



NEWFOUNDLAND AND LABRADOR
BOARD OF COMMISSIONERS OF PUBLIC UTILITIES

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

Transcript of the Phase One Hearing

The Board's investigation and hearing into supply issues and power outages on the Island
Interconnected system

March 30, 2015

Present for the Board:

Andy Wells, Chair and Chief Executive Officer
Darlene Whalen, P. Eng. Vice Chair
Dwanda Newman, LLB, Commissioner
James Oxford, Commissioner

Present on behalf of the Board:

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

Present for Newfoundland and Labrador Hydro :

Geoff Young, Counsel for Newfoundland and Labrador Hydro
David MacDougall, Counsel for Newfoundland and Labrador Hydro
Rob Henderson, Vice-President, Hydro
Dawn Dalley, Vice-President, Corporation Relations and Customer Service
Paul Humphries, Vice-President, System Operations and Planning

Present for Newfoundland Power:

Ian Kelly, Counsel for Newfoundland Power
Gerard Hayes, Counsel for Newfoundland Power
Gary Smith, President and CEO
Gary Murray, Vice President, Engineering and Operations

Present for the Intervenors:

Thomas Johnson, Consumer Advocate
Paul L. Coxworthy on behalf of the Island Industrial Customers
Danny Dumaresque and Mr. William Kennedy
Roberta Benefiel, on behalf of Grand Riverkeeper Labrador, Inc.

Persons/Parties making Public Presentations:

Dwight Ball, Liberal party, Leader of the Official Opposition
Keith Morgan, Browne Fitzgerald Morgan & Avis, on behalf of Nu-Quest Distribution Inc.

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<p>1 CHAIR:</p> <p>2 Q. Good morning, everyone. For the record, I'm</p> <p>3 Andy Wells, Chairman of these proceedings, and</p> <p>4 on my left is Vice-Chairman Darlene Whalen, on</p> <p>5 my right are Commissioners Jim Oxford and</p> <p>6 Commissioner Dwanda Newman. In January of</p> <p>7 2014, the Board commenced an investigation and</p> <p>8 a hearing into the supply issues and power</p> <p>9 outages that were experienced on the Island</p> <p>10 Interconnected System in late December, 2013,</p> <p>11 and going into early January, 2014. The</p> <p>12 parties to the investigation are, of course,</p> <p>13 Newfoundland and Labrador Hydro and</p> <p>14 Newfoundland Power. The Intervenor are the</p> <p>15 Consumer Advocate, the Island Industrial</p> <p>16 Customers consisting of Corner Brook Pulp and</p> <p>17 Paper, and North Atlantic Refining, and Teck</p> <p>18 Resources. We have two further Intervenor,</p> <p>19 Mr. Danny Dumaesque and the Grand River</p> <p>20 Labrador Incorporated, and I don't have the</p> <p>21 name of the individual from the Grand River</p> <p>22 here. Anyway, we'll ask the parties to</p> <p>23 identify themselves. I guess, we'll do it</p> <p>24 right now. So first, Newfoundland Hydro, I</p> <p>25 guess.</p>	<p>1 representing Grand Riverkeeper Labrador.</p> <p>2 CHAIR:</p> <p>3 Q. Okay, thank you. Board staff present are</p> <p>4 Cheryl Blundon, our Board Secretary; Jacqui</p> <p>5 Glynn, legal counsel; Maureen Greene, Board</p> <p>6 Hearing Counsel, and Sam Banfield, our</p> <p>7 Engineering Consultant. The Board's</p> <p>8 investigation is being undertaken in two</p> <p>9 phases. Phase One concerns the adequacy and</p> <p>10 reliability of supply on the Island</p> <p>11 Interconnected System up to the</p> <p>12 interconnection with Muskrat Falls, and Phase</p> <p>13 Two relates to the same issues, adequacy and</p> <p>14 reliability of supply after the Muskrat Falls</p> <p>15 interconnection. The Board is continuing its</p> <p>16 work on Phase Two, which includes ongoing</p> <p>17 investigation by the Board's consultant,</p> <p>18 Liberty Consulting Group, as well as the</p> <p>19 intervenors and their consultants. It's</p> <p>20 expected that reports on Phase Two, including</p> <p>21 a report from Liberty, will be filed later on</p> <p>22 this year. Today's hearing is part of the</p> <p>23 Board's process for Phase One. As I said, to</p> <p>24 assist with your investigation, we engaged the</p> <p>25 services of Liberty. Their initial work</p>
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<p>1 MR. MACDOUGALL:</p> <p>2 Q. Good morning, Mr. Chair and Commissioners,</p> <p>3 David MacDougall, external counsel for</p> <p>4 Newfoundland and Labrador Hydro. I'm joined</p> <p>5 today with my colleague, Jennifer Grey, and</p> <p>6 with Geoff Young, in-house counsel at Hydro,</p> <p>7 and we will have a witness panel and I will</p> <p>8 introduce them when they're put forward.</p> <p>9 KELLY, Q.C.:</p> <p>10 Q. Good morning, Mr. Chairman and Commissioners,</p> <p>11 Ian Kelly, and with me Gerard Hayes for</p> <p>12 Newfoundland Power.</p> <p>13 CHAIR:</p> <p>14 Q. And our intervenors, Industrial Customers?</p> <p>15 MR. COXWORTHY:</p> <p>16 Q. Paul Coxworthy for the Island Industrial</p> <p>17 Customers, Mr. Chair.</p> <p>18 MR. JOHNSON:</p> <p>19 Q. Chairman and Commissioners, Tom Johnson,</p> <p>20 Consumer Advocate in these proceedings.</p> <p>21 MR. DUMARESQUE:</p> <p>22 Q. Mr. Chairman, Danny Dumaesque, along with Mr.</p> <p>23 Bill Kennedy, my legal advisor.</p> <p>24 MS. FRAMPTON:</p> <p>25 Q. And Roberta Frampton Benefiel. I'm</p>	<p>1 focused on the outage causes and actions that</p> <p>2 should be taken by Hydro and Newfoundland</p> <p>3 Power to reduce the risk of further outages</p> <p>4 for the winter. Liberty's interim report was</p> <p>5 released on April 24th, 2014, providing</p> <p>6 preliminary conclusions and recommendations</p> <p>7 relating to adequacy and reliability of supply</p> <p>8 on the Island Interconnected System. The</p> <p>9 Board's interim report was issued on May 15th,</p> <p>10 2014. It set out the Board's initial findings</p> <p>11 about the causes of the January, 2014 outages</p> <p>12 and identified the key priority items that</p> <p>13 should be undertaken to address winter</p> <p>14 readiness in advance of the interconnection</p> <p>15 with Muskrat Falls. This investigation</p> <p>16 continued throughout 2014 as the Board with</p> <p>17 the assistance of its consultants, monitored</p> <p>18 utilities progress in relation to the required</p> <p>19 key actions. In December, 2014, the Board</p> <p>20 received the Phase One final report of the</p> <p>21 Liberty Consulting Group relating to</p> <p>22 Newfoundland and Labrador Power - Newfoundland</p> <p>23 and Labrador Hydro and Newfoundland Power.</p> <p>24 Both utilities filed reports, responses to</p> <p>25 Liberty's reports, in January, 2015. The</p>

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<p>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</p>	<p>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</p>
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<p>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-</p>	<p>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</p>

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<p>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.</p> <p>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.</p> <p>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</p>	<p>1 failing to practice open communication.</p> <p>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.</p> <p>24 In a province where hundreds of 25 communities live with boil orders, where many</p>
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<p>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.</p> <p>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.</p> <p>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,</p>	<p>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?</p> <p>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</p>

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<p>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.</p> <p>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</p>	<p>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</p>
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<p>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.)</p> <p>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</p>	<p>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.</p> <p>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</p>

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<p>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.</p> <p>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.</p> <p>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.</p> <p>21 CHAIR:</p> <p>22 Q. Thank you, sir. Next we have Mr. Keith 23 Morgan, Nu-Quest Distribution.</p> <p>24 MR. MORGAN:</p> <p>25 Q. Good morning. Thank you very much for the</p>	<p>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.</p> <p>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,</p>
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<p>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.</p> <p>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</p>	<p>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</p>

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<p>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</p>	<p>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 it 10 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</p>
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<p>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.)</p>	<p>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</p>

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<p>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</p>	<p>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</p>
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<p>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</p>	<p>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</p>

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<p>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</p>	<p>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</p>
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<p>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</p>	<p>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</p>

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<p>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</p>	<p>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 situated, 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</p>
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<p>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</p>	<p>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.</p>

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<p>1 (10:45 a.m.)</p> <p>2 MS. DALLEY:</p> <p>3 Q. Dawn Dalley, Vice President of Corporate</p> <p>4 Relations and Customer Service with</p> <p>5 Newfoundland and Labrador Hydro.</p> <p>6 MR. HUMPHRIES:</p> <p>7 Q. Paul Humphries, Vice President of System</p> <p>8 Operations and Planning with Newfoundland and</p> <p>9 Labrador Hydro.</p> <p>10 MR. HENDERSON:</p> <p>11 Q. I'd like to start first of all by saying that</p> <p>12 Hydro apologizes for the impact of the</p> <p>13 interruptions that occurred back in January,</p> <p>14 2014. We certainly understand the significant</p> <p>15 impact that it had on our customers and the</p> <p>16 users of electricity in the province. We are</p> <p>17 very much committed to preventing the</p> <p>18 reoccurrence of such events. Immediately</p> <p>19 following it, we went into an investigation of</p> <p>20 our own to look into what happened and</p> <p>21 understand what happened, and do what we can</p> <p>22 to prevent such things from happening again.</p> <p>23 Over the course of the last year, we've</p> <p>24 provided a considerable amount of information</p> <p>25 to the Board through the - to the public as</p>	<p>1 began really in December, 2013, when Hydro was</p> <p>2 experiencing difficulty with its generating</p> <p>3 facilities in a number of different plants.</p> <p>4 We actually had five different plants that had</p> <p>5 problems, and they began in the middle of</p> <p>6 December. We had a problem with Hardwood's</p> <p>7 combustion turbine which had a failure of a</p> <p>8 fuel control valve that initiated - that</p> <p>9 basically prevented that unit from coming on</p> <p>10 and staying on after it just went through a</p> <p>11 major overall. We had some difficulties with</p> <p>12 the ice in Exploits River, and we had some</p> <p>13 difficulties with the Holyrood Plant. Two</p> <p>14 different units had difficulties. One was a</p> <p>15 forced draft fan motor problem on Unit 3, and</p> <p>16 we had a control valve problem on Unit 2. The</p> <p>17 combination of all those generation problems</p> <p>18 resulted in a limited amount of capacity that</p> <p>19 we had on the power system to meet customer</p> <p>20 demand. As a result of that, we started to</p> <p>21 experience outages to customers, we had</p> <p>22 experienced the rotating outages that began on</p> <p>23 January 2nd. Those continued on January 3rd.</p> <p>24 While we were working to repair and take care</p> <p>25 of the issues, we did not have sufficient</p>
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<p>1 well. There was the initial utility reports</p> <p>2 that you mentioned earlier, and our response</p> <p>3 to those reports, and to the many intervenor</p> <p>4 R-5s to help people understand how we manage</p> <p>5 the system and what we do.</p> <p>6 We undertook a substantial amount of</p> <p>7 action in response to those. We agreed with</p> <p>8 the recommendations that came from those</p> <p>9 reports, and took action over the course of</p> <p>10 last year and made significant progress with</p> <p>11 respect to those last year. In this</p> <p>12 presentation, we're going to address the</p> <p>13 specific areas of interest that were</p> <p>14 previously indicated by the presenters that we</p> <p>15 were provided, and then we'll also be</p> <p>16 available for any questions that anybody may</p> <p>17 have.</p> <p>18 I'll start with giving a little bit of</p> <p>19 background, and then with respect to outage</p> <p>20 coordination and communications that we were</p> <p>21 asked to speak to, Mr. Humphries and Ms.</p> <p>22 Dalley will each speak to that, and then I'll</p> <p>23 come back and speak to the combustion turbine</p> <p>24 questions and with some concluding remarks.</p> <p>25 To provide some background, this incident</p>	<p>1 capacity to meet customer demands during that</p> <p>2 period of time.</p> <p>3 Ms. Dalley will talk a bit about the</p> <p>4 communications about that. Right now, I'll</p> <p>5 just give you the technical facts of what</p> <p>6 happened on the system, but there was some</p> <p>7 communications with customers and we certainly</p> <p>8 understood the significant impact that it had.</p> <p>9 Throughout all of the time that this was</p> <p>10 occurring, we had coordination going on with</p> <p>11 Newfoundland Power where we were sharing</p> <p>12 information with them on what was happening on</p> <p>13 the power system, as well as involved with the</p> <p>14 communications out to the customers and to the</p> <p>15 general public.</p> <p>16 We did an internal investigation of</p> <p>17 events with specific review of the outages. I</p> <p>18 didn't mention that after we had the problem</p> <p>19 with the generation, we had a secondary</p> <p>20 problem which was with the transmission</p> <p>21 system, which initiated the failure of a</p> <p>22 transformer at Sunnyside, which that</p> <p>23 transformer failed and it resulted in</p> <p>24 significant widespread transmission problems</p> <p>25 on January 4th and 5th, and they carried on an</p>

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<p>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.</p> <p>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.</p>	<p>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.</p> <p>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,</p>
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<p>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.</p> <p>11 I'll now ask Mr. Humphries to speak to 12 the communications between the utilities.</p> <p>13 MR. HUMPHRIES:</p> <p>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.</p> <p>25 We have modified our system operating</p>	<p>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.</p> <p>7 Now I'll pass it on to Ms. Dalley to get 8 into some more of the external communication 9 aspects.</p> <p>10 MS. DALLEY:</p> <p>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 -</p> <p>17 MS. GLYNN:</p> <p>18 Q. Ms. Dalley, I don't think we can hear you 19 quite in the back. Sorry about that.</p> <p>20 MS. DALLEY:</p> <p>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</p>

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<p>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.</p> <p>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.</p> <p>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</p>	<p>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.</p> <p>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</p>
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<p>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.</p> <p>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</p>	<p>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</p>

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<p>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</p>	<p>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</p>
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<p>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</p>	<p>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</p>

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<p>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</p>	<p>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</p>
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<p>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</p>	<p>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</p>

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<p>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</p>	<p>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</p>
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<p>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</p>	<p>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</p>

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<p>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</p>	<p>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</p>
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<p>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.</p>	<p>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,</p>

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<p>1 that it is required, that as we approach a</p> <p>2 level of alert, the 240 megawatt range, if we</p> <p>3 see that, the probability of that happening</p> <p>4 within a seven-day period, we initiate the</p> <p>5 formal discussions between the two utilities</p> <p>6 to ensure that we're aware of it, we</p> <p>7 understand it, we are looking at the</p> <p>8 mitigations and also preparing for the</p> <p>9 eventuality that we do end up in an emergency</p> <p>10 that we--so that we are ready to act.</p> <p>11 MR. DUMARESQUE:</p> <p>12 Q. You mentioned in your communication that--</p> <p>13 earlier to us, that access online by</p> <p>14 Newfoundland Power is now available. So does</p> <p>15 that mean that Newfoundland Power could not</p> <p>16 see what the status of your generating</p> <p>17 capacity would be online leading up to January</p> <p>18 of 2014?</p> <p>19 MR. HUMPHRIES:</p> <p>20 Q. Leading up to January of 2014, Newfoundland</p> <p>21 Power did have access to certain portions of</p> <p>22 the system, but since 2014, we've made a lot</p> <p>23 more of the information available so now that</p> <p>24 they can see down at our generation level, at</p> <p>25 our transmission level, throughout the whole</p>	<p>1 communications people on call to start the</p> <p>2 chain of reaction and communications that</p> <p>3 would be required, based on the severity of</p> <p>4 the event.</p> <p>5 MR. DUMARESQUE:</p> <p>6 Q. So when you say the system on call, obviously</p> <p>7 somebody from the control room of either</p> <p>8 Newfoundland Power or Newfoundland Hydro, in</p> <p>9 this case Newfoundland Hydro, who would they</p> <p>10 call? If it was a situation in Holyrood,</p> <p>11 would they be calling the manager of the</p> <p>12 Holyrood plant, or who would they be calling?</p> <p>13 MR. HUMPHRIES:</p> <p>14 Q. The system on call person is an operations</p> <p>15 manager who--he would be called by the</p> <p>16 dispatcher or the energy control centre person</p> <p>17 when an event happens, and then that person</p> <p>18 would reach out. If it were a Holyrood issue,</p> <p>19 he would reach out to the Holyrood people.</p> <p>20 Obviously, if it involves executive</p> <p>21 requirement, he'd reach to the executive on</p> <p>22 call, and as well, notify the communications</p> <p>23 people.</p> <p>24 MR. HENDERSON:</p> <p>25 Q. If I just may just interrupt for a sec, just</p>
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<p>1 system. So they are aware of events as they</p> <p>2 happen.</p> <p>3 MR. DUMARESQUE:</p> <p>4 Q. When it comes to the communication on an</p> <p>5 urgent basis, I guess, or when you--obviously,</p> <p>6 we would all love it if we could see six days</p> <p>7 and further ahead, when it comes to</p> <p>8 communications after you are presented with an</p> <p>9 urgent situation, what would be the protocol?</p> <p>10 For example, hypothetically, if 2:00 a.m. in</p> <p>11 the morning, something happened, what would</p> <p>12 happen between the two utilities, who would</p> <p>13 call whom, and is there a protocol, is there</p> <p>14 somebody on call or what is--where is the</p> <p>15 executive of both utilities at that stage in</p> <p>16 the supply of electricity?</p> <p>17 MR. HUMPHRIES:</p> <p>18 Q. Well, first, in the Hydro organization, we</p> <p>19 would have an individual that's our system on</p> <p>20 call representative, so if there is an event,</p> <p>21 obviously the two control centres communicate</p> <p>22 first, our system operators would notify our</p> <p>23 system on call, and that system on call person</p> <p>24 would reach out to the other individuals.</p> <p>25 There is an executive on call, there is</p>	<p>1 to add an extra level of clarity there, for</p> <p>2 each of our areas of our operations, for</p> <p>3 instance the Holyrood plant, there is on-call</p> <p>4 people for the plant. So if there is an issue</p> <p>5 that occurs within that plant, the operators</p> <p>6 of that plant--and there's operators in that</p> <p>7 plant 24 hours a day, 7 days a week, they</p> <p>8 would call their on call, who would then</p> <p>9 arrange for whatever action needs to be--is</p> <p>10 required in the plant, whether it's to bring</p> <p>11 in instrumentation people, additional</p> <p>12 operators, various different types of</p> <p>13 tradesworkers, to come in and deal with the</p> <p>14 issue in the plant. So there is an on-call</p> <p>15 person who is responsible for each of the</p> <p>16 facilities. We have the same for each of our</p> <p>17 regions. We have operating regions in Central</p> <p>18 Newfoundland for our transmission and</p> <p>19 distribution operations, same in Labrador, and</p> <p>20 on the Northern Peninsula, our Hydro</p> <p>21 generation facilities have people on call as</p> <p>22 well. So all of those people will react and</p> <p>23 address any issues within those facilities.</p> <p>24 The system on call is another level of on call</p> <p>25 that deals with broader system events, which</p>

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<p>1 Mr. Humphries was addressing.</p> <p>2 MR. DUMARESQUE:</p> <p>3 Q. So the system on call, for example, at</p> <p>4 Holyrood, if you had a situation where one of</p> <p>5 the units was not available and you knew it</p> <p>6 wasn't going to be available, who on the</p> <p>7 executive of Nalcor would be called, and when</p> <p>8 would they be called? Would they be called</p> <p>9 within five minutes after knowing that or half</p> <p>10 an hour, or when would the call come to</p> <p>11 whoever would be on that list, then? And is</p> <p>12 that list that you have at the executive</p> <p>13 level--because somebody has to make decisions,</p> <p>14 so on that list, is that restricted only to</p> <p>15 the senior executive of Hyrdo, or does it</p> <p>16 extend to executive of Nalcor?</p> <p>17 MR. HENDERSON:</p> <p>18 Q. In addition to our system on call, which is a</p> <p>19 person dealing with the power system, we have,</p> <p>20 at Nalcor--well, we have a corporate emergency</p> <p>21 response plan, and in the corporate emergency</p> <p>22 response plan, there is an executive that's on</p> <p>23 call. There's always one executive on call</p> <p>24 for Nalcor, all throughout the whole year. So</p> <p>25 the system on call person, if the event is</p>	<p>1 MR. HENDERSON:</p> <p>2 Q. That would be correct.</p> <p>3 MR. DUMARESQUE:</p> <p>4 Q. Yeah. So it's not restricted to just the</p> <p>5 Hydro executive and/or his or her designate?</p> <p>6 MR. HENDERSON:</p> <p>7 Q. No, that's correct. It's a Nalcor corporate</p> <p>8 emergency response plan, so all of the</p> <p>9 executives within Nalcor take a turn in the</p> <p>10 rotation for executives on call.</p> <p>11 MR. DUMARESQUE:</p> <p>12 Q. Okay, and so this is what's in place now, or</p> <p>13 has been in place since January of last year,</p> <p>14 or was that there before?</p> <p>15 MR. HENDERSON:</p> <p>16 Q. That has been in place for a number of years.</p> <p>17 I'm not sure how many, but it's been quite a</p> <p>18 few years.</p> <p>19 MR. DUMARESQUE:</p> <p>20 Q. Yeah. So there's no real change, then, from</p> <p>21 previous to January and after January on who</p> <p>22 was put on that executive call protocol during</p> <p>23 an emergency situation?</p> <p>24 MR. HENDERSON:</p> <p>25 Q. That's correct.</p>
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<p>1 significant, which--that the system on call</p> <p>2 person will determine, they will make a call</p> <p>3 to the executive on call. The executive on</p> <p>4 call will then determine the level of response</p> <p>5 required corporately, and whether they</p> <p>6 activate our corporate emergency response</p> <p>7 plan, which would bring in a number of</p> <p>8 different resources within the company, which</p> <p>9 would include our engineering support people,</p> <p>10 our health and safety people, the supply</p> <p>11 chain. There's a whole range of different</p> <p>12 parts of the business that would get called</p> <p>13 out to support a corporate emergency, and that</p> <p>14 would be initiated by the executive on call.</p> <p>15 MR. DUMARESQUE:</p> <p>16 Q. Yeah. So is it fair to conclude, then, that</p> <p>17 the executive on call would extend to, say,</p> <p>18 the Vice President of Communications of</p> <p>19 Nalcor, or the Vice President--the Chief</p> <p>20 Operating Officer of Nalcor? Outside of the</p> <p>21 Hydro executive, as per your position, is that</p> <p>22 fair to say, that all executives, and indeed,</p> <p>23 all executives are rotated during various</p> <p>24 times during the winter when they would be the</p> <p>25 one on call for any given day, is that fair?</p>	<p>1 MR. DUMARESQUE:</p> <p>2 Q. Okay. I'd like to touch on the public</p> <p>3 communications, and I know it's easy to</p> <p>4 understand the colour schemes, like we see it</p> <p>5 at street lights, you know, red, green, and</p> <p>6 yellow, but could you please go over that</p> <p>7 protocol again, and the levels of Power Watch,</p> <p>8 Power Warning, Power Emergency. You say</p> <p>9 there's also a Level 1 that operates, as well?</p> <p>10 MS. DALLEY:</p> <p>11 Q. That's right. So it works closely with the</p> <p>12 T001, which is the operating--I'm sorry, it's</p> <p>13 very hard to look at the mic--hit the mic at</p> <p>14 the same time.</p> <p>15 MR. DUMARESQUE:</p> <p>16 Q. That's okay.</p> <p>17 MS. DALLEY:</p> <p>18 Q. So the T001 has a Level 1 in there, which is a</p> <p>19 pre-notification between utilities. It</p> <p>20 prompts, again, I guess an advanced level of</p> <p>21 discussion between the utilities, to notify</p> <p>22 them of the forecast. As my fellow panelists</p> <p>23 have indicated, the utilities, both</p> <p>24 Newfoundland Power and Hydro, are aware that--</p> <p>25 you know, can see the data, so they understand</p>

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<p>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</p>	<p>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:</p>
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<p>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.</p>	<p>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?</p>

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<p>1 MS. DALLEY:</p> <p>2 Q. I'm going to turn over to Paul, Mr. Humphries,</p> <p>3 I guess, because it's within the System</p> <p>4 Operations protocols.</p> <p>5 MR. HUMPHRIES:</p> <p>6 Q. Well, at that time, the fact that the unit was</p> <p>7 not available would have been made known to</p> <p>8 Newfoundland Power, and that there was a</p> <p>9 general concern that it was a peak-load</p> <p>10 period, but at that time, on the 26th, we did</p> <p>11 not envisage an issue within the next 24 hours</p> <p>12 during that period, but they were--would have</p> <p>13 been aware that the generation was not</p> <p>14 available, and we had 100 megawatts less</p> <p>15 reserve available, yes.</p> <p>16 MR. DUMARESQUE:</p> <p>17 Q. So at that point, you could have--you would</p> <p>18 have and did communicate with Newfoundland</p> <p>19 Power, but you didn't think it would be</p> <p>20 appropriate to communicate with the public in</p> <p>21 a formal way that you had lost 100 megawatts</p> <p>22 of the 150 on that particular machine?</p> <p>23 MR. HENDERSON:</p> <p>24 Q. I have to say, at that time, we did not have a</p> <p>25 protocol for notifying the public, so at that</p>	<p>1 forget the exact terminology, but certainly</p> <p>2 would not be classified for in service,</p> <p>3 because there was still some vibration issues</p> <p>4 to be addressed. Is that correct?</p> <p>5 MR. HENDERSON:</p> <p>6 Q. I would have to check the record on that, but</p> <p>7 the Unit 1 at Holyrood had gone through</p> <p>8 significant balancing runs through November,</p> <p>9 and on December 1st, it was available to the</p> <p>10 system. The vibration issues, which are</p> <p>11 corrected by balancing on the turbine, that</p> <p>12 was complete by December 1st.</p> <p>13 MR. DUMARESQUE:</p> <p>14 Q. Yes. As we discussed on December the 9th,</p> <p>15 when I went to Holyrood and talked to the</p> <p>16 control room operators and yourself, I think</p> <p>17 we concluded that there were a number of run-</p> <p>18 ups on that particular unit, Unit 1, and of</p> <p>19 course, Unit 1 was also the unit that had to</p> <p>20 be totally replaced as a result of the</p> <p>21 incident of January 11th, 2013. So at that</p> <p>22 point, I know that certainly I wondered if, in</p> <p>23 fact, the unit was not being returned</p> <p>24 prematurely, but as you're saying now, on that</p> <p>25 date, that you were confident that that unit</p>
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<p>1 time, it was something that we were managing,</p> <p>2 and until we had the events and did our review</p> <p>3 this year--we've basically identified these</p> <p>4 types of situations and scenarios where they</p> <p>5 would be more communications to the public--at</p> <p>6 that time, we would not have identified, as a</p> <p>7 concern, that we had to notify the public, so</p> <p>8 it didn't happen, but as Ms. Dalley said, in</p> <p>9 hindsight, we feel that if that would have</p> <p>10 been an event in the future, we would.</p> <p>11 MR. DUMARESQUE:</p> <p>12 Q. Yeah. So at that time, there was no plan, but</p> <p>13 of course, now you have a plan. As you know,</p> <p>14 on December the 1st, 2014, you had to file a</p> <p>15 report to the Public Utilities Board showing</p> <p>16 the availability of generation, and certainly</p> <p>17 the Board mandated you to provide updates</p> <p>18 regularly before that, but the December 1st</p> <p>19 deadline was extremely real, and indeed, you</p> <p>20 filed a report on that day. At that</p> <p>21 particular time, I noted to you, and that was</p> <p>22 during my tour of Holyrood plant on December</p> <p>23 the 9th, that although you had filed a report</p> <p>24 and said that all things were ready, Unit 1</p> <p>25 was classified--and that report as not--I</p>	<p>1 would be performing as you expected all the</p> <p>2 rest of them to be. There was nothing unusual</p> <p>3 about that unit at that time?</p> <p>4 MR. HENDERSON:</p> <p>5 Q. The unit had been totally--the balancing had</p> <p>6 all been done, and it met all of the</p> <p>7 requirements for continuous reliable operation</p> <p>8 throughout the winter.</p> <p>9 MR. DUMARESQUE:</p> <p>10 Q. And as a result, I guess, of you having this</p> <p>11 report filed with the PUB, and as a result of</p> <p>12 applying all the due diligence to asset</p> <p>13 readiness, you embarked upon a province-wide</p> <p>14 advertising campaign. I know several weeks</p> <p>15 ago, you--well, just to--for people's</p> <p>16 clarification, I don't know how you would not</p> <p>17 know about it, but anyway, it was the Ready</p> <p>18 for Winter advertising campaign. Can you</p> <p>19 please tell me why that was done, and what the</p> <p>20 cost of doing that was?</p> <p>21 MS. DALLEY:</p> <p>22 Q. Yeah. We embarked upon that coming out of</p> <p>23 last year, because what we wanted to do was</p> <p>24 provide information to people of the province</p> <p>25 around the state of readiness for the winter.</p>

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<p>1 We understood that confidence in the</p> <p>2 electricity system coming out of last winter</p> <p>3 had been seriously diminished, our research</p> <p>4 told us that as well, so we wanted to advise</p> <p>5 people of the work that Hydro had put into the</p> <p>6 system, that we had accepted the</p> <p>7 recommendations coming out of the various</p> <p>8 inquiries, and that we had done substantial</p> <p>9 work in getting ready for winter. We also</p> <p>10 wanted to provide information to customers on</p> <p>11 what they should do in light of outages to</p> <p>12 make sure that they were safe in their</p> <p>13 operation of alternative generation and other</p> <p>14 sources of supply, be it heat and Coleman</p> <p>15 stoves and the like, and we also wanted to</p> <p>16 educate them on the advance notification</p> <p>17 protocol that was put in place, so that when</p> <p>18 we issued a Power Watch, Warning or Emergency,</p> <p>19 they were aware of why that was happening and</p> <p>20 essentially, they can take steps accordingly</p> <p>21 and also for, in particular, to conservation.</p> <p>22 There was confusion coming out of last January</p> <p>23 about whether the messages that we were asking</p> <p>24 customers--things we were asking customers to</p> <p>25 do were clearly understood in the tight</p>	<p>1 Q. Yeah. Okay, so that was probably--formed some</p> <p>2 of the basis for that advertising campaign,</p> <p>3 the messaging, as you just indicated, is that</p> <p>4 correct?</p> <p>5 MS. DALLEY:</p> <p>6 Q. Yes.</p> <p>7 MR. DUMARESQUE:</p> <p>8 Q. Yeah. I know, I saw a number of the ads, and-</p> <p>9 -saw them on internet and Facebook and</p> <p>10 wherever I went, but I don't recall seeing the</p> <p>11 green, orange or red notification process.</p> <p>12 Was that there, or did I miss it?</p> <p>13 MS. DALLEY:</p> <p>14 Q. Yes, it was.</p> <p>15 MR. DUMARESQUE:</p> <p>16 Q. It was there? Okay. So when you said earlier</p> <p>17 that you now, instead of the--or in addition</p> <p>18 to the weekly forecasting, you do daily status</p> <p>19 briefing. Was the daily status briefing prior</p> <p>20 to January of 2014 and -</p> <p>21 MS. DALLEY:</p> <p>22 Q. No, it was not.</p> <p>23 MR. DUMARESQUE:</p> <p>24 Q. It was not? Okay, it was not. I guess</p> <p>25 there's no point in asking why it wasn't, it</p>
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<p>1 timeframes. Even in the advanced notification</p> <p>2 protocol and the outage--subsequent outage</p> <p>3 research that we did, you know, 60 percent of</p> <p>4 customers were okay with same-day notification</p> <p>5 on, you know, rotating outages and calls for</p> <p>6 conservation. It means you need to be really</p> <p>7 succinct and tight in the information that</p> <p>8 you're asking--I guess, the information you're</p> <p>9 giving them and the request that you're making</p> <p>10 to them. So we wanted to provide advance</p> <p>11 notification, I guess, and awareness and</p> <p>12 education to customers to that end. The cost</p> <p>13 of that program was about \$400,000, about</p> <p>14 \$1.42 per customer.</p> <p>15 MR. DUMARESQUE:</p> <p>16 Q. So as a result of that communication, did you</p> <p>17 do the research on people before that or after</p> <p>18 that?</p> <p>19 MS. DALLEY:</p> <p>20 Q. What research in particular? The outage</p> <p>21 communication survey was done jointly by</p> <p>22 Newfoundland Power and Newfoundland and</p> <p>23 Labrador Hydro in July of last year and filed</p> <p>24 it with the Board.</p> <p>25 MR. DUMARESQUE:</p>	<p>1 just wasn't there. So that came in after, and</p> <p>2 when did that take effect?</p> <p>3 MS. DALLEY:</p> <p>4 Q. That was implemented for this winter. I'd</p> <p>5 have to go back and check when we started it.</p> <p>6 It was late November.</p> <p>7 MR. HENDERSON:</p> <p>8 Q. That's right.</p> <p>9 MR. DUMARESQUE:</p> <p>10 Q. So yeah, so it wasn't started immediately</p> <p>11 after we got out of the trouble in January the</p> <p>12 8th, it was then--you never got started, you</p> <p>13 say, until November of 2014?</p> <p>14 MS. DALLEY:</p> <p>15 Q. That's right, in the current form.</p> <p>16 MR. DUMARESQUE:</p> <p>17 Q. Okay. So in a situation, then, where you</p> <p>18 don't know what's going to happen, but as you</p> <p>19 said before, if--as you said before, in the</p> <p>20 event of a unit not being available at 2:00</p> <p>21 a.m. during the winter months, who would have</p> <p>22 been called, in particular, do you--starting</p> <p>23 January 1, would it still be the same</p> <p>24 executive of Nalcor?</p> <p>25 MR. HENDERSON:</p>

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<p>1 Q. The process would have been the same. The</p> <p>2 power system operator, once the event or issue</p> <p>3 is identified, would be notifying the system</p> <p>4 on call person, who would then initiate the</p> <p>5 communications out, and then the determination</p> <p>6 of the appropriate reaction or action to take</p> <p>7 with that event. In addition, like I said, if</p> <p>8 it was an issue at the Holyrood plant, then</p> <p>9 the plant people would also be addressing it</p> <p>10 through their on call.</p> <p>11 MR. DUMARESQUE:</p> <p>12 Q. Okay. So you know, without getting into the</p> <p>13 cause of what happened on March the 4th, at</p> <p>14 2:00 a.m. in the morning you knew that Unit 1,</p> <p>15 the one that was--had vibration issues noted</p> <p>16 in its December 1st report was down. You knew</p> <p>17 at 2:00 a.m. she would not be available. You</p> <p>18 knew at 6:00 p.m. that when you tried the new</p> <p>19 CT Unit, she did not start. And why did it</p> <p>20 take until 7:56 a.m., as the leader of the</p> <p>21 Opposition pointed out for you, to issue a</p> <p>22 Power Emergency notice and over--jump over the</p> <p>23 other two notices, which you have told us that</p> <p>24 you had in place, you were going to abide by,</p> <p>25 but obviously you did not do it?</p>	<p>1 Stephenville, Star Lake and Unit 3.</p> <p>2 Obviously, 560 megawatts at that time was gone</p> <p>3 from the system. That was the status that you</p> <p>4 filed with this Board as to where you were.</p> <p>5 Why did it take that extra 30 or 29 minutes to</p> <p>6 advise the public that we were indeed into a</p> <p>7 Power Emergency system?</p> <p>8 MR. MACDOUGALL:</p> <p>9 Q. Mr. Chair, before the panel responds, I do</p> <p>10 note your comments at the beginning, for the</p> <p>11 record, that we weren't going to get into the</p> <p>12 March 4th events. Certainly, we're aware that</p> <p>13 the March 4th events are something that was</p> <p>14 recent and that people have an interest in.</p> <p>15 This panel would be able to go to some level</p> <p>16 on that, but investigations are still</p> <p>17 undergoing, and it is not part of the formal</p> <p>18 planning for this process, so we're in your</p> <p>19 hands, if you would like us to go farther. We</p> <p>20 probably can't go too deep, we would be open</p> <p>21 to continue to answer some questions, but I'm</p> <p>22 cognizant of your comments at the beginning,</p> <p>23 and just wanted to re-raise those, and to let</p> <p>24 you know that we could only go so far, in that</p> <p>25 our investigations continue on that subject</p>
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<p>1 MS. DALLEY:</p> <p>2 Q. So from the perspective that--first of all,</p> <p>3 the advance notification system, as I</p> <p>4 mentioned earlier, was well designed in</p> <p>5 response to the January supply outages of last</p> <p>6 year, and the triggers are actually, I guess,</p> <p>7 prompted based on island-wide system reserves,</p> <p>8 so at no point during those outages on March</p> <p>9 4th and 5th did the system reserves actually</p> <p>10 drop below the notification level. So that's</p> <p>11 something that we will correct going forward</p> <p>12 with I guess early notifications on what we're</p> <p>13 looking at, a system--what we would</p> <p>14 categorize, I guess, as system</p> <p>15 vulnerabilities. So if we have a unit out, we</p> <p>16 have a line out for maintenance, the system</p> <p>17 reserves are fine, but it turned out there are</p> <p>18 other contingencies that we need to be aware</p> <p>19 of, so we will be implementing a new</p> <p>20 communications protocol to advise the public</p> <p>21 of those, in essence, vulnerabilities.</p> <p>22 MR. DUMARESQUE:</p> <p>23 Q. Vulnerabilities, yes. According to your own</p> <p>24 published report, which you gave and filed</p> <p>25 with the PUB, at 7:25 a.m., we lost Hardwoods,</p>	<p>1 matter as well.</p> <p>2 CHAIR:</p> <p>3 Q. Well, I think we should hear on--I mean, this</p> <p>4 is not a technical question, this is a</p> <p>5 procedural question relating to corporate</p> <p>6 communications, I presume, Mr. Dumaresque, is</p> <p>7 it?</p> <p>8 MR. DUMARESQUE:</p> <p>9 Q. Absolutely. I'm not looking for any technical</p> <p>10 briefing on why this occurred. I'm asking</p> <p>11 only questions on exactly the timeline that</p> <p>12 occurred, and it has been published and</p> <p>13 recorded and filed with the Public Utilities</p> <p>14 Board, and indeed, I would like to know what</p> <p>15 communication took place at 2:00 a.m., who did</p> <p>16 you, Hydro, call? Which executive was called</p> <p>17 at 2:00 a.m. and say that our 170 megawatt</p> <p>18 Unit 1 is not available? When did you call</p> <p>19 Newfoundland Power and tell them that that</p> <p>20 Unit would not be available that day?</p> <p>21 MS. DALLEY:</p> <p>22 Q. So again, I'm going to look to Mr. Humphries.</p> <p>23 I can talk about when Corporate Communications</p> <p>24 was notified and the steps to the public, but</p> <p>25 I can't speak to the processes before that.</p>

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<p>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</p>	<p>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.)</p>
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<p>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</p>	<p>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</p>

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<p>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.</p>	<p>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:</p>
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<p>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 scheduled 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</p>	<p>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</p>

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<p>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</p>	<p>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,</p>
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<p>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:</p>	<p>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?</p>

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<p>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</p>	<p>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</p>
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<p>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?</p>	<p>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</p>

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<p>1 supper and people are home from work and doing</p> <p>2 their home activities. So there's two times</p> <p>3 each day. Those peaks, in the evening they</p> <p>4 could be three or four hours long. That would</p> <p>5 be on a very cold day, it could run until</p> <p>6 later in the evening. And generally speaking,</p> <p>7 in the morning, it would probably run from</p> <p>8 7:30 until perhaps 9:30/10:00, in that range,</p> <p>9 and then it tends to fall off after that.</p> <p>10 There can be, depending on the time of the</p> <p>11 year, a bit of a peak around lunch time, and</p> <p>12 that would be, I think, more typically in the</p> <p>13 summer time when there's not so much heating</p> <p>14 load involved.</p> <p>15 MR. DUMARESQUE:</p> <p>16 Q. Yeah, so it's fair to say that on a cold</p> <p>17 winter's morning, that peak would probably be</p> <p>18 in the area of 7:00 to 7:30, and you knew at</p> <p>19 2:00 a.m. that you didn't have 170 megawatts</p> <p>20 available, and of course, you knew in the</p> <p>21 event that the unit would not start, that you</p> <p>22 were looking at about 45 minutes from start to</p> <p>23 full performance. Certainly wouldn't it have</p> <p>24 been prudent to have started up the unit</p> <p>25 before 6:00 am. and see if, in fact, she was</p>	<p>1 schedule of events to have such an addition to</p> <p>2 the generation as this, that it would take in</p> <p>3 the order of 18 to 24 months, is that correct?</p> <p>4 MR. HENDERSON:</p> <p>5 Q. That's generally correct. When we are putting</p> <p>6 forward plans for that type of a plant, that</p> <p>7 would be the timeframe that you'd expect.</p> <p>8 MR. DUMARESQUE:</p> <p>9 Q. I'd like to draw your attention to your</p> <p>10 application that you made to the Public</p> <p>11 Utilities Board on April the 10th, 2014, Page</p> <p>12 8, and you have indicated specifically that an</p> <p>13 analysis with budgetary quotations from</p> <p>14 suppliers as determined, that by going to the</p> <p>15 pre-owned but unused or after market, a</p> <p>16 combustion turbine can be brought into service</p> <p>17 at Holyrood in late 2014, and nowhere in your</p> <p>18 application did you ever raise any concern</p> <p>19 about not being able to put this unit in place</p> <p>20 by December of 2014, is that correct?</p> <p>21 MR. HENDERSON:</p> <p>22 Q. What we were doing is we had identified this</p> <p>23 option and put together a very aggressive</p> <p>24 project schedule to put together and establish</p> <p>25 and commission a 120--or we were looking at</p>
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<p>1 going to be able to perform as required?</p> <p>2 MR. HENDERSON:</p> <p>3 Q. The unit had been operating successfully in</p> <p>4 the previous seven days, coming on as required</p> <p>5 at the time that the system operator asked for</p> <p>6 it to come on. Basically, the unit is put on</p> <p>7 as needed, and we don't have it on for hours</p> <p>8 when it's not, and it normally would perform</p> <p>9 such that you're putting it on in advance, but</p> <p>10 you wouldn't put it in several hours in</p> <p>11 advance. So we've been looking at that,</p> <p>12 certainly, in the event that happened that</p> <p>13 day, and looking at what is the appropriate</p> <p>14 time to start it up, and we're looking at</p> <p>15 those protocols in terms of how much earlier</p> <p>16 the unit might be started to allow for some</p> <p>17 starting failures.</p> <p>18 MR. DUMARESQUE:</p> <p>19 Q. Thank you. Okay, well, I'd like now to turn</p> <p>20 to the question of the process of acquiring</p> <p>21 and putting the combustion turbine in place,</p> <p>22 and a couple of things I'd like to start with,</p> <p>23 and that is in your earlier presentation</p> <p>24 today, you indicated that you were undertaking</p> <p>25 an aggressive timeline, that in the ordinary</p>	<p>1 that time, 100-megawatt facility, and we were</p> <p>2 looking at an aggressive schedule to bring</p> <p>3 that in, which we knew was a much shorter</p> <p>4 timeframe than it would typically take, and so</p> <p>5 from it going to an already-built turbine, we</p> <p>6 could cut down, certainly, on the schedule,</p> <p>7 but it was still a very aggressive schedule,</p> <p>8 to take a site which had nothing there and</p> <p>9 construct all of the civil works, get all of</p> <p>10 your permitting and everything in place, and</p> <p>11 to construct and design and do all the</p> <p>12 engineering at the one time to establish a</p> <p>13 facility of that nature. It was very</p> <p>14 aggressive, and we put forward the aggressive</p> <p>15 schedule and worked with the supplier to keep</p> <p>16 on that, but with a strong focus of ensuring</p> <p>17 that what we put in is going to be there for</p> <p>18 the long term, that it would be a reliable</p> <p>19 facility built with required quality to ensure</p> <p>20 that it's--it will meet the long-term needs of</p> <p>21 our customers. So it was aggressive, and we</p> <p>22 stayed focused, and we had a lot of people</p> <p>23 working very long days to ensure that was done</p> <p>24 as quickly as we could, again ensuring proper</p> <p>25 safety and quality.</p>

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<p>1 MR. DUMARESQUE:</p> <p>2 Q. Thank you for that response, but you never</p> <p>3 answered my question. Would you please tell</p> <p>4 me if you indicated, in your application to</p> <p>5 the Board on April the 10th, at any time in</p> <p>6 that presentation, which was tens of pages,</p> <p>7 and subsequent to evidence, at any time did</p> <p>8 you indicate to the Public Utilities Board</p> <p>9 that you are looking at 18 to 24 months to be</p> <p>10 able to put this unit in place, and</p> <p>11 specifically, not only to the--that you didn't</p> <p>12 give that indication, but indeed, you gave</p> <p>13 every indication that this would be done for</p> <p>14 December or the winter season of 2014/2015,</p> <p>15 isn't that correct?</p> <p>16 MR. HENDERSON:</p> <p>17 Q. The schedule which we would have provided</p> <p>18 would have indicated that we were working and</p> <p>19 had set out a schedule to have this in service</p> <p>20 late in 2014.</p> <p>21 MR. DUMARESQUE:</p> <p>22 Q. So at no point in the application did you</p> <p>23 raise the concern, and therefore, I submit you</p> <p>24 should never indicate to the public now that</p> <p>25 there was ever any concern, that it would take</p>	<p>1 Q. In your submission to the Public Utilities</p> <p>2 Board, you indicated that a used or--not--what</p> <p>3 was it--not previously used unit, but isn't it</p> <p>4 true that you had a choice? Isn't it true</p> <p>5 that there was a new capacity, 100 megawatts</p> <p>6 of new capacity, brand new capacity, that was</p> <p>7 available to you and came out through the</p> <p>8 tender process?</p> <p>9 MR. HENDERSON:</p> <p>10 Q. There were four suppliers that bid on that</p> <p>11 job, and I think--well, just let me make sure</p> <p>12 I have it. Yes, there was four that bid on</p> <p>13 the job, and I believe two of them were for</p> <p>14 new units, and the other two were for unused</p> <p>15 units that had been previously constructed.</p> <p>16 MR. DUMARESQUE:</p> <p>17 Q. Yes. So contrary to what you submitted in the</p> <p>18 application to the Board on April the 10th,</p> <p>19 there were in fact brand new units that became</p> <p>20 available as a result of the tender process,</p> <p>21 but I'd just like to ask you, do you know a</p> <p>22 Mr. Kerry McDonough?</p> <p>23 MR. HENDERSON:</p> <p>24 Q. No, I don't.</p> <p>25 MR. DUMARESQUE:</p>
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<p>1 18 to 24 months, because, indeed, you gave</p> <p>2 every piece of evidence to say that you would</p> <p>3 be supporting--you would be able to have this</p> <p>4 CT in place by the fall of 2014. Furthermore,</p> <p>5 could you please indicate to me in the tender</p> <p>6 document that you issued on April the 7th, did</p> <p>7 you specify an in-service date for this unit,</p> <p>8 this successful unit? Did you specify an in-</p> <p>9 service date?</p> <p>10 MR. HENDERSON:</p> <p>11 Q. The tender did specify an in-service date,</p> <p>12 which would have been the--I think the first</p> <p>13 week of December.</p> <p>14 MR. DUMARESQUE:</p> <p>15 Q. I would like to draw your attention to that,</p> <p>16 and as a matter of fact, you filed evidence</p> <p>17 with this Board indicating that the central--</p> <p>18 one of the central conditions that you would</p> <p>19 attach to your tender that you put out on</p> <p>20 April the 7th was that it must be in service</p> <p>21 by December the 7th, is that correct?</p> <p>22 MR. HENDERSON:</p> <p>23 Q. The tender was only for those facilities that</p> <p>24 could meet that kind of aggressive timetable.</p> <p>25 MR. DUMARESQUE:</p>	<p>1 Q. Okay. I am not surprised that you wouldn't</p> <p>2 know him, but Mr. McDonough is an employee of</p> <p>3 PW Power Systems, and PW Power Systems, I</p> <p>4 would submit to you, and this individual, is</p> <p>5 very well known to Newfoundland Hydro, and for</p> <p>6 two and a half years, he was working very</p> <p>7 close with your--the engineering department as</p> <p>8 to a possible configuration of additional</p> <p>9 generation, and indeed, worked quite closely,</p> <p>10 and can you confirm that indeed his company,</p> <p>11 PW Power Systems, put forward four brand new</p> <p>12 Mitsubishi units in the tender of April 21st?</p> <p>13 MR. HENDERSON:</p> <p>14 Q. There is an RFI that has all of this</p> <p>15 information there, it's GTCANLH004, and PW</p> <p>16 Power Systems was one of the bidders on the</p> <p>17 tender, and so the answer is yes, they did</p> <p>18 bid.</p> <p>19 MR. DUMARESQUE:</p> <p>20 Q. They did bid, and could you please indicate to</p> <p>21 the public of the province if they gave an in-</p> <p>22 service date of guarantee that this would be</p> <p>23 in place?</p> <p>24 MR. HENDERSON:</p> <p>25 Q. They, like the other bidders that were</p>

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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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<p>1 questions now are in the public record, and</p> <p>2 they will go to Hydro, and Hydro will have to</p> <p>3 answer those questions in the course of the</p> <p>4 prudence, I mean.</p> <p>5 MR. DUMARESQUE:</p> <p>6 Q. Okay. So I guess I can ascertain, then, that</p> <p>7 I got one question: why was the combustion</p> <p>8 turbine, as contracted on May the 16th for</p> <p>9 \$100 million, to be in service by December the</p> <p>10 6th, why was she not in service on December</p> <p>11 the 6th?</p> <p>12 MR. HENDERSON:</p> <p>13 Q. There are many things that happen in the--</p> <p>14 while you're carrying out a project. This</p> <p>15 was, as I mentioned, an aggressive project</p> <p>16 schedule, there were--so there is no specific</p> <p>17 one thing. There were a number of items that</p> <p>18 occur in terms of--in constructing the unit,</p> <p>19 there's engineering design work that was going</p> <p>20 on, as you're checking things out, you'll find</p> <p>21 things that need to be adjusted. All of those</p> <p>22 types of things went on, there were--I think</p> <p>23 we have some issues with electrical equipment</p> <p>24 that were were purchasing for the unit that</p> <p>25 required some additional work, that caused</p>	<p>1 Q. What?</p> <p>2 CHAIR:</p> <p>3 Q. As you say, she looked good, though.</p> <p>4 MR. DUMARESQUE:</p> <p>5 Q. Well, actually on the January--I think it was</p> <p>6 December the 9th, when I went to visit</p> <p>7 Holyrood, I was actually steered aside, and</p> <p>8 was told I could look at her as I was passing</p> <p>9 for the four seconds it would take the bus to</p> <p>10 go by, so I really never even got a good look</p> <p>11 at her on December the 9th. I do have</p> <p>12 pictures that were all over the internet for</p> <p>13 years, but nobody would buy it.</p> <p>14 CHAIR:</p> <p>15 Q. Well, maybe we'll arrange a proper look for</p> <p>16 you, at least. Anyway, have you got any</p> <p>17 further questions?</p> <p>18 MR. DUMARESQUE:</p> <p>19 Q. No, Mr. Chairman. Thank you very much for</p> <p>20 your time.</p> <p>21 CHAIR:</p> <p>22 Q. Okay. The next on the list is the Consumer</p> <p>23 Advocate. Sir, did you have any questions?</p> <p>24 MR. JOHNSON:</p> <p>25 Q. Just a couple of minor issues. Just to</p>
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<p>1 some delay, so there was a number of different</p> <p>2 things related to that, which are not unusual</p> <p>3 when you're carrying out such a complex</p> <p>4 project. This project involved the--preparing</p> <p>5 a site, constructing all of the elements to</p> <p>6 install the turbine generator. It included</p> <p>7 constructing a short transmission line,</p> <p>8 installing transformers. There was a lot of</p> <p>9 things involved with it, so in order to meet</p> <p>10 that kind of a tight timeline, everything had</p> <p>11 to fall into place very precisely, and as in</p> <p>12 carrying out these projects, some things do</p> <p>13 happen that do cause you to have those things--</p> <p>14 -you know, cause you to step back and make</p> <p>15 adjustments.</p> <p>16 MR. DUMARESQUE:</p> <p>17 Q. I would submit, Mr. Chairman, that there were</p> <p>18 other, very valid reasons why one would not</p> <p>19 expect this unit to be available on December</p> <p>20 the 6th, but I defer to your judgment, and I</p> <p>21 will keep those issues for the time being, and</p> <p>22 we will raise them at the appropriate time.</p> <p>23 CHAIR:</p> <p>24 Q. Okay. As you say, she looked good, though.</p> <p>25 MR. DUMARESQUE:</p>	<p>1 clarify for those present, the Board has asked</p> <p>2 back in February whether parties wanted to</p> <p>3 provide further evidence and to cross-examine</p> <p>4 on the basis of the voluminous record that has</p> <p>5 already been put before the Board, and as I</p> <p>6 indicated in my letter to the Board on</p> <p>7 February 23rd, in light of the very</p> <p>8 substantial agreement of Hydro, in particular,</p> <p>9 and Newfoundland Power, and certainly</p> <p>10 Newfoundland Power agreed with the</p> <p>11 recommendations and the findings, that the</p> <p>12 Consumer Advocate would have no need to cross-</p> <p>13 examine Hydro or Newfoundland Power on the</p> <p>14 evidence filed to date in the inquiry, and I</p> <p>15 just want to take this opportunity, publicly,</p> <p>16 to say that the Consumer Advocate regards the</p> <p>17 work of the Liberty Consulting Group to have</p> <p>18 been very thorough from soup to nuts in this</p> <p>19 matter, and their findings and recommendations</p> <p>20 to have been extremely well articulated in</p> <p>21 both reports that they've filed with this</p> <p>22 body. I'll be, of course, making formal</p> <p>23 submissions on Phase One of this inquiry by</p> <p>24 the appointed date, which has been agreed to</p> <p>25 be April 27th. I'll also be engaged in</p>

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<p>1 Newfoundland and Labrador Hydro's ongoing</p> <p>2 general rate application, which will be</p> <p>3 precisely examining Hydro's prudence in</p> <p>4 relation to Hydro's capital and operating</p> <p>5 expenses associated with the supply issues and</p> <p>6 power outages experienced by the island</p> <p>7 interconnected customers last winter. So at</p> <p>8 this stage, if I could use the vernacular,</p> <p>9 with the voluminous record before the Board,</p> <p>10 this is the furthest thing from who done it,</p> <p>11 and so I just want to ask a question or two as</p> <p>12 a follow up as regards the advance</p> <p>13 notification protocol, and I don't intend to</p> <p>14 go over the March 4th round again, but I just</p> <p>15 want to get my head around the notification</p> <p>16 that's been happening recently. For instance,</p> <p>17 on March 12th, Hydro, as you're probably</p> <p>18 aware, issued a customer advisory advising</p> <p>19 that one of the three Holyrood units was taken</p> <p>20 offline the previous night for an emergency</p> <p>21 repair, and my question was, why was that</p> <p>22 notification given? Was that something that</p> <p>23 fit your Power Watch scheme, or was there</p> <p>24 another reason for that notification?</p> <p>25 MS. DALLEY:</p>	<p>1 or do we, you know, have another level added</p> <p>2 to it. So we're still investigating it, but</p> <p>3 on March 12th, we felt it was prudent,</p> <p>4 considering the recent experience, to advise</p> <p>5 customers that there was a unit out of</p> <p>6 service.</p> <p>7 MR. JOHNSON:</p> <p>8 Q. So your - is it the current expectation that</p> <p>9 the public of the province, at least the</p> <p>10 customers on the Island Interconnected System,</p> <p>11 will know when there's a unit down?</p> <p>12 MS. DALLEY:</p> <p>13 Q. I think that's what we're investigating and</p> <p>14 saying, yes, and that includes - you know,</p> <p>15 we're having discussions, and again this</p> <p>16 hasn't been finalized, so I apologize to the</p> <p>17 Board because it's discussions we're still</p> <p>18 having. As I think everyone here can</p> <p>19 appreciate, we have units coming in and out of</p> <p>20 service all the time, so they come off for</p> <p>21 regular repairs, they come off for</p> <p>22 maintenance, units in Holyrood come off for</p> <p>23 maybe three or four hours to have something</p> <p>24 happen, so we're trying to put some parameters</p> <p>25 around it so there's guidance on a consistent</p>
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<p>1 Q. The answer is no, it doesn't fit the scheme</p> <p>2 that we currently have in place, because the</p> <p>3 advance notification protocol, as it has been</p> <p>4 developed, is based on system reserves and</p> <p>5 driven by a long-term--well, a seven-day</p> <p>6 window to the system reserves, but coming out</p> <p>7 of the March 4th outage, which we're maybe not</p> <p>8 speaking about, led us to understand that we</p> <p>9 needed to communicate with people when there</p> <p>10 are what we would say are, you know,</p> <p>11 vulnerabilities on the system or a</p> <p>12 contingency--you know, our contingencies, I</p> <p>13 guess, are reduced. So we have a unit out in</p> <p>14 Holyrood, we felt it was important to advise</p> <p>15 people of that. If have a transmission line,</p> <p>16 a main transmission line out coming to the</p> <p>17 Avalon Peninsula, we feel it's important to</p> <p>18 advise customers of that. To some degree,</p> <p>19 we're going to--so we haven't completed this</p> <p>20 work, but we're looking at the advance</p> <p>21 notification system now in light of the, you</p> <p>22 know, immediate events versus something we</p> <p>23 have a preview to over a longer period, and</p> <p>24 saying, okay, do we incorporate notifications</p> <p>25 of the type we issued on Holyrood into that,</p>	<p>1 basis versus judgment on a per incident basis</p> <p>2 where then you're relying on someone to make</p> <p>3 that call. There are a number of</p> <p>4 contingencies that we could be looking at. For</p> <p>5 example, if we have a line on the Great</p> <p>6 Northern Peninsula out of service for</p> <p>7 maintenance in the summer, but the load</p> <p>8 doesn't dictate there would be any issues, do</p> <p>9 we provide notification to customers. I think</p> <p>10 what is probably fair to articulate is that we</p> <p>11 understand that there is a desire amongst</p> <p>12 customers to have had some warning that</p> <p>13 something is coming, and unplanned outages,</p> <p>14 while we understand most customers anticipate</p> <p>15 they might happen, they would like to have</p> <p>16 some notification so that they can make plans.</p> <p>17 You know, we have to balance that with</p> <p>18 educating them around the risk that is</p> <p>19 inherent because we take units on and off all</p> <p>20 the time. So if we continue to notify people</p> <p>21 of that, then indeed they may become somewhat</p> <p>22 dull to that information and no longer</p> <p>23 respond. So it's a balance of providing that</p> <p>24 information, but yet anticipating what the</p> <p>25 risk is. We have people who are monitoring</p>

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<p>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.</p> <p>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.</p> <p>17 CHAIR: 18 Q. So you're finished, sir.</p> <p>19 MR. JOHNSON: 20 Q. Yes.</p> <p>21 CHAIR: 22 Q. Mr. Coxworthy for the Industrial Customers, do 23 you -</p> <p>24 MR. COXWORTHY: 25 Q. Just a very brief comment, Mr. Chair, thank</p>	<p>1 CHAIR: 2 Q. I mean, I'll take your - I'll be guided by 3 whatever you people feel is appropriate.</p> <p>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.</p> <p>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?</p> <p>14 MR. DUMARESQUE: 15 Q. They got no CT, so - I think so, yes.</p> <p>16 MS. GLYNN: 17 Q. Well, then just a short time to change the 18 presenter.</p> <p>19 CHAIR: 20 Q. Mr. Kelly, over to you, sir.</p> <p>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</p>
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<p>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.</p> <p>6 CHAIR: 7 Q. Okay, and the Grandriver Keepers.</p> <p>8 MS. BENEFIEL: 9 Q. Likewise, we have no further questions at this 10 time.</p> <p>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?</p> <p>16 MS. GLYNN: 17 Q. No, we're finished.</p> <p>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?</p> <p>24 KELLY, Q.C.: 25 Q. I would think so.</p>	<p>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.</p> <p>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.</p> <p>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.</p>

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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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<p>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.</p> <p>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</p>	<p>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.</p> <p>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</p>
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<p>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.</p> <p>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</p>	<p>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.</p> <p>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.</p>

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<p>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</p>	<p>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</p>
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<p>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</p>	<p>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</p>

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<p>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</p>	<p>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</p>
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<p>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</p>	<p>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</p>

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<p>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?</p> <p>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.</p> <p>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</p>	<p>1 maintain the integrity of those drugs, is that 2 correct, Mr. Morgan?</p> <p>3 MR. MORGAN: 4 Q. That's correct, yes.</p> <p>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?</p> <p>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</p>
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<p>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.</p> <p>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.</p> <p>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 -</p> <p>23 CHAIR: 24 Q. But that wouldn't necessarily address Mr. 25 Morgan's concern. They need to have power to</p>	<p>1 public, but that type of information hasn't 2 been given to the company at this stage.</p> <p>3 CHAIR: 4 Q. I'm sorry, it hasn't been?</p> <p>5 MR. SMITH: 6 Q. It has not been, no.</p> <p>7 CHAIR: 8 Q. Okay. I'm sorry, Mr. Dumaresque, are you 9 finished?</p> <p>10 MR. DUMARESQUE: 11 Q. Not at all.</p> <p>12 CHAIR: 13 Q. Okay.</p> <p>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</p>

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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

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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:

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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.

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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

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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

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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.

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 Torbay 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.

<p>-\$-</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> <p>-'-</p> <p>'15 [1] 62:16</p> <p>---</p> <p>-and [1] 52:5 -at [1] 115:11 -saw [1] 83:9 -the [1] 114:24 -you [1] 122:14</p> <p>-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 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