

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1 you. The questions of the Industrial
 2 Customers were addressed in the presentation
 3 and in the questions that have been posed by
 4 the previous parties and answered by the
 5 panel, so we have no further questions.

6 CHAIR:
 7 Q. Okay, and the Grandriver Keepers.

8 MS. BENEFIEL:
 9 Q. Likewise, we have no further questions at this
 10 time.

11 CHAIR:
 12 Q. Does any member of the - okay, well, I guess,
 13 Newfoundland Hydro, you are finished. Will we
 14 proceed - do you think we should go ahead?
 15 What do you think?

16 MS. GLYNN:
 17 Q. No, we're finished.

18 CHAIR:
 19 Q. I guess, I'll ask - we have an hour left.
 20 Newfoundland Power is obviously up next. Do
 21 the parties think that we can get this
 22 finished within an hour without having to
 23 recall everybody here tomorrow?

24 KELLY, Q.C.:
 25 Q. I would think so.

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1 CHAIR:
 2 Q. I mean, I'll take your - I'll be guided by
 3 whatever you people feel is appropriate.

4 KELLY, Q.C.:
 5 Q. Thank you, Mr. Chairman. I would expect we
 6 would finish. We anticipate about fifteen to
 7 twenty minutes in the initial presentation,
 8 and then if there are a few questions.

9 CHAIR:
 10 Q. Okay, do the intervenors also think that we
 11 can get through by around 2 o'clock? Would
 12 that be reasonable? Mr. Dumaresque, do you
 13 think that's possible?

14 MR. DUMARESQUE:
 15 Q. They got no CT, so - I think so, yes.

16 MS. GLYNN:
 17 Q. Well, then just a short time to change the
 18 presenter.

19 CHAIR:
 20 Q. Mr. Kelly, over to you, sir.

21 KELLY, Q.C.:
 22 Q. Thank you, Mr. Chairman, Commissioners.
 23 Newfoundland Power's presentation will be made
 24 by Mr. Gary Smith and Mr. Gary Murray. Mr.
 25 Smith is the President and Chief Executive

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1 Officer of Newfoundland Power. He has held
 2 that position since August of 2014. During
 3 the January, 2014, event, Mr. Smith was the
 4 Vice President of Customer Operations and
 5 Engineering at Newfoundland Power. Mr. Murray
 6 is the current Vice President of Engineering
 7 and Operations. In January, 2014, he was the
 8 Manager of the St. John's Region at
 9 Newfoundland Power. Mr. Smith.

10 MR. SMITH:
 11 Q. Mr. Chairman and Commissioners, thank you for
 12 the opportunity to make this presentation
 13 today. January, 2014, was a stressful time
 14 for Newfoundland Power's customers. Possibly
 15 the most challenging power outages in over 30
 16 years, very cold temperatures, and many hours
 17 without electricity caused serious
 18 difficulties for our customers. As President
 19 of Newfoundland Power, I am here today to
 20 present some of the highlights of the events
 21 of January, 2014.
 22 I would also like to inform the Board and
 23 our customers of the work we have done to
 24 improve the electrical system and to enhance
 25 service to our customers.

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1 (1:00 p.m.)
 2 Newfoundland Power buys over 90 percent
 3 of the electricity it delivers to its
 4 customers from Newfoundland and Labrador
 5 Hydro. Because of this, Newfoundland Power
 6 and its customers are dependent on the
 7 reliability of supply from Hydro. Over the
 8 six days commencing January 2nd, Hydro's
 9 supply was interrupted on several occasions.
 10 These events occurred during the coldest part
 11 of the year. This slide provides graphic
 12 presentation of the sequence of events on the
 13 electrical system from January 2nd to the 8th.
 14 It also shows a number of Newfoundland Power
 15 customers without electricity. The yellow
 16 bars show the periods during which
 17 Newfoundland Power was required to rotate
 18 power as a result of shortages in supply from
 19 Hydro. The grey bars show the periods during
 20 which Newfoundland Power's customers were
 21 without service due to major disruptions at
 22 Hydro's electrical system. During this period
 23 the company rotated power on five different
 24 days. These rotating outages affected up to
 25 33,500 Newfoundland Power customers at any one

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1 time. Rotating outages accounted for
 2 approximately 15 percent of the total time
 3 Newfoundland Power customers were without
 4 service. Four major disruptions on Hydro's
 5 electrical system resulted in power outages
 6 for our customers. The largest of these
 7 occurred on the morning of Saturday, January
 8 4th, when a transformer caught fire at Hydro's
 9 Sunnyside Station. This event, you will
 10 recall, triggered near collapse of the system
 11 and caused an outage to almost 190,000
 12 Newfoundland Power customers. In total, these
 13 major disruptions at Hydro's electrical system
 14 accounted for approximately 80 percent of the
 15 total time customers were without service.
 16 It is true the electrical system events
 17 of January 2nd to the 8th were extraordinary.
 18 Newfoundland Power's response to these events
 19 revealed opportunities for improvements in
 20 three specific areas. The first was in our
 21 customer communications, the second was
 22 improvements in Newfoundland Power's
 23 electrical system to permit more flexibility
 24 and better response, and the third was to
 25 improve coordination between the utilities to

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1 reduce some of the distress for our customers.
 2 Gary Murray will now speak to each of
 3 these areas.
 4 MR. MURRAY:
 5 Q. Thank you, Gary. Let me begin by talking
 6 about customer communications during the
 7 events. Customer communications is most
 8 critical in situations of electrical system
 9 distress. Newfoundland Power aims to provide
 10 information to its customers that is
 11 responsive, accurate, and timely regardless of
 12 how customers choose to communicate with the
 13 company.
 14 During the electrical system distress of
 15 January, 2014, the company's communications
 16 technologies were challenged. Newfoundland
 17 Power conducted focus groups and surveys with
 18 its customers to find out what is most
 19 important to them. Customers have indicated
 20 that they prefer to get their information from
 21 our website and the radio. Newfoundland
 22 Power's strategy is to continue to enhance
 23 these methods of communication. This reduces
 24 the demand on the telephone system. In
 25 January, 2013, there were outages as a result

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1 of problems at Holyrood. At that time, we had
 2 156,000 website visits and 194,000 phone
 3 calls. In the 2014 event, we had 947,000
 4 website visits and only 140,000 phone calls.
 5 This demonstrates the increasing customer
 6 preference for website information.
 7 Newfoundland Power's website was
 8 unavailable to some customers for 44 minutes
 9 on January 2nd, and 13 minutes on January 5th.
 10 In both incidents, the website was working to
 11 maximum capacity and displayed a message to
 12 some customers indicating the website server
 13 was busy. In early February, 2014,
 14 Newfoundland Power doubled its website
 15 capacity and improved its reliability to
 16 better manage the increased use during major
 17 system events. During the period, about
 18 25,000 telephone calls were routed to the
 19 emergency overflow menu or resulted in a busy
 20 signal. To improve customer service and
 21 reduce wait times, 24 additional phone lines
 22 were added to provide extra capacity and
 23 redundancy.
 24 Newfoundland Power's customers indicated
 25 an increasing preference to receive outage

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1 information on their mobile devices. The
 2 company has now implemented customer service
 3 technology that will sent text messages and
 4 email notifications to customers in the event
 5 of a power outage in their area. This
 6 technology was first tested in late 2014 and
 7 is now available to all Newfoundland Power
 8 customers.

9 Next I will address changes to our
 10 electrical system. The supply issues and
 11 power outages that occurred in January, 2014,
 12 created challenges for Newfoundland Power's
 13 electrical system. Automation of Newfoundland
 14 Power's distribution system allows the company
 15 to remotely operate certain distribution
 16 equipment from its System Control Centre.
 17 Otherwise, field staff are required to
 18 manually control the equipment. This limits
 19 the company's ability to conduct rotating
 20 outages and respond to large scale system
 21 events. In January, 2014, approximately 60
 22 percent of Newfoundland Power's distribution
 23 system was automated. Today 68 percent of the
 24 system is automated, and it will be 78 percent
 25 by the end of this year. There were

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1 approximately 900 breaker operations required
 2 to rotate power supply. During nine of these
 3 operations, substation breakers did not
 4 operate correctly. This prolonged the
 5 duration of some customer outages. The
 6 majority of these mis-operations were due to
 7 cold weather affecting breaker mechanisms. In
 8 each of these cases, employees were dispatched
 9 to restore power to customers.

10 On January 6th and 7th, Newfoundland
 11 Power inspected every breaker on the Avalon
 12 Peninsula. The impact of cold weather on
 13 breaker operation is now a greater focus in
 14 substation maintenance in advance of the
 15 winter season. Newfoundland Power's
 16 generation accounts for approximately 7
 17 percent of the total island generation.
 18 During times of system peak, this generation
 19 plays an important role in supply of
 20 electricity to customers. During December,
 21 2013, and January, 2014, Newfoundland Power
 22 was required to run its generating plants more
 23 frequently than in the past. This has
 24 implications for water management. To improve
 25 generation availability, the company made

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1 three key changes. First, Newfoundland Power,
 2 in cooperation with Hydro, implemented a
 3 revised procedure for dispatch of our hydro
 4 plants to maximize water storage for periods
 5 of peak demand. Second, the Wesleyville gas
 6 turbine was overhauled to ensure continued
 7 reliability. Finally, the company installed a
 8 100,000 litre fuel tank to provide additional
 9 fuel storage at our Greenhill thermal
 10 generating facility on the Burin Peninsula.
 11 On January 4th and 5th, the generating
 12 facility was without fuel because of a
 13 blizzard on the Burin Peninsula.

14 I'll now speak about inter-utility
 15 coordination. The operation of Hydro's
 16 generation and bulk transmission, and
 17 Newfoundland Power's distribution assets, is
 18 interrelated. It requires coordination
 19 between the two utilities. Coordination is
 20 required to manage electrical system issues,
 21 restore power following an outage event, and
 22 to keep the customers informed. Routine
 23 operational coordination between the utilities
 24 is good. However, the events of January,
 25 2014, were not routine. Throughout 2014 the

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1 utilities worked to improve coordination
 2 during such events. Newfoundland Power is
 3 able to monitor aspects of Hydro's generation
 4 and bulk transmission system through its
 5 System Control Centre. This provides timely
 6 information regarding electrical system
 7 conditions. It enables Newfoundland Power to
 8 provide more timely information to customers.
 9 Since January, 2014, the amount of electrical
 10 system information shared by Hydro has
 11 approximately doubled.

12 The approach to managing system reserves
 13 has also changed. Newfoundland Power provided
 14 input to Hydro in modifying its generation
 15 reserves system operating instruction. This
 16 instruction defines actions to be taken to
 17 forecast and maintain adequate generation
 18 reserves. It determines when customers are to
 19 be notified of a potential generation
 20 shortfall. Newfoundland Power and Hydro
 21 jointly developed a new customer notification
 22 protocol. This protocol guides communications
 23 when generation reserve margins deteriorate
 24 beyond normal conditions, and Hydro described
 25 this protocol earlier in its presentation.

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1 I will now speak about rotating power
 2 outages. Rotating outages involve the
 3 connecting and disconnecting of a distribution
 4 feeder to the electrical system. The purpose
 5 of rotating outages is to maintain a balance
 6 between electricity supply and demand when
 7 there is not enough generation available.
 8 Insufficient generation for a long period of
 9 time causes distress to the system and to
 10 Newfoundland Power's customers. When rotating
 11 outages are required, Newfoundland Power
 12 determines which feeders will be rotated and
 13 when. The company's general approach to
 14 rotating outages is to best match customer
 15 load to available generation. Newfoundland
 16 Power was required to conduct rotating outages
 17 to its customers due to a supply shortage
 18 during the January 2nd to 8th period. This
 19 was the first time Newfoundland Power was
 20 required to rotate power to customers on a
 21 sustained basis in response to a forecast
 22 generation shortfall on the system.
 23 From January 2nd to 8th, Newfoundland
 24 Power rotated outages on a minute by minute
 25 basis with the primary goal of keeping as many

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1 customers connected to the electrical system
 2 as possible. Newfoundland Power also provided
 3 as much customer information as the
 4 circumstances would permit. Newfoundland
 5 Power's goal is to limit rotating power
 6 outages to less than an hour. On January 2nd,
 7 which was the first day of rotating power
 8 outages, the company did not meet its goal.
 9 The duration of rotating outages on that day
 10 averaged 88 minutes. This was due to a
 11 combination of the breaker mis-operations that
 12 I mentioned earlier, and inefficiencies of how
 13 rotating power outages were coordinated with
 14 Hydro. We addressed these issues. For the
 15 remaining four days, the company was able to
 16 limit the average duration of rotating power
 17 outages to less than one hour.
 18 The company did not provide its customers
 19 with specific - having trouble with that word
 20 too, advance notice of the precise timing and
 21 location of rotating power outages. This was
 22 because of the dynamic and uncertain state of
 23 affairs on the electrical system. Advance
 24 notice would have required more customers to
 25 be without power at any given time. This

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1 issue was examined by the company and it was
 2 addressed specifically in our interim report.
 3 The last issue I'll discuss is critical
 4 customers. Newfoundland Power's primary
 5 concern during large scale power outages is
 6 public safety. Service disruption is
 7 minimized to those customers whose roles are
 8 essential to health, safety, and welfare of
 9 the communities which the company serves.
 10 These customers include hospitals, seniors
 11 homes, and municipal infrastructure such as
 12 water treatment plants. The company's
 13 approach to restoring power to these critical
 14 customers has not materially changed in
 15 decades. During the course of the outages,
 16 Newfoundland Power was in ongoing consultation
 17 with fire and emergency services, provincial
 18 and municipal officials, police services,
 19 hospitals, senior homes, and the school
 20 boards. The company's approach to maintaining
 21 service to critical customers is responsive to
 22 the circumstances of the particular emergency.
 23 For example, the outages that were experienced
 24 in January, 2014, occurred during a sustained
 25 period of very cold temperatures. As a

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1 result, Newfoundland Power expanded its list
 2 of critical customers to include public
 3 warning stations that were established to
 4 protect the health and safety of citizens, and
 5 we also added fuel supply terminal on the
 6 Southside Hills to the list.
 7 Newfoundland Power's primary criteria for
 8 designating critical customers focuses on the
 9 roles that are essential to the health and
 10 safety and welfare of our communities. These
 11 roles are critical in times of major
 12 electrical system failures. Newfoundland
 13 Power's criteria for designation of critical
 14 customers are broadly consistent with both
 15 commonsense and existing public utility
 16 practice.
 17 I will now pass the presentation back to
 18 Gary to conclude.
 19 (1:15 P.M.)
 20 MR. SMITH:
 21 Q. Thank you, Gary Murray. Being prepared is
 22 important for Newfoundland Power and its
 23 customers. Severe weather events such as
 24 blizzards are routine occurrences on the
 25 Island of Newfoundland and typically occur

1 every year. Major disruptions on the bulk
 2 electrical system are less routine, but are
 3 not uncommon. Shortages in generation
 4 requiring the rotation of power to customers
 5 are unprecedented in Newfoundland.
 6 In its final report, the Liberty
 7 Consulting Group found that Hydro's generation
 8 reserves are low. This is despite the new
 9 combustion turbine and the new capacity
 10 assistance arrangement with industrial
 11 customers. As Liberty noted, it will take a
 12 number of years for Hydro to complete all the
 13 necessary activities affecting the
 14 transmission system. The risk of outages
 15 remains high for the 2015 to 2017 winter
 16 seasons. The power outages experienced by
 17 customers on March 4th, 2015, also indicate a
 18 need for continued concern for the reliability
 19 of the electrical system. The company's
 20 preparedness for generation supply shortages
 21 and major electrical disruptions has improved
 22 since January, 2014. Newfoundland Power has
 23 improved its electrical system to provide more
 24 flexibility when restoring power and
 25 conducting rotating power outages. The

1 either.
 2 CHAIR:
 3 Q. Mr. Dumaresque, do you have any questions,
 4 sir? Specific questions?
 5 MR. DUMARESQUE:
 6 Q. Just a couple. One specific question that I
 7 have is when you identify your customers and
 8 certainly in January of last year, you said
 9 180 customers were without power. You're
 10 talking about units, like, buildings and
 11 things like that? You're not talking about
 12 individuals, are you?
 13 MR. MURRAY:
 14 Q. A customer is any service, basically, so that
 15 could be a house or it could be a building, or
 16 it could be a commercial enterprise. It's a
 17 metered service, say.
 18 MR. DUMARESQUE:
 19 Q. So it's quite responsible of someone to
 20 conclude that when you have 180,000 customers,
 21 you're actually talking about maybe 300,000 or
 22 more individuals in this province?
 23 MR. MURRAY:
 24 Q. Yeah, I'm not sure what the ratio would be,
 25 but it would definitely be a good number of

1 company has also made changes which will
 2 improve the availability of its generation
 3 facilities. Newfoundland Power has also
 4 enhanced its customer communications. We have
 5 improved the capacity of our website and
 6 telephone system, and are now offering
 7 customers a new text messaging and email
 8 notification system.
 9 Finally, new protocols and procedures
 10 have been developed with Hydro to improve
 11 coordination and operation of the electrical
 12 system and to keep customers better informed.
 13 I know the distress that major power outages
 14 cause our customers. Newfoundland Power will
 15 continue to work to enhance our preparedness
 16 for these types of events. Thank you.
 17 KELLY, Q.C.:
 18 Q. Thank you, Mr. Smith, and Mr. Murray, and Mr.
 19 Chairman, that's the presentation.
 20 CHAIR:
 21 Q. Does Hydro have any questions at this time?
 22 MR. MACDOUGALL:
 23 Q. No, Mr. Chair, I have no specific questions. I
 24 just wanted to try and get that word on the
 25 record correctly. I have no general questions

1 people, yes.
 2 MR. DUMARESQUE:
 3 Q. Yes, and even with our atrocious birth rate,
 4 we're still managing 1 or something, 1.4, so
 5 probably got average of 2 -
 6 CHAIR:
 7 Q. 2.1 is maintenance, 1.4 is not maintenance.
 8 MR. DUMARESQUE:
 9 Q. Not maintenance, no. New Brunswick just hit
 10 (phonetic) that too. Anyway, yeah, so we're
 11 talking somewhere around 300,000 people, and
 12 that's one thing that I think people don't
 13 realize when we have those announcements about
 14 what part of the population is affected, that
 15 you always announce it in your customers as
 16 opposed to people.
 17 MR. MURRAY:
 18 Q. Customers, that's correct.
 19 MR. DUMARESQUE:
 20 Q. I also want to know - not a question, but a
 21 comment. I really appreciate the CEO, new on
 22 the job and never had to appear before the
 23 public on January of 2014, but I appreciate
 24 you being here. Obviously, I think the CEO of
 25 Hydro should have taken your lead and been

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1 here as well. I think it's remiss of him not
 2 to do so. When you talk about critical
 3 customers, and expanding the definition of
 4 critical customers, we had a presentation
 5 earlier by a company, a pharmaceutical
 6 gentleman representing the pharmaceutical
 7 company, and when you talk about medications
 8 and things that are in jeopardy as a result of
 9 loss of power, are you giving consideration to
 10 expanding that definition of critical
 11 customers to include companies like this?
 12 MR. MURRAY:
 13 Q. Well, it's anything that involves the health
 14 and safety of the community. So, you know, of
 15 it's determined that a facility or a customer
 16 is critical to that - you know, to the
 17 community in that regard, we would consider
 18 it, but, you know, it would have to meet the
 19 definition of what is critical in terms of
 20 scale and size.
 21 MR. SMITH:
 22 Q. I think it's important to note that again
 23 we've indicated that our critical customers
 24 list, we've developed this over many decades
 25 and it's not just Newfoundland Power by

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1 itself, you know, going through a spreadsheet
 2 saying what they are. We have lots of
 3 interactions with municipal leaders,
 4 government officials, fire and emergency
 5 services about who are the critical services
 6 that service the public. So it's not just
 7 Newfoundland Power by itself that does that.
 8 There is lots of dialogue with those types of
 9 agencies of governments and fire and emergency
 10 services.
 11 MR. DUMARESQUE:
 12 Q. But it's safe to say that you're certainly
 13 open to the communications with such companies
 14 to see if, in fact, they would meet that
 15 definition.
 16 MR. SMITH:
 17 Q. I think it's a function at the end of the day
 18 if it serves the public interest, and we get
 19 clarification on that from public officials
 20 such as government, fire and emergency
 21 services, then I think that's the route to go,
 22 and again -
 23 CHAIR:
 24 Q. But that wouldn't necessarily address Mr.
 25 Morgan's concern. They need to have power to

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1 maintain the integrity of those drugs, is that
 2 correct, Mr. Morgan?
 3 MR. MORGAN:
 4 Q. That's correct, yes.
 5 CHAIR:
 6 Q. So, I mean, I - I'm with Mr. Dumaresque on
 7 this one. I mean, I think that's - you know,
 8 I mean, how would - I mean, I think that's a
 9 legitimate concern, and how would you propose
 10 to address? We're talking about a lot of
 11 money here potentially when these drugs go
 12 off, I mean, but they need - should they - are
 13 you telling them, boys, put in your own
 14 generator, you can't rely on us, or what are
 15 you saying to him?
 16 MR. SMITH:
 17 Q. I'd never advise someone to put in their own
 18 generator, but that would be their own choice
 19 based on the commercial arrangement of their
 20 own business. I think, in particular, if this
 21 particular drug storage facility is part of
 22 the critical supply for the public, something
 23 that Eastern Health would recognize perhaps,
 24 something of that nature, then maybe it would
 25 fit more the critical nature of serving the

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1 public, but that type of information hasn't
 2 been given to the company at this stage.
 3 CHAIR:
 4 Q. I'm sorry, it hasn't been?
 5 MR. SMITH:
 6 Q. It has not been, no.
 7 CHAIR:
 8 Q. Okay. I'm sorry, Mr. Dumaresque, are you
 9 finished?
 10 MR. DUMARESQUE:
 11 Q. Not at all.
 12 CHAIR:
 13 Q. Okay.
 14 MR. DUMARESQUE:
 15 Q. Not that I'm not at all finished. Like I
 16 said, I appreciate your interjection on that
 17 one. I just have a last question. You noted
 18 what happened on March 4th, and for people's
 19 understanding, it was 80,000 customers which
 20 would have been in the area of 200,000 people
 21 that were certainly in a cold winters day
 22 without power, and we also went through, and
 23 you acknowledge the communications as between
 24 the utilities, and I'm just wondering are you
 25 satisfied that the communication systems that

1 you developed between yourself and
 2 Newfoundland Hydro actually worked that day,
 3 because following social media, I know it was
 4 your company that first announced there would
 5 be rolling blackouts, to be denied by
 6 Newfoundland Hydro, but obviously subsequently
 7 the public were advised that indeed rolling
 8 blackouts would be taking place on March 4th.
 9 Are you satisfied that the new protocols that
 10 have been established are indeed working well
 11 and meeting the requirements of the public
 12 interest?

13 MR. MURRAY:

14 Q. What I would say to that is the day to day
 15 communications with Hydro works really well.
 16 This - what happened on March 4th, as they
 17 indicated, was kind of outside the protocol
 18 the way it was envisioned, and that is
 19 something that both companies have to revisit
 20 and see that our protocol is broad enough to
 21 encompass situations that happened on March
 22 4th. As we understand it now, and didn't
 23 probably quite understand at the time, this
 24 was probably more of an Avalon Peninsula
 25 affair versus a province-wide issue, and the

1 Q. Yeah, I think there's no debating that the
 2 communications didn't work the way it should
 3 have on March 4th. You know, it was probably
 4 not so much due to the particular protocol
 5 that was in place, more so as a communications
 6 probably failure, if you want to call it that,
 7 in general, in terms of the amount of advance
 8 notification that was provided.

9 MR. DUMARESQUE:

10 Q. Thank you. No further questions, Mr. Chair.

11 CHAIR:

12 Q. Grandriver Keepers, do you have any?

13 MS. BENEFIEL:

14 Q. No, sir, we don't have any further questions.

15 Thank you.

16 CHAIR:

17 Q. Okay, and I don't -

18 MS. GLYNN:

19 Q. The consumer advocate.

20 CHAIR:

21 Q. I'm sorry, I beg your pardon, sir, I skipped
 22 you.

23 MR. JOHNSON:

24 Q. No, that's fine, I have no questions for
 25 Newfoundland Power.

1 protocol probably needs to address those types
 2 of situations.

3 MR. DUMARESQUE:

4 Q. So then it's fair to conclude that you feel
 5 the protocol has not worked, and, you know,
 6 regardless of whether the 200,000 people,
 7 where two of my children were going to school
 8 or anybody else's, obviously that's a terrible
 9 discomfort and a terrible situation to have
 10 people in, and, I mean, the only reason we're
 11 here today is because of extenuating
 12 circumstances, because of the reaction that
 13 utilities take to extenuating circumstances.
 14 We're not here doing anything because you
 15 could see this coming in seven days. I mean,
 16 these are things that you must have a protocol
 17 in place to deal with these emergencies, and
 18 when people are informed that there's going to
 19 be rotating outages, and it in this case on
 20 March 4th, as I said, your company announced
 21 there would be rotating outages, only to be
 22 denied by Newfoundland Hydro, and then in
 23 turn, of course, the proper protocol was
 24 issued at 7:58.

25 MR. MURRAY:

1 CHAIR:

2 Q. Okay. Industrial customers?

3 MR. COXWORTHY:

4 Q. No questions.

5 CHAIR:

6 Q. I'm soon going to hand the chair over to the
 7 Vice Chairman. She seems to have things more
 8 on the ball than I do.

9 MR. COXWORTHY:

10 Q. No questions. Thank you, Mr. Chair.

11 CHAIR:

12 Q. Okay. You're on, Madam.

13 MS. GLYNN:

14 Q. Thank you, Mr. Chair. I just have a couple of
 15 remarks and reminders. Today's proceeding
 16 allowed the opportunity for the public to
 17 speak to both the Board and to the utilities,
 18 and it also provided the opportunity for the
 19 public to hear from the utilities on issues of
 20 continued interest to the public, and it
 21 allowed them the opportunity to ask questions
 22 if they wished. Those opportunities will
 23 continue after we adjourn here today. There
 24 is an opportunity for any member of the public
 25 who did not want to make a public presentation

1 to submit comments in writing, and the date
 2 for that is April 7th, 2015. For the record,
 3 we have received one written comment from Mr.
 4 Dave Vardy, and from Mr. Ron Penney, that is
 5 available on the website. There is also a
 6 continued opportunity for any members of the
 7 public to put questions in writing to either
 8 of the utilities. We have not set a date for
 9 that, but in order for the utilities to
 10 respond to those in their submissions, it
 11 would be appropriate to have them by April 7th
 12 as well. The parties have agreed that written
 13 submissions from the intervenors will be filed
 14 with the Board by Monday, April 27th, and
 15 there will be an opportunity for the utilities
 16 to reply to those and that will be filed by
 17 Monday, May 4th. Thank you.

18 CHAIR:

19 Q. Well, I thank everyone for attending. I think
 20 it's been a productive experience, and I hope
 21 that everybody feels that procedurally we did
 22 our best to walk that line between having
 23 appropriate comment, but also allowing a
 24 certain latitude, and as our solicitor said,
 25 these matters will obviously continue, and

1 CERTIFICATE
 2 I, Paulette Murphy, do hereby certify that the
 3 foregoing is a true and correct transcript of a hearing
 4 of the Public Utilities Board of Newfoundland and
 5 Labrador in the matter of the Board's investigation in
 6 supply issues and power outages on the Island
 7 Interconnected system. This hearing was heard on the
 8 30th day of March, 2015 at their offices located at 120
 9 Forbay Road, St. John's, Newfoundland and Labrador and
 10 was transcribed by me to the best of my ability by means
 11 of a sound apparatus.
 12 Dated at St. John's, NL this
 13 31st day of March, 2015
 14 Paulette Murphy
 15 Discoveries Unlimited Inc.

1 nobody should underestimate the Board's
 2 resolve to deal conclusively and finally with
 3 all the issues that have materialized. So
 4 with that, thank you very much, and for
 5 another day.
 6 Upon conclusion at 1:27 P.M.

<p align="center">-\$-</p> <p>\$1.42 [1] 82:14 \$100 [1] 121:9 \$100-million [1] 119:25 \$40,000.00 [1] 32:11 \$400,000 [1] 82:13</p> <hr/> <p align="center">-2-</p> <p>15 [1] 62:16</p> <hr/> <p align="center">---</p> <p>-and [1] 52:5 -at [1] 115:11 -saw [1] 83:9 -the [1] 114:24 -you [1] 122:14</p> <hr/> <p align="center">-1-</p> <p>1 [16] 14:4,23 19:23 50:25 72:9,18 78:24 79:7,18 79:19 84:23 85:14 88:18 92:6 99:11 148:4 1.4 [2] 148:4,7 10.2 [1] 63:7 100 [5] 76:17 77:14,21 103:25 111:5 100,000 [1] 139:8 100-megawatt [1] 108:1 100-megawatts [1] 59:21 10:15 [1] 14:18 10:30 [1] 22:25 10:45 [1] 37:1 10th [4] 59:9 107:11 109:5 111:18 11:00 [1] 51:11 11:15 [1] 62:22 11:30 [1] 76:11 11:45 [1] 91:25 11:57 [1] 101:15 11th [1] 79:21 120 [2] 107:25 159:8 123 [1] 92:23 12:00 [2] 103:10,11 12:20 [1] 101:16 12:30 [1] 103:8 12:45 [1] 120:11 12th [2] 125:17 127:3 13 [1] 136:9 140,000 [1] 136:4 15 [3] 61:9 100:23 134:2 15-minute [2] 91:6 101:10 150 [1] 77:22 156,000 [1] 136:2 15th [2] 4:9 114:18 16 [1] 61:8 160 [1] 26:16</p>	<p>16th [3] 60:5 119:24 121:8 170 [10] 51:16 52:24 53:1 73:12,21 88:17 94:3 101:23 104:1 105:19 18 [4] 60:10 107:3 109:9 110:1 180 [1] 147:9 180,000 [1] 147:20 1893 [1] 20:23 190,000 [2] 12:19 134:11 194,000 [1] 136:2 1949 [1] 10:6 1:00 [1] 133:1 1:15 [1] 144:19 1:27 [1] 158:6 1st [6] 41:24 78:14,18 79:9,12 85:16</p> <hr/> <p align="center">-2-</p> <p>2 [13] 8:15 14:5,9,23 19:24 39:16 50:24 51:24 73:5,16 92:4 131:11 148:5 2.1 [1] 148:7 20 [2] 26:4 104:5 200,000 [2] 152:20 154:6 2013 [6] 1:10 39:1 76:14 79:21 135:25 138:21 2014 [62] 1:7,11 4:5,10 4:11,16,19 9:6 10:14,15 10:24 12:13 13:9,13,18 14:21 16:1 37:14 41:11 41:24 42:4,24 59:9,15 59:22 62:14,15,16 63:23 65:18,20,22 75:23 78:14 83:20 84:13 95:24 96:19 107:11,17,20 109:20 110:4 115:20 132:2,3,7 132:13,21 135:15 136:3 136:13 137:6,11,21 138:21 139:25,25 140:9 143:24 145:22 148:23 2014/2015 [1] 109:14 2015 [20] 4:25 7:19 8:3 8:12 14:22 15:23 16:6,9 16:18 42:4,8 59:12,13 60:22 115:19 145:15,17 157:2 159:8,13 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