

Office of the Consumer Advocate

PO Box 23135
Terrace on the Square
St. John's, NL Canada
A1B 4J9

Tel: 709-724-3800
Fax: 709-754-3800

January 18, 2021

Board of Commissions of Public Utilities
120 Torbay Road, P.O. Box 2140
St. John's, NL A1A 5B2

**Attention: G. Cheryl Blundon, Director of
Corporate Services / Board Secretary**

Dear Ms. Blundon:

Re: Newfoundland Power Inc. - 2021 Capital Budget Application

Further to the above-captioned, enclosed are the Consumer Advocate's Requests for Information numbered CA-NP-164 to CA-NP-200.

If you have any questions regarding the enclosed, please contact the undersigned at your convenience.

Yours truly,


Dennis Browne, Q.C.
Consumer Advocate

Encl.
/bb

cc **Newfoundland Power Inc.**
NP Regulatory (regulatory@newfoundlandpower.com)
Kelly C. Hopkins (khopkins@newfoundlandpower.com)
Liam O'Brien (lobrien@curtisdawe.com)

Newfoundland and Labrador Hydro
NLH Regulatory (NLHRegulatory@nlh.nl.ca)
Shirley Walsh (shirleywalsh@nlh.nl.ca)

Board of Commissioners of Public Utilities
Jacqui Glynn (jglynn@pub.nl.ca)
Maureen Greene (mgreene@pub.nl.ca)
PUB Official Email (ito@pub.nl.ca)

IN THE MATTER OF the *Public Utilities Act*
(the “Act”); and

IN THE MATTER OF capital expenditures
and rate base of Newfoundland Power Inc.; and

IN THE MATTER OF an application by
Newfoundland Power Inc. for an Order pursuant
to sections 41 and 78 of the *Act*;

(a) approving a 2021 Capital Budget of \$111,298.00;

(b) approving certain capital expenditures related to
multi-year projects commencing in 2021; and

(c) fixing and determining a 2019 rate base of
\$1,153,556.00.

**CONSUMER ADVOCATE
REQUESTS FOR INFORMATION
CA-NP-164 to CA-NP-200**

Issued: January 18, 2021

**Note: These Requests for Information are all directed to EY staff who worked on the
Newfoundland Power Customer Information System Replacement Project.**

1 ***EY June 2018 report titled “CSS Technical Risk Assessment”***

2
3 CA-NP-164 The cover letter to the EY report on the risk assessment states:

4
5 *Newfoundland Power requested a third-party provider to:*

6 ▶ *Conduct high-level research to document risks associated with the*
7 *foundational technologies used to implement the current in-house*
8 *supported and maintained CSS;*

9 ▶ *Identify any growing risks associated with the prolonged use of the*
10 *technologies; and*

11 ▶ *Develop a recommendation with regard to a suitable course of action to*
12 *help remediate concerns highlighted by the review.*

- 13
14 a) Did EY conduct an assessment of the existing CSS first, or did it proceed
15 directly with identification of risks associated with the existing CSS as
16 directed in the Request for Proposals?
17
18 b) Did EY have access to, or was it aware of, any studies by an independent
19 third-party to determine how NP’s existing CSS might be managed to
20 ensure its continued reliable and secure operation for the next 10 years?
21

22 CA-NP-165 The disclaimer to the EY report on the risk assessment states: *“In preparing this*
23 *report, EY relied on information by publicly available sources and information*
24 *provided by the client. EY has not audited, reviewed or otherwise attempted to*
25 *verify the accuracy or completeness of such information.”* Did EY simply accept
26 what was provided by Newfoundland Power staff without any attempt to verify
27 the accuracy or completeness of such information? Please explain the process
28 followed by EY.
29

30 CA-NP-166 In the executive summary (page 1) it is stated:

31
32 *“The overall recommendation arising from the review is that Newfoundland*
33 *Power should formalize and deepen its examination of CSS modernization*
34 *options to include a thorough evaluation of the costs and benefits of*
35 *replacement and deployment options. **In addition, Newfoundland Power***
36 ***should develop contingency plans for CSS support and training to***
37 ***mitigate any unexpected loss of key personnel over the next five years.”***
38 *(emphasis added)*
39

- 40 a) At the time of its study did EY believe that the existing CSS could operate
41 satisfactorily until at least 2028 provided NP implemented a contingency
42 plan for CSS support and training to mitigate the unexpected loss of key
43 personnel?

- 1 b) Did EY have a vested interest in recommending that NP “*formalize and*
2 *deepen its examination of CSS modernization options to include a thorough*
3 *evaluation of the costs and benefits of replacement and deployment*
4 *options*” given its expertise in this area and the fact that it would be allowed
5 to bid on this work?
6
- 7 c) Did EY gain verification from Newfoundland Power that it would not be
8 disqualified from bidding further work relating to this project as a condition
9 of its bid on the risk assessment assignment?
10
- 11 d) Was there any understanding, implicit or explicit, between EY and NP that
12 EY would get additional work from NP following its initial
13 recommendation to NP?
14
- 15 e) The Agreement between EY and NP to do the study was dated April 20,
16 2018 and the work was to be completed between April 16, 2018 and May
17 16, 2018 – a thirty day period.
- 18 (i) How did EY do the analysis required in just a thirty day period?
19
- 20 (ii) Would that be the normal timeframe in EY’s experience in dealing
21 with other utilities when attempting to launch a capital budget
22 expenditure project?
23
- 24 (iii) In that thirty day period, how often did EY meet with representatives
25 of NP pertaining to this matter and did EY provide NP a draft of its
26 final report dated June 2018 prior to finalizing the report? What
27 revisions, if any, did NP suggest to any such draft?
28
- 29 (iv) Has EY, upon engagement by a utility, encountered similar
30 timeframes when a utility is attempting to upgrade or replace a
31 customer service system and can EY cite examples of the same?

32
33 CA-NP-167 On page 1 of the Risk Assessment report it is stated “*These recommendations are*
34 *supported by risk assessment results which indicate higher levels of risk across the*
35 *dimensions evaluated ...*”.
36

- 37 a) Are these “*higher levels of risk*” in comparison to installation of a new CSS?
38
- 39 b) If so, is this not an obvious conclusion?

1 c) Wouldn't adding additional years of operation to any piece of equipment
 2 increase its risk of failure relative to replacing it with a new piece of
 3 equipment?
 4

5 CA-NP-168 Please confirm that none of the metrics considered by EY in its 2018 report were
 6 considered high-risk. Did EY consider risk only at that snapshot in time, or in
 7 2023, 2030, etc? What value can be assigned to a risk assessment valid in 2018
 8 when it is known that it would probably be another 5 years before a new CSS could
 9 be implemented?
 10

11 CA-NP-169 In its risk assessment did EY consider actual failure rates? For example, did EY
 12 examine failure rates over a number of years to determine if they were increasing?
 13 Did EY consider failure rates in light of the availability of the back-up function on
 14 the existing CSS? Did EY quantify such risks; i.e., 50% probability of failure? Did
 15 Newfoundland Power request EY to quantify such risks?
 16

17 CA-NP-170 On page 2 of the report, "*support risk*" is rated "*moderate*" and "*reliability and*
 18 *security risk*" is rated "*low-moderate*".
 19

20 a) With respect to "*support risk*" EY states "*When we decompose CSS we find*
 21 *that each of the foundational technologies is supported by only one or two*
 22 *employees judged to have a high-level of proficiency (a total of four*
 23 *employees over five technologies). This level of support is lean but*
 24 *representative of how Newfoundland Power has supported its CSS for many*
 25 *years.*" Does this mean that "*support risk*" is no different than it has been
 26 for the past 30 years, and if NP implements a training program, "*support*
 27 *risk*" would be expected to be less than it has been for the past 30 years?
 28 Please explain.
 29

30 b) In EY's opinion would it be more practical to replace the existing CSS than
 31 implement a training program? What is EY's estimate of the cost of such a
 32 training program?
 33

34 c) Further on page 2 of the report, with respect to "*reliability and security*
 35 *risk*", EY states "*The system is stable, unplanned outages are infrequent,*
 36 *and there were no apparent security issues associated with the foundational*
 37 *technologies noted during our research or our interviews.*" Does EY expect
 38 reliability and security risk to increase and if so, please quantify your
 39 expectations in terms of probability of occurrence and impacts on
 40 customers.
 41

42 CA-NP-171 On page 11 of the June 2018 EY Report, the table shows that 9 of the 27 utilities
 43 (NP excluded) listed therein will still likely be on C/1 in 5 years (i.e., 2023). That
 44 is about one-third of the utilities.

- 1 a) In EY's experience does this percentage remain accurate?
 2
 3 b) In EY's experience, given that these utilities can manage with their various
 4 C/I systems why is it that Newfoundland Power cannot?
 5
 6 c) What are these utilities doing that cannot be done by Newfoundland Power?
 7
 8 d) Please identify and detail all contacts made by EY with the names of each
 9 of the one-third of the utilities that will still likely be on C/I in five years
 10 and please identify and detail each contact EY made with each and every
 11 utility to determine how these utilities are replacing parts and to get a
 12 description of the plans for these utilities in their continued use of C/I.
 13

14 CA-NP-172 In the June 2018 CSS Technical Risk Assessment, page 1, EY recommended that
 15 Newfoundland Power *"formalize and deepen its examination of CSS*
 16 *modernization options to include a thorough evaluation of the costs and benefits*
 17 *of replacement and deployment options. In addition, Newfoundland Power should*
 18 *develop contingency plans for CSS support and training to mitigate any*
 19 *unexpected loss of key personnel over the next five years"* (from 2018 when the
 20 study was undertaken until its replacement in 2023). NP ignored the second
 21 recommendation stating *"Based on Newfoundland Power's research, it is not*
 22 *feasible to develop a contingency plan for CSS support and training"* (CA-NP-
 23 143(b)). Given Newfoundland Power's confidence in EY's extensive experience in
 24 this area, why is it that EY made a recommendation to develop contingency plans
 25 that NP claims are not feasible?
 26

27 CA-NP-173 EY provides a risk assessment that categorizes risk parameters as low, moderate
 28 and high (and in between). What constitutes *"high risk"*. How might risk be
 29 quantified in terms of probability of failure, the consequences of failure, and the
 30 cost of rectifying any failure? For example, what is the probability that the existing
 31 CSS will fail in 2023, and how will the failure impact customers in terms of costs
 32 and service? In other jurisdictions, has EY quantified such risks under a formal
 33 asset management plan such as ISO 55000, and if so, why not here?
 34

35 ***EY March 2020 report titled "Customer Information System: Assessment Results and***
 36 ***Planning Recommendation"***
 37

38 CA-NP-174 In its October 1, 2020 letter to the Board, NP states (Page 6 of 8) *"certain increases*
 39 *in risks facing the system have already materialized and deferring system*
 40 *replacement would expose customers to a high level of risk."*
 41

- 42 a) In the assessment undertaken by EY in 2018 was EY expecting the results
 43 to be obsolete two years later? How did an independent expert such as EY
 44 overlook these risks?

- 1 b) Did EY provide Newfoundland Power with a quantified risk assessment in
 2 terms of the probability of occurrence multiplied by the impact on
 3 consumers? Did Newfoundland Power ask EY to quantify risks?
 4
- 5 c) In EY's experience, what makes these risks unmanageable and too costly
 6 to continue operation of the existing CSS?
 7
- 8 d) What have other utilities done to mitigate these risks and keep their
 9 existing CSS operational, and at what cost?
 10
- 11 e) What mitigation measures would enable deferral of the replacement
 12 project by another few years beyond 2023 rather than undertaking the
 13 project now during this time of global pandemic and severe financial
 14 stress in the Province?
 15
- 16 f) Specifically, what does EY estimate as the cost of risk mitigation and how
 17 does it compare to savings resulting from deferral of the project? Did
 18 Newfoundland Power ask EY to develop such an estimate?
 19

20 CA-NP-175 The response to CA-NP-070 states that "*deferring replacement of the existing CSS*
 21 *would increase costs to customers. A capital project would be required to replace*
 22 *Newfoundland Power's server infrastructure in 2020 with technology that is*
 23 *already obsolete.*"
 24

- 25 a) Was this information provided to EY by Newfoundland Power?
 26
- 27 b) Did EY develop a comparison of costs of maintaining the existing CSS
 28 versus the costs of implementing a new CSS over the next 10 years?
 29
- 30 c) If so, please provide the comparison. If not, why not?
 31

32 CA-NP-176 Newfoundland Power's October 1, 2020 letter to the Board states (pages 6 of 8
 33 and 7 of 8) "*All costs to execute this project including product and implementation*
 34 *costs, are included in EY's recommended cost estimate. Acquisition of a specific*
 35 *vendor was therefore not necessary to develop a sound cost estimate.*"
 36

- 37 a) Has this statement been verified by EY?
 38
- 39 b) Can EY guarantee its cost estimate in a competitive procurement without
 40 knowing what its competitors will bid? How can EY make such a guarantee
 41 unless it has already been awarded/promised the contract, or it has built
 42 considerable leeway in the estimate to ensure prospective bidders will come
 43 in less than the amount included in the cost estimate? Is the \$31.6 million
 44 estimate truly an estimate or is it a "quote" by EY to do the job?

- 1 c) EY states (page 3 of the EY Report) “The estimated costs to procure,
 2 implement, and stabilize a modern CIS replacement solution *is estimated*
 3 at approximately \$31.6 Million over an 8-month pre-implementation
 4 period, a 21-month implementation period, and a 4-month post-
 5 implementation period” (emphasis added). Note the words “estimated” and
 6 “approximately”. Does this suggest that there will be a better cost estimate
 7 following award of the implementation project? Please explain how an
 8 estimate following award of the implementation contract could not be more
 9 accurate. Is EY so confident in its estimate that it will cover any cost
 10 overruns itself?
- 11
- 12 d) In EY’s opinion, what is the impediment in gaining a detailed cost proposal
 13 from the winning vendor before Board approval so parties can be fully
 14 informed before public funds are engaged?

15

16 CA-NP-177 The CSS Replacement Project is estimated to cost \$31.6 million over a 3-year
 17 implementation period. NP describes the project as a once in a generation project.
 18 Does EY typically quantify risks and benefits to consumers for projects of this
 19 magnitude? Was EY directed by NP to quantify project risks and benefits?
 20

21 CA-NP-178 The CSS Replacement Project is estimated to cost \$31.6 million over a 3-year
 22 implementation period. It is understood that the implementation project will be
 23 conducted in two phases and that a consultant, or system integrator, will perform
 24 the bulk of the work.
 25

- 26 a) Please provide a high-level description of how EY would undertake this
 27 work if awarded the contract. What safeguards would EY implement to
 28 avoid cost overruns, and explain, and provide details of, the costs EY would
 29 charge NP as the system integrator.
 30
- 31 b) NP states that the estimate is based on EY experience with similar projects.
 32 Please document this experience and show how it has led to the \$31.6
 33 million estimate, providing a comparison to costs and schedules for similar
 34 projects undertaken by EY and other CSS implementation/integration
 35 firms.
 36
- 37 c) Has EY verified the cost overruns incurred by other utilities in replacing
 38 their system and what specific utilities did EY study to determine how other
 39 projects fared and how estimates compared to project costs? If EY had made
 40 no such contact or analysis please detail the reasons why?
 41

42 CA-NP-179 In NP’s response to CA-NP-080, Attachment A, page 7 of 19 indicates that in 1991
 43 the estimated cost of the current CSS was \$7.5 million. Newfoundland Power
 44 describes the existing CSS as being very simple relative to the capabilities of a

1 new CSS (CA-NP-158). However, the actual cost of the current CSS turned out to
 2 be \$10.173 million by the time it was operational in 1993. That was a 35.6% cost
 3 overrun.
 4

5 a) In EY's experience, given the simplicity of the existing CSS, why were
 6 there such huge cost overruns? Was this typical of CSS experience 30 years
 7 ago?
 8

9 b) What measures would EY take to avoid such a large cost overrun for a new
 10 CSS?
 11

12 c) Does EY typically provide cost guarantees to cover a share of any cost
 13 overruns, or is EY confidence in its cost estimate not as strong as indicated
 14 by NP?
 15

16 d) In EY's experience, who typically pays for any cost overruns?
 17

18 CA-NP-180 The current estimate for a new CSS is \$31.6 million. That is 321.3% higher than
 19 the current CSS's cost estimate of \$7.5 million, and 210.6% more than the actual
 20 cost of the CSS, namely \$10.173 million. According to Statistics Canada data,
 21 inflation from 1993 to the present (Sept. 2020) was 59.7% as measured by the
 22 Consumer Price Index for Canada. Thus, the new CIS as determined by EY is
 23 massively more costly than the existing CSS was, even allowing for inflation since
 24 1993. Based on EY's experience, is this typical? Please provide an explanation.
 25

26 CA-NP-181 Please provide a summary of the expected cost of maintenance and upgrades
 27 during the first 10 years of operation of the new CSS and provide the basis for the
 28 estimate. Please provide a comparison of these costs to the expected costs of
 29 continuing operation of the existing CSS.
 30

31 CA-NP-182 Did Newfoundland Power ever ask EY for different configurations of CSSs in
 32 order to establish a trade-off between different features-cost combinations? Did
 33 EY suggest such an approach to NP?
 34

35 CA-NP-183 Newfoundland Power indicates in CA-NP-153 that EY considered four broad
 36 options with respect to addressing the shortcomings of the current CSS. Please
 37 explain in detail why EY dismissed each of these options and why options to
 38 extend the life of similar CSS's implemented by other utilities are not a viable
 39 solution for Newfoundland Power.
 40

41 CA-NP-184 NP has a great deal of faith in the EY estimate of \$31.6 million, using it to justify
 42 full project approval now rather than in two stages (The second stage approval
 43 would follow selection of a vendor to perform the procurement advisor function.).
 44 NP states (pages 6 of 8 and 7 of 8 of its October 1, 2020 letter to the Board) "All

costs to execute this project including product and implementation costs, are included in EY's recommended cost estimate. Acquisition of a specific vendor was therefore not necessary to develop a sound cost estimate." In this regard:

- a) What is EY's confidence level in the \$31.6 million estimate; i.e., $\pm 10\%$?
- b) Is EY's confidence level in the \$31.6 million cost estimate altered in light of the Covid-19 global pandemic? Did EY take account of Covid-19's impact on cost when it was preparing the cost estimate, and if so, how? Has the pandemic increased the estimated cost and schedule as a result of stay-at-home orders, travel restrictions, increases in construction materials and services costs, etc?
- c) There is evidence from suppliers in various sectors of the economy that Covid-19 has affected production and distribution resulting in additional costs for fewer available materials. Would it not be prudent for EY, prior to embarking upon any expenditure, to update any estimate and seek information to provide to the Board as to how Covid-19 may affect these cost estimates and the prudence of proceeding versus the prudence of waiting until Covid-19 subsides?

CA-NP-185 On other CSS-type projects, how have EY budget estimates compared to actual project costs and schedules? Please provide a table showing EY performance on CSS project cost estimates and schedules in the past.

CA-NP-186 In EY's experience, how accurate have estimates been by competing CSS implementation consultants? Is EY's \$31.6 million cost estimate valid for any procurement advisor, rather than only itself, given that a different procurement advisor may be selected under a competitive solicitation and resulting cost estimates could vary accordingly.

CA-NP-187 Was a 10% contingency included in the \$31.6 million cost estimate, and is this size contingency common practice in the industry? Why is a contingency needed given EY's extensive experience in CSS replacement projects?

CA-NP-188 In CA-NP-161 NP states "*Specific configurations for successful delivery of Newfoundland Power's requirements will be determined during the procurement stage of the project.*" Does this suggest that there could be significant variations in actual costs from budget given that "*specific configurations*" are not yet known? Are there different configurations for a new system that would be less costly than the one advanced by Newfoundland Power in its application?

CA-NP-189 In the March 2020 report *Customer Information System: Assessment Results and Planning Recommendations*, the actual cost billed Newfoundland Power was

1 \$552,000 compared to the EY bid price of \$483,000 (CA-NP-139). NP explains
 2 that the cost overrun was due to its request that EY map an additional 23 business
 3 processes. This is a 14.3% increase over budget. Is it possible that similar issues
 4 leading to cost overruns might come up during the implementation phase of the
 5 proposed new CSS, particularly when "*specific configurations*" are not yet known?
 6 Please explain.
 7

8 CA-NP-190 Newfoundland Power is subject to cost of service regulation, and like all regulated
 9 jurisdictions, regulatory precedent is an important consideration. Yet neither EY
 10 nor NP have put on the record cost data for CSS replacement projects in other
 11 jurisdictions. It is difficult for the intervenors and the Board to faithfully accept
 12 the EY estimate given the absence of such information on the record (CA-NP-162
 13 and CA-NP-163). It would seem that many of these utilities are regulated so the
 14 budget estimates and actual costs should be publicly available. Why has EY not
 15 provided such information in its report? In EY's experience, do regulators in other
 16 jurisdictions simply accept CSS replacement projects in the absence of such cost
 17 and schedule comparators?
 18

19 CA-NP-191 The Board's consultant Midgard identified key questions for the Board with
 20 respect to capital projects including "*At what unit cost are system reliability and*
 21 *risk profile improved by the project*" and "*Does the ratepayer value the*
 22 *improvement in system reliability and risk reduction more than the project cost?*"
 23

- 24 a) Have EY experts attempted to answer these questions in their review of
 25 Newfoundland Power's CSS, and if not, why not?
 26
 27 b) Has EY responded to such requirements in other jurisdictions?
 28
 29 c) Did EY participate in any discussions with NP customers over the course
 30 of its study, and if so, were customers informed that the cost that they would
 31 have to pay for a new CSS is a \$31.6 million estimation?
 32

33 CA-NP-192 In CA-NP-147 NP states "*In the Company's experience, CSS operates reliably.*
 34 *This is consistent with EY's findings.*" In the same response NP goes on to say
 35 "*There have been no security violations for CSS within the last IO years. This is*
 36 *consistent with EY's finding that the system operates securely.*" Is this likely to
 37 change if replacement of the CSS is delayed by two to five years? Please quantify
 38 the response.
 39

40 CA-NP-193 In CA-NP-155(e) NP states "*In Newfoundland Power's view, the record of this*
 41 *proceeding provides fulsome information that the replacement of CSS is necessary*
 42 *to continue providing least-cost, reliable service to customers.*"
 43

- 1 a) Does EY also believe that NP will be unable to provide least-cost, reliable
 2 service if the project is delayed by two to five years?
 3
 4 b) Did EY specifically address this issue in its report?
 5
 6 c) Are other jurisdictions using a CSS configuration similar to NP's existing
 7 CSS able to provide least-cost, reliable service? Please explain.
 8
 9 d) Please provide details of every contact EY made with other jurisdictions in
 10 reference to their systems and any analysis EY took in comparative costing
 11 with these jurisdictions in the purchase and installation of their CSS
 12 systems.
 13
 14 e) If EY did not contact any other jurisdictions in reference to the above,
 15 please detail as to why this oversight?
 16

17 CA-NP-194 In PUB-NP-017 it is stated "*Newfoundland Power has contingency plans in place*
 18 *for all of its critical applications, including CSS. The contingency plan for CSS*
 19 *has 3 principal elements". NP goes on to identify the three principal elements: 1)*
 20 *disaster recovery, 2) replication of customer data, and 3) paper forms. In EY's*
 21 *view, is this an adequate contingency plan and typical of the industry? In EY's*
 22 *experience, how long into the future would this contingency plan be adequate?*
 23

24 CA-NP-195 Newfoundland Power states (CA-NP-139, Attachment A, page 20 of 34) "*Over*
 25 *the last 20 years, customers have indicated an average satisfaction level of 88%."*
 26 *In EY's experience, how much might NP customer satisfaction be expected to*
 27 *increase if the CSS is replaced with a new system, or decrease if it is not? How*
 28 *much has customer satisfaction in other jurisdictions that replaced their CSSs been*
 29 *increased? Which of the identified customer benefits stemming from a new CSS*
 30 *are "must-haves" and which are "nice-to-haves"?*
 31

32 CA-NP-196 In CA-NP-148 it appears that the existing CSS is still capable of providing
 33 customers with the current standard of service. NP has not filed evidence: (i) that
 34 the existing CSS will suffer a major failure, (ii) an estimate of the probably of
 35 failure, (iii) evidence that a failure cannot be readily rectified in a timely manner,
 36 or (iv) what a failure entails and how it might affect customers if at all. Can EY
 37 provide documentation that addresses these shortcomings?
 38

39 CA-NP-197 In CA-NP-092 Newfoundland Power objected to providing correspondence
 40 between itself and EY, claiming "*it is not necessary for a satisfactory*
 41 *understanding of the matters to be considered in this Application". Was EY given*
 42 *direction over the course of the project by NP that influenced its approach and/or*
 43 *recommendations?*
 44

1 CA-NP-198 In CA-NP-140 Newfoundland Power states "*the use of an objective third-party*
 2 *Procurement Advisor will help ensure a fair and equitable solicitation process in*
 3 *a manner that is consistent with industry best practice.*"
 4

5 a) The Consumer Advocate understands the need for an independent
 6 procurement advisor for this project described by Newfoundland Power to
 7 be a "*once-in-a-generation*" project, but does EY have an advantage over
 8 its competitors given that it has been working for Newfoundland Power for
 9 the past two years receiving revenues of about \$0.5 million?
 10

11 b) Is this fact likely to impact the competitiveness of the solicitation for CSS
 12 procurement advisor?
 13

14 CA-NP-199 In preparation for all of the above replies:
 15

16 a) Please provide the names of each and every EY person involved in drafting
 17 these RFI replies and their qualifications and experience in the procurement
 18 of CSS systems.
 19

20 b) Please provide details as to any drafts that were forwarded to NP for vetting
 21 and any changes/revisions NP requested in these EY RFI replies and any
 22 variances there were from the drafts submitted by EY to NP and what these
 23 revisions were.
 24

25 c) Please provide the names of each and every NP personnel with whom EY
 26 consulted in drafting these Replies.
 27

28 d) Please provide the number of drafts EY forwarded to NP prior to deciding
 29 upon a final report for forwarding.
 30

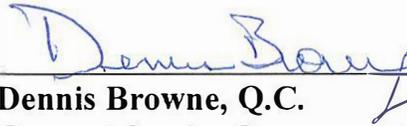
31 e) Please provide copies of any email exchanges, texts, meetings,
 32 consultations, or conversations which NP had with EY in reference to these
 33 replies to RFIs prior to submitting the same.
 34

35 CA-NP-200 a) Has EY in the past acted on behalf of consumer groups or regulators or is it
 36 EY's practice to act only for utilities in these matters?
 37

38 b) What has EY's experience been in testifying before regulators and in what
 39 jurisdictions has EY testified on behalf of utilities in Canada over the last
 40 ten years.

DATED at St. John's, Newfoundland and Labrador, this 18th day of January, 2021.

Per:



Dennis Browne, Q.C.

Counsel for the Consumer Advocate

Terrace on the Square, Level 2, P.O. Box 23135

St. John's, Newfoundland & Labrador A1B 4J9

Telephone: (709) 724-3800

Telecopier: (709) 754-3800