

NEWFOUNDLAND AND LABRADOR  
**BOARD OF COMMISSIONERS OF PUBLIC UTILITIES**

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

*Hearing Transcript*

**Newfoundland and Labrador Hydro  
2017 General Rate Application**

**April 25, 2018**

**The Board:**

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

**Board Counsel/Staff:**

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

**Newfoundland and Labrador Hydro:**

Geoffrey Young, Counsel  
Alex Templeton, Counsel

**Witness/Witnesses**

Ms. Dawn Dalley, Vice-President of  
Regulatory Affairs and Corporate Affairs

**Newfoundland Power Inc.:**

Gerard Hayes, Counsel  
Liam O'Brien, Counsel

**Consumer Advocate:**

Dennis Browne, Q.C.

**Island Industrial Customers**

Dean Porter, Counsel  
Denis Fleming, Counsel

**Labrador Interconnected Group\***

Senwung Luk, Counsel

**Iron Ore Company of Canada\***

Benoit Pepin, Counsel

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

<p style="text-align: right;">Page 1</p> <p>1 (9:02 A.M.)</p> <p>2 CHAIR:</p> <p>3 Q. Good morning, everybody. I understand there</p> <p>4 are no preliminary matters, so I guess we</p> <p>5 can go straight to you, Mr. Browne.</p> <p>6 BROWNE, Q.C.:</p> <p>7 Q. Actually, there was one preliminary matter,</p> <p>8 Chair.</p> <p>9 CHAIR:</p> <p>10 Q. Oh, sorry.</p> <p>11 BROWNE, Q.C.:</p> <p>12 Q. Yesterday Hydro responded to an undertaking,</p> <p>13 an undertaking in reference to the Water</p> <p>14 Management Agreement, and I'd asked to</p> <p>15 clarify was there litigation concerning the</p> <p>16 Water Management Agreement, and in the</p> <p>17 transcript and quoting Hydro, "I had a</p> <p>18 conversation yesterday to confirm –</p> <p>19 conversation with Nalcor's counsel, and I</p> <p>20 can confirm what I said yesterday that there</p> <p>21 has been no litigation challenging the</p> <p>22 validity of the Water Management Agreement,</p> <p>23 and the Water Management Agreement hasn't</p> <p>24 been the subject of any litigation in any</p> <p>25 court". I have to challenge that</p>	<p style="text-align: right;">Page 3</p> <p>1 8, 2016, in which reference is specifically</p> <p>2 made to the Water Management Agreement and</p> <p>3 the importance of continuous energy coming</p> <p>4 out of the Churchill. There's one paragraph</p> <p>5 here and it talks about evidence presented</p> <p>6 by the then President of Nalcor, and of</p> <p>7 Hydro, I presume. The upshot of the</p> <p>8 exchange is "While Muskrat Falls can meet</p> <p>9 its production goals if the reservoirs in</p> <p>10 Churchill River are exploited the same way</p> <p>11 that they have been for the last 40 years.</p> <p>12 Mr. Martin is of the view that applying his</p> <p>13 interpretation of the renewed contract would</p> <p>14 be, to a certain point, guaranteed depending</p> <p>15 on water availability, of course, stability,</p> <p>16 and Muskrat Falls production". It goes on</p> <p>17 at considerable length and the final</p> <p>18 analysis and the upshot is that the Superior</p> <p>19 Court of Quebec granted Hydro Quebec's</p> <p>20 declaration. This is now subject to appeal</p> <p>21 in the Quebec Court of Appeal, and the</p> <p>22 Appellant is the Churchill Falls</p> <p>23 Corporation, and the Churchill Falls</p> <p>24 Corporation at paragraph 55, which it refers</p> <p>25 to the Judge's interpretation of the renewal</p>
<p style="text-align: right;">Page 2</p> <p>1 undertaking, and I refer Hydro to</p> <p>2 proceedings declared in the Quebec Court,</p> <p>3 which have ended up in the Superior Court of</p> <p>4 Quebec, between Hydro Quebec and Churchill</p> <p>5 Falls Labrador Corporation Limited, in which</p> <p>6 Hydro Quebec is seeking a declaration in</p> <p>7 reference to certain matters, and</p> <p>8 specifically in their declaration Hydro</p> <p>9 Quebec references – it refers to "Hydro</p> <p>10 Quebec has faced this new theory, new and</p> <p>11 unusual, taking cognizance of an application</p> <p>12 presented by Nalcor to the Board of</p> <p>13 Commissioners of Public Utilities, the PUB</p> <p>14 of Newfoundland. This request dated</p> <p>15 November 10, 2009, a copy which is</p> <p>16 communicated", and this has been translated</p> <p>17 from the French as P-11, "was the</p> <p>18 establishment of a Water Management</p> <p>19 Agreement on the Churchill River between</p> <p>20 Nalcor and CF(L)Co, and included statements</p> <p>21 containing Nalcor and rights of Hydro Quebec</p> <p>22 under the contract renewal". The matter</p> <p>23 went to the Superior Court of Quebec and a</p> <p>24 judgment by the Honourable Martin Castonguay</p> <p>25 of the Superior Court of Quebec dated August</p>	<p style="text-align: right;">Page 4</p> <p>1 contract, "In 2008/2009, Nalcor fabricated</p> <p>2 what the Trial Judge described as a new</p> <p>3 theory of the interpretation of the renewed</p> <p>4 contract. The theory was articulated for</p> <p>5 the first time in an application filed by</p> <p>6 Nalcor before the Newfoundland Board of</p> <p>7 Commissioners of Public Utilities for the</p> <p>8 approval of a Water Management Agreement on</p> <p>9 the Churchill River", and it goes on at</p> <p>10 considerable length. This is now subject to</p> <p>11 appeal, it's a live issue before the Quebec</p> <p>12 Court of Appeal. Hydro Quebec, to the best</p> <p>13 of my knowledge, has thus far not filed as</p> <p>14 Respondent. It has been set down by the</p> <p>15 Quebec Court of Appeal to be heard later</p> <p>16 this year, early 2019. My question to Hydro</p> <p>17 is can you please go back, re-examine your</p> <p>18 records and all involved, and please clarify</p> <p>19 for the Board that you still state that the</p> <p>20 Water Management Agreement has not been</p> <p>21 subject to litigation, and the validity of</p> <p>22 the Water Management Agreement hasn't been</p> <p>23 the subject of any litigation in any court.</p> <p>24 Thank you very much.</p> <p>25 CHAIR:</p>

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1 Q. Thank you, Mr. Browne.  
 2 MR. YOUNG:  
 3 Q. Thank you, Mr. Browne. Madam Chair, just on  
 4 that, when I did ask the question of  
 5 Nalcor’s counsel whether or not the Water  
 6 Management Agreement was the subject of  
 7 litigation, I was generally aware that it  
 8 had come up and I asked about that, but the  
 9 response I gave yesterday, I believe is  
 10 correct that the Water Management Agreement  
 11 itself and its validity haven’t been  
 12 challenged as such. It is part of the  
 13 evidence of a matter, on the continuous  
 14 energy matter that’s before the Quebec  
 15 Courts. A lot of things, I’m sure, are part  
 16 of the record on those matters, but that’s  
 17 not quite the same as someone having applied  
 18 to strike down the Water Management  
 19 Agreement, exactly what it is. I think  
 20 we’re into a semantic difference, and I’m  
 21 aware of the points that Mr. Browne raised  
 22 in a general way. So I don’t know if any  
 23 further clarification is needed. To some  
 24 extent, I think we can perhaps agree to  
 25 disagree on this because we do take the

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1 points taken from Mr. Browne that it has  
 2 come up in a hearing, but it is not engaged  
 3 directly as the issue to be litigated. I  
 4 don’t know if he would disagree with my  
 5 interpretation or my characterization of  
 6 that.  
 7 BROWNE, Q.C.:  
 8 Q. What I will do is I will file – I’ll  
 9 undertake to file these matters because I  
 10 think they are of some importance; the  
 11 Superior Court decision, the Quebec Court of  
 12 Appeal Factum filed by the Churchill Falls  
 13 Labrador Corporation, and the declarations  
 14 that Hydro is seeking. The end result of  
 15 all of this is the Water Management  
 16 Agreement, the ability of CF(L)Co to deal  
 17 with their dam in a matter of exchanging  
 18 water the way the Water Management Agreement  
 19 anticipates and the way they need for  
 20 Muskrat Falls has collapsed. That’s the end  
 21 result, and you can put whatever semantics  
 22 you want on it, but independent people who  
 23 have read it, and I’ve been familiar with it  
 24 for some time now, have come to that  
 25 conclusion, but people can come to their own

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1 conclusions based upon what you see exactly  
 2 and what was written by the Judge and the  
 3 declarations. Thank you very much.  
 4 CHAIR:  
 5 Q. Okay, thank you, Mr. Browne. You’ll file  
 6 those with the Board Secretary.  
 7 BROWNE, Q.C.:  
 8 Q. I will, thank you.  
 9 MS. GLYNN:  
 10 Q. We’ll note that as an undertaking on the  
 11 record.  
 12 (9:10 A.M. UNDERTAKING)  
 13 CHAIR:  
 14 Q. Are there any other matters? Thank you.  
 15 Mr. O’Brien, you can proceed with your  
 16 cross.  
 17 MR. O’BRIEN:  
 18 Q. Thank you, Madam Chair.  
 19 MS. DAWN DALLEY – CROSS-EXAMINATION BY MR. O’BRIEN:  
 20 Q. I wonder if we could bring up PUB-NLH-30,  
 21 Revision 1. I think that’s where we left  
 22 off, Ms. Dalley, and you had given us some  
 23 information regarding some 58 positions that  
 24 had been transferred to Nalcor from Hydro,  
 25 and I believe you had given us the rationale

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1 for the human resources position transfers.  
 2 I’m not sure I gave you the opportunity to  
 3 address safety, health, and environment. I  
 4 think that comes under your purview as well,  
 5 is that right?  
 6 MS. DALLEY:  
 7 A. Yes, that’s correct.  
 8 MR. O’BRIEN:  
 9 Q. Can you just give me – and I believe you  
 10 indicated as far as information services,  
 11 you couldn’t speak to that? Is that fair?  
 12 MS. DALLEY:  
 13 A. Yes, that’s fair.  
 14 MR. O’BRIEN:  
 15 Q. Maybe you can give me just a quick overview  
 16 of the logic behind the transfer of the  
 17 safety, health and environment FTEs?  
 18 MS. DALLEY:  
 19 A. Again those are positions that are the ones  
 20 that were transferred, with the exception of  
 21 the documents and records management  
 22 coordinator are specific to Nalcor work that  
 23 would have been done. So they would  
 24 continue to do Nalcor work. The document  
 25 and records management coordinator oversees

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1 the document management and the exchange  
 2 between the environmental management system  
 3 which we share. It's a common system with  
 4 Nalcor. So that is a role that sits in  
 5 Nalcor, but again manages both systems, so  
 6 that role would be contained within the  
 7 administration fee and we would pay, you  
 8 know, depending on the year, 55 to 60  
 9 percent of the cost of that individual. The  
 10 safety specialist/analyst and the co-op  
 11 position sitting in Nalcor are again roles.  
 12 Three of those roles are related to the  
 13 safety management, development of the safety  
 14 management system, and then the analytical  
 15 role works with our observation database  
 16 that we have for our safety observations.  
 17 So that individual would run reports and  
 18 records across all Nalcor and all entities,  
 19 plus run reports for us when we needed them  
 20 on analytics around safety.

21 MR. O'BRIEN:  
 22 Q. And is there – with respect to, let's say,  
 23 just the human resources and the safety,  
 24 health and environment FTE's, is there a  
 25 cost benefit analysis in terms of, or was

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1 there one done in terms of that transfer?  
 2 Would Hydro have saved any money with that  
 3 particular transfer when you back out, I  
 4 guess, the administrative fees that get  
 5 charged back?

6 MS. DALLEY:  
 7 A. No, we didn't do a formal cost benefit  
 8 analysis.

9 MR. O'BRIEN:  
 10 Q. Okay. Would you expect there'd be some  
 11 savings by transferring the full position  
 12 and just having a charge back, or would it  
 13 be one to one kind of a –

14 MS. DALLEY:  
 15 A. I would expect so. You know, an example of  
 16 that which I just spoke of, would be a  
 17 document and records management coordinator.  
 18 So that person is specialized in the EMS,  
 19 understands the environmental management  
 20 system, works directly with it. So if we  
 21 were to have that – we don't require that  
 22 full role, so would either be, you know,  
 23 merging it with another role, but this way  
 24 we can benefit, first of all, from the  
 25 coordination inside of the system, but also

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1 from that position being over and us paying  
 2 a portion of that role. The same kind of  
 3 idea with the safety analyst, you know, we  
 4 wouldn't require and don't require a full  
 5 time position, so that gives us the ability  
 6 to share that person, that individual's  
 7 role.

8 MR. O'BRIEN:  
 9 Q. I know you couldn't speak specifically to  
 10 the information services, but as head over  
 11 human resources, would you have been  
 12 consulted about those transfers, would you  
 13 have any input into that particular - the  
 14 transfer of those groups of individuals?

15 MS. DALLEY:  
 16 A. I think – say, two things. One as one of  
 17 the – well, for lack of a better word, like,  
 18 the co-leads that was responsible for  
 19 tweezing this out when we did it in 2016,  
 20 along with, you know, my counterpart at  
 21 Nalcor. We would have looked at those  
 22 positions and examined them, but from the  
 23 context of the information technology  
 24 certainly wouldn't be my expertise, but we  
 25 would have seen the organizational

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1 structure, talked through why it was  
 2 beneficial to have that over in Nalcor and  
 3 providing services to all the entities, and  
 4 then, you know, the component that would  
 5 have fallen to us to get that IT service  
 6 from Nalcor.

7 MR. O'BRIEN:  
 8 Q. During the last general rate hearing for  
 9 Hydro, there was a lot of discussion about  
 10 the matrix organization that was in place  
 11 with the Nalcor Group of Companies, and, I  
 12 guess, Hydro – that organization was touted  
 13 as cost effective for Hydro's customers, and  
 14 you mentioned that when you looked at the  
 15 re-org in 2016, you were part of, I guess, a  
 16 smaller team looking at some financial  
 17 impacts with the re-org, is that fair?

18 MS. DALLEY:  
 19 A. Yes.

20 MR. O'BRIEN:  
 21 Q. Okay. Was there any formal cost comparison  
 22 between the proposed re-org of Hydro and its  
 23 existence within the matrix? Did you do any  
 24 sort of cost comparison of that?

25 MS. DALLEY:

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1 A. Do you mean to look at the cost impacts of  
 2 making the change?  
 3 MR. O'BRIEN:  
 4 Q. Yeah, the overall cost impacts of making  
 5 that change.  
 6 MS. DALLEY:  
 7 A. Yes.  
 8 MR. O'BRIEN:  
 9 Q. Okay, and were you able to see whether or  
 10 not the re-organization would save money for  
 11 customers?  
 12 MS. DALLEY:  
 13 A. Yes, there's a cost to making the change,  
 14 and there's no doubt about that, and we've,  
 15 I believe, stated that on the record,  
 16 primarily the FTE cost that is transferred  
 17 over, but our assessment, which is – you  
 18 know, I think we spent a lot of time  
 19 discussing it, was that the impact of the  
 20 matrix organization and our ability to  
 21 execute and deliver to customers what is  
 22 expected of us from a reliability  
 23 perspective, and operationally, and indeed  
 24 I'll say that from a productivity cost  
 25 effective perspective, needs to come with a

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1 dedicated team in Hydro that are focused on  
 2 the hydro business, and we balanced the cost  
 3 effectiveness of that by again leaving some  
 4 things that we felt were more transactional  
 5 inside the administrative fee, but overall  
 6 we felt that this was the best solution for  
 7 us to deliver what we require to customers.  
 8 (9:15 A.M.)  
 9 MR. O'BRIEN:  
 10 Q. So on a long term basis, would you expect  
 11 that this was a little bit more costly than  
 12 Hydro's, I guess, structure, within the  
 13 matrix structure, but that on a balancing  
 14 with reliability was better for the  
 15 organization. Is that fair?  
 16 MS. DALLEY:  
 17 A. I think that's fair, but I'd also broaden it  
 18 to say it's not just reliability, it's the  
 19 focus across all aspects of the business,  
 20 and I think that some of the changes – you  
 21 know, Mr. O'Brien, it's fair to say that  
 22 this company has been in transition now for  
 23 a number of years. I think the Board  
 24 provided commentary on that in the last  
 25 hearing in the order, and naturally we're in

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1 it, so we see it as well, but the ability  
 2 for us to focus across the Board on all  
 3 aspects of delivery to customers is very  
 4 different with a focused team than it was  
 5 within the matrix organization. It's not to  
 6 say the matrix organization – it comes with  
 7 benefits, and cost is one of them because  
 8 you're sharing those resources, but you're  
 9 diluting your focus across a broad number of  
 10 companies, and this allows us to be – I  
 11 don't want to overextend this, but it's  
 12 laser like focus. We know exactly what  
 13 we're doing, you know, our matters are not  
 14 clouded by distraction, and I think we're on  
 15 a path to improvement as a result.  
 16 MR. O'BRIEN:  
 17 Q. Okay. You mentioned yesterday there was a  
 18 recent, I guess, efficiency obtained by  
 19 combining, say, the manager of customer  
 20 service with the manager of energy  
 21 efficiency into one position.  
 22 MS. DALLEY:  
 23 A. Yes.  
 24 MR. O'BRIEN:  
 25 Q. Has there been any other efficiencies like

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1 that obtained since you've started the  
 2 reorganization process that jumps to mind?  
 3 MS. DALLEY:  
 4 A. I can speak to mine.  
 5 MR. O'BRIEN:  
 6 Q. Okay.  
 7 MS. DALLEY:  
 8 A. And I will say that I think it's fair to say  
 9 that every witness that takes the stand will  
 10 be able to speak to some in their areas at  
 11 the executive level, because we're very  
 12 close to that process through what we call  
 13 the "gate-in process", but it's an FTE  
 14 management process that we've put in place  
 15 to allow us at a central level to look at  
 16 what resources are needed across the company  
 17 and shift resources in an efficient manner.  
 18 So within my own team, and again we're  
 19 trying to do this generally through  
 20 attrition because it's a good way to do it,  
 21 and we see enough retirements and turnover  
 22 that we're able to do it effectively through  
 23 that means. I had another position, Mr.  
 24 O'Brien, which was a meter shop supervisor,  
 25 so I had three supervisors reporting up to

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1 the customer service manager role, and when  
 2 that individual retired, we combined that  
 3 with technical services and collapsed those  
 4 two roles together. I was able to take that  
 5 FTE and use it right now for a short term  
 6 role, so we've maintained it for a couple of  
 7 years to help with some of the customer  
 8 service improvements we've made; process  
 9 improvements, process reviews, the  
 10 implementation of a new customer information  
 11 system, the Hydro account, et cetera, et  
 12 cetera. So that individual has stayed on  
 13 for a period of transition to help us on  
 14 some of the new systems, but that role, I  
 15 believe, is ending, I think it's June of  
 16 this year. So that role then will be  
 17 eliminated.

18 MR. O'BRIEN:  
 19 Q. In terms of, say, those efficiencies that  
 20 you talked about, are they built into the  
 21 test year cost, like, any savings that you  
 22 would have garnered by that?

23 MS. DALLEY:  
 24 A. I think you'll see that primarily in - not  
 25 necessarily in two places, but I want to

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1 make it clear that the productivity  
 2 allowance that we've spoke of, which again,  
 3 I think, Ms. Hutchens can speak to a little  
 4 more than me, is really not about FTE's and  
 5 vacancies, but the reason we were able to,  
 6 I'll say, with a fair degree of confidence  
 7 in settlement reduce the salary budget, and  
 8 increase the vacancy, was because we've got  
 9 tight controls in that process now, and they  
 10 can always be better, so I don't want to  
 11 give the illusion - this is a continuous  
 12 improvement process which we will work  
 13 through, but we have very tight controls  
 14 over that. So when we see those things come  
 15 through, you're going to see them through  
 16 the vacancy and the reduction of FTE's.

17 MR. O'BRIEN:  
 18 Q. Okay, so you expect that to reduce over time  
 19 vacancies on an annual basis?

20 MS. DALLEY:  
 21 A. I think what we've committed to now is to  
 22 hold flat through 2018 and 2019, and we have  
 23 already demonstrated that through the first  
 24 quarter of 2019 (sic). We did some  
 25 conversions of some embedded consultants in

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1 engineering, and you looked at the - again  
 2 Mr. Gardiner can speak to the work that  
 3 they're doing, but he put forward a business  
 4 case around converting some of those  
 5 embedded consultants to provide support for  
 6 ongoing capital programs, and so we  
 7 converted those through existing vacancies  
 8 that we had achieved, so that there was no  
 9 gain over those. Those are now onboard. So  
 10 just another example of the tools, I guess,  
 11 and the methodology that we're using to try  
 12 and maintain cost for customers.

13 MR. O'BRIEN:  
 14 Q. And that's the first quarter of 2018, is it,  
 15 that you've done that?

16 MS. DALLEY:  
 17 A. Yes.

18 MR. O'BRIEN:  
 19 Q. Okay. I wonder if we can bring up NP-NLH-  
 20 026, please. This is just a little bit of a  
 21 follow-up from our discussion yesterday  
 22 about the creation of, I think it was, one  
 23 of the supports that - the executive  
 24 assistant that you have in the executive  
 25 group works for all executives, is that

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1 right?

2 MS. DALLEY:  
 3 A. That's correct.

4 MR. O'BRIEN:  
 5 Q. And in this particular RFI there's some  
 6 questions about - there's a question about  
 7 the creation of the dedicated and separate  
 8 executive team and some costs around  
 9 separate support functions for Hydro, and  
 10 there's an indication here in the response  
 11 that the creation of separate support  
 12 functions impacted Finance, Communication,  
 13 Human Resources, Safety Health and  
 14 Environment, Engineering Services, and  
 15 Information and Operations Technology, and  
 16 that there's a cost of 2.1 million. I  
 17 wonder if you could tell us whether or not  
 18 those are labour costs or they're a  
 19 combination of costs?

20 MS. DALLEY:  
 21 A. It's been a while since I've looked at that,  
 22 Mr. O'Brien, and I know that analysis was  
 23 done by Finance, so Ms. Hutchens would be  
 24 the best person to speak to the detail.

25 MR. O'BRIEN:

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1 Q. Okay, that's fine, I'll do that. Thank you,  
 2 and just quickly getting back to the  
 3 reorganization structure, I'm wondering –  
 4 and we talked about some reduction, some  
 5 possible reductions in cost from some  
 6 efficiencies that you've noted. Mr. Haynes  
 7 testified that there's a plan to review the  
 8 structure in 2018. Will you be part of that  
 9 review process?  
 10 MS. DALLEY:  
 11 A. Yes.  
 12 MR. O'BRIEN:  
 13 Q. And do you know whether or not there's a  
 14 terms of reference for that, or is there a  
 15 plan as to how that's going to unfold?  
 16 MS. DALLEY:  
 17 A. Not yet. We're scoping that out right now.  
 18 MR. O'BRIEN:  
 19 Q. Okay, and is there anything in mind right  
 20 now in terms of what changes you will be  
 21 looking at, or is this just going to be  
 22 you'll look at that in the future as to -  
 23 MS. DALLEY:  
 24 A. I think Mr. Haynes either alluded to or  
 25 spoke to some of the areas where we've, I'll

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1 say, had some eye to. One is eligible  
 2 retirements, so where we see positions that  
 3 will be coming up and creating a potential  
 4 opportunity. We've also had again very high  
 5 level overviews of the organizational  
 6 structure and charts to look at  
 7 opportunities where we may see spans of  
 8 control or levels that we'll look at in the  
 9 organization. These are things that we want  
 10 to be, I'll say, thoughtful and systematic  
 11 about versus making a change that may have  
 12 an impact that we don't wish to have. So  
 13 the plan is to do that in consultation and  
 14 coordination with each executive through the  
 15 course of this year, and we see it not as a  
 16 wholesale change because the changes we've  
 17 made to date have been of that nature, but  
 18 we do expect to see the ability to, if I can  
 19 use the word "tweak" or shift things where  
 20 we may see workloads requiring some shift.  
 21 So it's at that level.  
 22 MR. O'BRIEN:  
 23 Q. Is the review driven by cost considerations  
 24 or is it driven by effectiveness of the  
 25 organization, or both?

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1 MS. DALLEY:  
 2 A. I think it's those things. I would say the  
 3 primary driver is cost, and we're also  
 4 looking at the opportunity for efficiencies  
 5 inside of that as well.  
 6 MR. O'BRIEN:  
 7 Q. Okay. I wonder if we can bring up PUB-NLH-  
 8 026. I just wanted to ask you about some  
 9 measures to evaluate the effectiveness of  
 10 the organizational structure, and Hydro was  
 11 asked that in this RFI.  
 12 MS. DALLEY:  
 13 A. Yes.  
 14 MR. O'BRIEN:  
 15 Q. So I just wanted to take you through that,  
 16 and you've indicated the goal of a new  
 17 organizational structure is to look at  
 18 independence for Hydro, and if we could  
 19 scroll down, some of the examples of  
 20 measures Hydro is going to use to evaluate  
 21 the effectiveness of the new organizational  
 22 structure, there's a number of measures  
 23 there that are outlined here. For safety  
 24 and performance, are there any particular  
 25 measures you're going to look at to see how

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1 they tie in with the organizational  
 2 structure and how that's effective?  
 3 MS. DALLEY:  
 4 A. I think the overall objective of any  
 5 organizational structure is to actually  
 6 support the objectives of the business. So  
 7 what we've laid out here is the objectives  
 8 of the business are how we measure ourselves  
 9 across the board. So whether it's safety,  
 10 customer service, reliability, if we see  
 11 some impacts in those measures and we're  
 12 able to assess that the organizational  
 13 structure is not supporting either our  
 14 achievement of those objectives or is  
 15 impacting any of those objectives, we would  
 16 look to make an appropriate change.  
 17 MR. O'BRIEN:  
 18 Q. Okay, and any particular measures or would  
 19 you just be looking at these particular  
 20 areas and assuming if there's something  
 21 that's dropping, then maybe it's related to  
 22 the organizational structure, or how would  
 23 you sort of tweeze that out?  
 24 MS. DALLEY:  
 25 A. I don't think I'd use the word "assume".

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1 MR. O'BRIEN:  
 2 Q. Okay.  
 3 MS. DALLEY:  
 4 A. Because I think that would be presumptuous,  
 5 but I think that organizational structure is  
 6 something that we would assess on an ongoing  
 7 basis, and assess against the goals and  
 8 objectives which are laid out in the  
 9 corporate planning process.  
 10 MR. O'BRIEN:  
 11 Q. And this would be part of, I assume, your  
 12 review in 2018, you'll be looking at these  
 13 particular areas too?  
 14 MS. DALLEY:  
 15 A. Yes, if we see areas where performance is an  
 16 issue, we will look to the organizational  
 17 structure as a potential contributor to  
 18 that, but there are many other factors as  
 19 well, obviously.  
 20 MR. O'BRIEN:  
 21 Q. Is there any plan to keep the Board informed  
 22 of this particular review?  
 23 MS. DALLEY:  
 24 A. We certainly can.  
 25 MR. O'BRIEN:

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1 Q. And let me ask you, to date have you  
 2 identified any specific negative impacts  
 3 from the reorganization that you can think  
 4 of?  
 5 MS. DALLEY:  
 6 A. I can't think of any off the top of my head,  
 7 and it's been a very active discussion about  
 8 the organizational structure as we've  
 9 shifted, so nothing fundamentally has been  
 10 brought to my attention, but again this  
 11 review may look at that and may see  
 12 something.  
 13 MR. O'BRIEN:  
 14 Q. Okay, and in terms of the goals here to have  
 15 an independent Hydro really as much as you  
 16 can from Nalcor, that seems to be the  
 17 approach here, for now we've heard that at  
 18 least in areas of compensation and  
 19 performance payments, there's still some  
 20 input from Nalcor on the compensation  
 21 committee. Are there any other areas where  
 22 Nalcor still has input in the operations of  
 23 Hydro?  
 24 (9:30 A.M.)  
 25 MS. DALLEY:

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1 A. At a policy level and a shared policy level,  
 2 it's predominantly – it's probably the  
 3 policy framework to some degree overall, so  
 4 we would try and share common policies, and  
 5 we've had very good discussion about this,  
 6 and I expect – I'll say the philosophy or  
 7 the principles that we've adopted are, you  
 8 know, Hydro is to be consulted and engaged  
 9 in any policy changes that are made that  
 10 impact the company, and we are. So we're  
 11 actively involved in those discussions. The  
 12 principle that we have, and there's some  
 13 work happening in Nalcor to structure a  
 14 policy, if I could say, review group that  
 15 will do that, of which Hydro is an active  
 16 participant. I'm on that group or expected  
 17 to be. The other principle that we've held  
 18 to is that if Hydro requires a policy that  
 19 is not on Nalcor's radar or schedule, then  
 20 we can do that, and I can give two specific  
 21 examples of that. As part of a shift to  
 22 increase performance management, we've  
 23 implemented a probationary policy which was  
 24 not in place that I'm aware of previously.  
 25 So that probation policy and process is now

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1 in place for Hydro. As well, we've  
 2 implemented an attendance support program,  
 3 which I think Mr. Haynes spoke to briefly,  
 4 which comes with a requisite policy as well,  
 5 and that is, I'll say, for now a Hydro only  
 6 policy, which the parent company may adopt,  
 7 but for us those were two things which were  
 8 priorities for us. We also have the ability  
 9 inside of the policies to amend and adopt,  
 10 you know, if they've got a policy that we  
 11 can adopt, a Hydro specific policy, which is  
 12 adapted for our requirements and our needs.  
 13 So that's, I'll say, the principles and  
 14 philosophy that we're taking through the  
 15 policy development, which we feel  
 16 comfortable with, and honestly it's  
 17 something like compensation, we have a lot  
 18 of input, but generally we're looking to  
 19 find that common spot where it works for  
 20 everyone.  
 21 MR. O'BRIEN:  
 22 Q. And in terms of – leaving that last point in  
 23 terms of compensation, you'd agree with me,  
 24 I guess, as a regulated entity, there's more  
 25 of a focus on at least cost concern than

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1                   you'd see in a private entity like Nalcor,  
 2                   is that fair?  
 3    MS. DALLEY:  
 4            A.    I'm going to say yes, but I'm also going to  
 5                   caveat that with the shareholder is  
 6                   providing a high degree of scrutiny inside  
 7                   of the parent company as well via the  
 8                   Auditor General, the Board, so there is a  
 9                   scrutiny to cost happening there right now,  
 10                  but certainly the level of reporting and  
 11                  oversight that we have through the  
 12                  regulatory process is – I can't compare them  
 13                  because I'm not familiar or engaged in the  
 14                  other side of it, but I think it's fair to  
 15                  say that there is an immense focus on cost  
 16                  here.  
 17    MR. O'BRIEN:  
 18            Q.    Okay, and is there – and you mentioned about  
 19                   modifying some policies. So you're  
 20                   satisfied that Hydro does have the power to  
 21                   modify some of those shared policies to the  
 22                   extent they may require modification, so  
 23                   that they fit with the regulatory entity?  
 24    MS. DALLEY:  
 25            A.    Absolutely.

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1    MR. O'BRIEN:  
 2            Q.    Okay. Are there any examples you can come  
 3                   up with where that has actually happened to  
 4                   date, or is that –  
 5    MS. DALLEY:  
 6            A.    Well, I just gave two around the specific  
 7                   policies which we created, which were not –  
 8    MR. O'BRIEN:  
 9            Q.    Oh, no, I mean modified policies.  
 10   MS. DALLEY:  
 11           A.    Oh, modified.  
 12   MR. O'BRIEN:  
 13           Q.    A policy that might be modified. I  
 14                  understood what you said about creating.  
 15   MS. DALLEY:  
 16           A.    No, not yet.  
 17   MR. O'BRIEN:  
 18           Q.    Okay, all right. I'm going to shift the  
 19                  focus a little bit here just to talk about  
 20                  your role with regulatory affairs, and is it  
 21                  fair for me to say that you would have been  
 22                  the main person sponsoring the rate case?  
 23   MS. DALLEY:  
 24           A.    Yes.  
 25   MR. O'BRIEN:

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1            Q.    As head over regulatory affairs, and that  
 2                  department would put together the case that  
 3                  we see before us?  
 4   MS. DALLEY:  
 5            A.    That's correct.  
 6   MR. O'BRIEN:  
 7            Q.    And Mr. Haynes testified that he relies on  
 8                  you and your regulatory department in terms  
 9                  of rate strategy, is that fair?  
 10   MS. DALLEY:  
 11           A.    That's correct.  
 12   MR. O'BRIEN:  
 13            Q.    Did you have any strategic direction from  
 14                  Mr. Haynes in terms of how to approach this  
 15                  rate case?  
 16   MS. DALLEY:  
 17           A.    I wouldn't say that specifically, but Mr.  
 18                  Haynes and myself would have discussed the  
 19                  approach and how we were doing it, and to be  
 20                  fair, it's a fairly – I see this as a fairly  
 21                  collaborative process where – I'll say,  
 22                  collaborative with decisions where the  
 23                  executive at various points when we were  
 24                  developing certainly the case and the  
 25                  evidence, and what we would bring forward,

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1                   were engaged as well.  
 2   MR. O'BRIEN:  
 3            Q.    Before I get into some of the cost, I did  
 4                  want to talk about the off-island purchases  
 5                  deferral account and its genesis.  
 6   MS. DALLEY:  
 7            A.    Sure.  
 8   MR. O'BRIEN:  
 9            Q.    It's something that Mr. Haynes has  
 10                  acknowledged was kind of a unique type of a  
 11                  deferral account. Would you agree with me  
 12                  that the rate case itself was kind of  
 13                  wrapped up in this deferral account to a  
 14                  certain degree?  
 15   MS. DALLEY:  
 16           A.    I think it's fair to say I was dreaming  
 17                  about that last night. Indeed it is.  
 18   MR. O'BRIEN:  
 19            Q.    I think we all were.  
 20   MS. DALLEY:  
 21            A.    Yeah.  
 22   MR. O'BRIEN:  
 23            Q.    So this account would be to allow Hydro to  
 24                  collect rates on the basis of an isolated  
 25                  island system, that's fair, right?

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1 MS. DALLEY:  
 2 A. That's correct.  
 3 MR. O'BRIEN:  
 4 Q. And even though it's anticipated that the  
 5 Labrador Island Link would be in service by  
 6 mid 2018. So the proposals aren't strictly  
 7 based on the expected cost of service, is  
 8 that fair?  
 9 MS. DALLEY:  
 10 A. That's correct.  
 11 MR. O'BRIEN:  
 12 Q. Okay, and really, I mean, we've sat here and  
 13 discussed a fair bit with Mr. Haynes. This  
 14 is largely about rate mitigation, the way  
 15 this was put together, the rate case, is  
 16 that fair?  
 17 MS. DALLEY:  
 18 A. That's how we approached it, yes.  
 19 MR. O'BRIEN:  
 20 Q. Okay. How was it that rate mitigation  
 21 itself and that concept became such a focus  
 22 for Hydro when it put together this  
 23 particular rate case, as opposed to the last  
 24 rate case?  
 25 MS. DALLEY:

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1 A. I've heard the saying recently which says,  
 2 "how do you extract the milk from the tea",  
 3 and this might indeed be one of those. You  
 4 know, I think we've known for some time what  
 5 the impacts that are coming to customers as  
 6 a result of Muskrat Falls coming online, and  
 7 as those discussions started to coalesce,  
 8 you know, Hydro started looking at what role  
 9 do we have and what can we do, and I don't  
 10 remember an exact light bulb moment, Mr.  
 11 O'Brien, where that would have, you know,  
 12 oh, my God, this is an opportunity, but I  
 13 think we've had very active discussion about  
 14 what we could do, and then this is what  
 15 resulted in our proposal.  
 16 MR. O'BRIEN:  
 17 Q. And when you say "our proposal", are you  
 18 able to tell me who came up with the idea of  
 19 the off-island purchases deferral account?  
 20 MS. DALLEY:  
 21 A. I'll say, unfortunately, I think I just  
 22 answered that, but, no, I really don't know.  
 23 MR. O'BRIEN:  
 24 Q. All Right, and you don't recall around what  
 25 time you first started discussing that

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1 particular proposal, this type of a deferral  
 2 account? One thing to talk about rate  
 3 mitigation, but one thing to talk  
 4 differently about this particular type of  
 5 proposal, do you recall when that came up?  
 6 MS. DALLEY:  
 7 A. I'm going to give you what I would say is my  
 8 best guess.  
 9 MR. O'BRIEN:  
 10 Q. Okay, that's all I can ask you for.  
 11 MS. DALLEY:  
 12 A. Which I would think would have been early in  
 13 2017, or late 2016. It was in the  
 14 development of again the rate case and what  
 15 we were going to bring forward, and what  
 16 opportunities we saw for – again one might  
 17 call it rate mitigation, could probably  
 18 slice and dice rate mitigation and rate  
 19 smoothing. I think this is something where  
 20 indeed it has been pointed out, customers  
 21 are paying in advance for something and  
 22 getting that back, so it's more like rate  
 23 smoothing.  
 24 MR. O'BRIEN:  
 25 Q. And did you have any idea when you first

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1 started talking about this rate smoothing  
 2 thought sort of as to what targets you might  
 3 have wanted to look towards in terms of how  
 4 much money may be necessary in the future to  
 5 put aside?  
 6 MS. DALLEY:  
 7 A. I think it's probably again, unfortunately,  
 8 a question that might have been best suited  
 9 for Mr. Haynes, because there are  
 10 discussions happening on rate mitigation  
 11 which I'm not engaged with. So I think we're  
 12 very aware of the quantum that is required  
 13 to achieve what we believe the government  
 14 has laid out as a target rate that they feel  
 15 is acceptable, and then the question is,  
 16 again which Mr. Haynes, I think, spoke to  
 17 very well, is what are the options that are  
 18 available to get us there, and we felt that  
 19 the deferral account was a mechanism, and I  
 20 think we've been fairly clear not the only  
 21 mechanism, but the mechanism that we put  
 22 forward which we felt was reasonable to try  
 23 and help and achieve that.  
 24 MR. O'BRIEN:  
 25 Q. Okay, I'll ask you about that in just a

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1 second, but I think you jumped right into my  
 2 next question. Mr. Haynes had talked about  
 3 a rate mitigation committee, and I'm  
 4 assuming from your answer, you were not  
 5 privy to that – not part of that committee,  
 6 is that fair?  
 7 MS. DALLEY:  
 8 A. I'm not part of that committee.  
 9 MR. O'BRIEN:  
 10 Q. And did you have any discussions with  
 11 government personally or with any Nalcor  
 12 personnel about how to put together this  
 13 rate case from a rate mitigation  
 14 perspective?  
 15 MS. DALLEY:  
 16 A. No. I think from the government  
 17 perspective, we would have kept them  
 18 informed as to what we were putting forward.  
 19 MR. O'BRIEN:  
 20 Q. And your regulatory affairs department, did  
 21 that play any role in terms of support for  
 22 the rate mitigation committee?  
 23 MS. DALLEY:  
 24 A. I do know that we provide information as  
 25 required if it's requested of us, but I

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1 don't think we're an active participant in  
 2 the rate mitigation committee unless  
 3 requested. So again we may provide some  
 4 analysis, but I'm not that familiar with  
 5 what is happening on the rate mitigation  
 6 committee at a detailed level.  
 7 MR. O'BRIEN:  
 8 Q. Okay, so when you say in terms of "provide  
 9 as requested", there may be some analysis of  
 10 information. Would there have been any  
 11 request of your department to provide  
 12 options for rate mitigation per se?  
 13 MS. DALLEY:  
 14 A. Again not that I'm aware of, but it's a good  
 15 question for Mr. Fagan.  
 16 MR. O'BRIEN:  
 17 Q. Okay.  
 18 MS. DALLEY:  
 19 A. I think my direction overall, and our  
 20 direction, is to be helpful where we can. So  
 21 if there's information required, we will  
 22 provide it.  
 23 MR. O'BRIEN:  
 24 Q. Do you know if the off-island purchase  
 25 deferral account was put in front of the

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1 rate mitigation committee as an option?  
 2 MS. DALLEY:  
 3 A. I would assume so, but again I'm not at the  
 4 committee, so I'm not familiar with the  
 5 agendas or what happens. I've had some  
 6 discussions with Mr. Haynes about it, but,  
 7 you know, as a matter of update.  
 8 MR. O'BRIEN:  
 9 Q. Okay, and let me ask you just in terms of  
 10 when you started putting together this  
 11 particular rate case, I got the impression  
 12 that would have been late 2016, early 2017,  
 13 is that a fair timeline?  
 14 MS. DALLEY:  
 15 A. Yes, I think that's fair.  
 16 MR. O'BRIEN:  
 17 Q. And so at that point, what sort of  
 18 visibility did you have in terms of forecast  
 19 rate increases once Muskrat Falls would come  
 20 online?  
 21 MS. DALLEY:  
 22 A. I would have had the same information which  
 23 would have been publicly available.  
 24 MR. O'BRIEN:  
 25 Q. Okay. So this information we spoke to Mr.

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1 Haynes about in terms of the 22 cents per  
 2 kilowatt hour, you would have had that  
 3 information available to you?  
 4 MS. DALLEY:  
 5 A. When that was made available, yes.  
 6 MR. O'BRIEN:  
 7 Q. And that was made available, from what we  
 8 could see, in June of 2017. I don't know if  
 9 there's any information behind that. Do you  
 10 recall before that?  
 11 MS. DALLEY:  
 12 A. I think that's the public presentation.  
 13 MR. O'BRIEN:  
 14 Q. Yes, that's right.  
 15 MS. DALLEY:  
 16 A. Which Mr. Marshall did, yes.  
 17 MR. O'BRIEN:  
 18 Q. Okay, so before that – so if that's June of  
 19 2017, what information would you have had  
 20 when you started looking at this rate case?  
 21 MS. DALLEY:  
 22 A. That is the information we would have had.  
 23 MR. O'BRIEN:  
 24 Q. But that was June 23, 2017 document. You  
 25 started the rate case back in –

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1 MS. DALLEY:  
 2 A. 2016.  
 3 MR. O'BRIEN:  
 4 Q. Did you have the exact same information at  
 5 that point?  
 6 MS. DALLEY:  
 7 A. I think we would have had some quantum of  
 8 where rates were going. I don't know the  
 9 detail of that.  
 10 MR. O'BRIEN:  
 11 Q. Okay, all right, and do you recall was it in  
 12 the same area?  
 13 MS. DALLEY:  
 14 A. Pardon?  
 15 MR. O'BRIEN:  
 16 Q. Do you recall whether it was the same  
 17 amount?  
 18 MS. DALLEY:  
 19 A. I don't.  
 20 MR. O'BRIEN:  
 21 Q. And maybe if we could just quickly bring up  
 22 IC-NLH-122, attachment 1, page 19. Is it  
 23 page 19, yes, okay, can we scroll down to  
 24 the next page, sorry. Yes, this one here.  
 25 So, this is the table that we spoke to Mr.

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1 Haynes about. And that includes the current  
 2 estimate as of June of 2017 at 22.89 cents a  
 3 kilowatt hour for 2021. I take it you  
 4 wouldn't have seen this particular table  
 5 when you started putting together the rate  
 6 case, if that fair?  
 7 MS. DALLEY:  
 8 A. I don't recall, but whether or not we have  
 9 used earlier tables which would have had an  
 10 order of magnitude, we may have. I recall  
 11 having a meeting with Investment Evaluation  
 12 who are developing this on the Nalcor side,  
 13 but unfortunately I don't recall the timing  
 14 of that.  
 15 MR. O'BRIEN:  
 16 Q. Okay. And there's a—if you look below in  
 17 the first column there, there's a previous  
 18 estimate of 21.37 cents a kilowatt hour.  
 19 So, I presume this was an update from that  
 20 previous estimate. So, do you know whether  
 21 or not your seen a previous document similar  
 22 to this?  
 23 MS. DALLEY:  
 24 A. That's what I'm thinking, that it's the  
 25 previous document that I'm anchoring to.

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1 (9:45 a.m.)  
 2 MR. O'BRIEN:  
 3 Q. Okay. And in terms of the background behind  
 4 those figures, would you have had any  
 5 visibility into how those figures got  
 6 calculated?  
 7 MS. DALLEY:  
 8 A. The figures around the previous estimate and  
 9 the current estimate?  
 10 MR. O'BRIEN:  
 11 Q. Yes, either the 22 cents or 21 cents a  
 12 kilowatt hour, would you have had any  
 13 background as to how they were calculated?  
 14 MS. DALLEY:  
 15 A. No, I have, what I would have say is a  
 16 general understanding of, I guess, at a high  
 17 level, how they were calculated and what was  
 18 included.  
 19 MR. O'BRIEN:  
 20 Q. Okay. And when you said you had some  
 21 discussions with Investment Group, who would  
 22 that have been with?  
 23 MS. DALLEY:  
 24 A. I'm mentally walking through the room to try  
 25 to—I can remember the room I was in. It

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1 would have been, I think, Mr. Jones and I  
 2 don't recall who else was there.  
 3 MR. O'BRIEN:  
 4 Q. Okay. In terms of the approval here that  
 5 Hydro is looking for, in terms of some rate  
 6 mitigation, this deferral account really is  
 7 looking for an approval for rate mitigation  
 8 steps for the future. Would you agree with  
 9 me that it's incumbent on Hydro to put  
 10 sufficient evidence regarding this timing  
 11 and the anticipated rate increases, in other  
 12 circumstances that might be relevant before  
 13 the Board can make a determination as to  
 14 what's necessary and how much should be put  
 15 aside?  
 16 MS. DALLEY:  
 17 A. Do you mean from an end goal perspective?  
 18 MR. O'BRIEN:  
 19 Q. Partially from an end goal, but also from a—  
 20 the circumstances that the Board needs to  
 21 look at and the circumstances as to where  
 22 rates are going to be in the future in order  
 23 to allow the Board to determine how much  
 24 money needs to be put away and how we do  
 25 that to avoid rate shock. Hydro needs to

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1 put sufficient evidence on the record for  
 2 that.  
 3 MS. DALLEY:  
 4 A. I think our perspective on that is that we  
 5 are in an intensely challenging time which  
 6 is to be more challenging. And we know that  
 7 it's a period of immense uncertainty as well  
 8 and in the, I guess, in the presence of that  
 9 uncertainty we're looking to assist  
 10 customers as to what will be an inevitable  
 11 end state and, you know, a portion of that  
 12 which we can contribute to. So, I feel it  
 13 is incumbent upon us to bring forward yes,  
 14 the evidence for the Board to make a  
 15 decision. I think we respect and understand  
 16 that this is a complex matter and that what  
 17 we proposed, we feel is a reasonable  
 18 outcome. And I think with reference to the  
 19 expert evidence to support that outcome,  
 20 it's—and again, the experts can speak to  
 21 that better than I can. We do think the  
 22 proposal is reasonable, but we also  
 23 appreciate that there are other  
 24 considerations that need to be made and  
 25 that's why it's an important matter to have

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1 before the Board.  
 2 MR. O'BRIEN:  
 3 Q. Has Hydro found it challenging trying to  
 4 find some evidence based projections or some  
 5 additional information from Nalcor in order  
 6 to put that before the Board to make these  
 7 determinations? Has there been any road  
 8 blocks put from Hydro in that regard?  
 9 MS. DALLEY:  
 10 A. I don't believe so. I mean, again, that's—  
 11 you know, we've got the projections which  
 12 are public. I think if we felt we needed  
 13 more information, we would request that.  
 14 And I don't think there would be an issue.  
 15 MR. O'BRIEN:  
 16 Q. Has Hydro requested any further information  
 17 from Nalcor?  
 18 MS. DALLEY:  
 19 A. I think within the context of—again, until  
 20 the final costs on the project are  
 21 determined, you know, again we're in a  
 22 period of uncertainty. So, the estimates  
 23 that are publically available now are the  
 24 estimates under which today is the best  
 25 available information that we have are what

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1 we see coming down the road.  
 2 MR. O'BRIEN:  
 3 Q. Has Hydro attempted to develop any of its  
 4 own projections in terms of rate estimates  
 5 in the future?  
 6 MS. DALLEY:  
 7 A. No.  
 8 MR. O'BRIEN:  
 9 Q. And why is that? Is it just that you're not  
 10 privy to the information from Nalcor in  
 11 order to do that?  
 12 MS. DALLEY:  
 13 A. Now, I thin—you know, there are cases where  
 14 we have looked at and been requested to look  
 15 at specific, I guess, rate projections. So,  
 16 that would be, I think, a fairly  
 17 collaborative environment between our rates  
 18 team as well as the investment evaluation  
 19 team. So, I think with the level of  
 20 granularly that you might be looking for,  
 21 Mr. Fagan can speak to specifics of  
 22 different scenarios they may have worked on,  
 23 any input we've had with respect to that.  
 24 Again on a day-to-day basis, we're all  
 25 trying to row in the same direction. So,

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1 we're not being—I guess we've being  
 2 available to provide information and I think  
 3 that the Nalcor folks are doing the same.  
 4 MR. O'BRIEN:  
 5 Q. Did Hydro make any inquiries of government  
 6 concerning its plans for rate mitigation in  
 7 the next few years?  
 8 MS. DALLEY:  
 9 A. I think that Mr. Haynes spoke to the process  
 10 that government had put in place with the  
 11 rate committee.  
 12 MR. O'BRIEN:  
 13 Q. Are you aware of any other discussions or  
 14 were you party to any discussions in that  
 15 regard?  
 16 MS. DALLEY:  
 17 A. I don't believe so, no.  
 18 MR. O'BRIEN:  
 19 Q. Okay. And one of the questions of Mr.  
 20 Haynes from Ms. Greene was whether or not he  
 21 felt it was reasonable without the full  
 22 pieces of the government's own mitigation  
 23 strategy, would it be reasonable or  
 24 difficult for the Board to consider the  
 25 appropriateness of any rate mitigation

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1 proposal? Would you agree with that?

2 MS. DALLEY:

3 A. I think that it certainly presents a

4 challenge and I think we are appreciative of

5 that challenge. Our principle that we

6 brought forward on this is this is a

7 reasonable proposal that we felt it was

8 incumbent upon Hydro to, you know, at this

9 time before too much more time elapsed as we

10 travelled down because your opportunity to

11 act is getting shorter and shorter. So, we

12 wanted to put something forward in this rate

13 case which assisted and that customers would

14 be, you know, saving and again putting that—

15 the Board had discretion over when those

16 funds were returned to customers and at what

17 time. So, we didn't presume to take that on

18 in that detail; we left that open to this

19 forum and the discussion.

20 MR. O'BRIEN:

21 Q. In terms of alternatives, so Hydro had

22 developed the concept of the off-island

23 purchase deferral account. In terms of

24 other options, what options did you look at

25 for rate mitigation purposes? Perhaps you

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1 can lay that out for us.

2 MS. DALLEY:

3 A. We had some very, I'll say, certainly high

4 level discussions about the concept of a

5 rider. And again we looked at this option

6 because of some of the uncertainty coming

7 into 17 and what time the line would be in;

8 how much fuel would we be expected

9 contribute. I recall looking at the high

10 level estimates and it was really holding

11 rates steady to what the customer, at that

12 time, understood, at this time, I guess

13 would understand and know. So, we thought

14 it was a reasonable proposal, but yes, we

15 looked at other jurisdictions and I think

16 there's some evidence on the record, for

17 example, of a Manitoba case.

18 MR. O'BRIEN:

19 Q. Right, okay. And when you say, at high

20 level talked about a rider. On what basis

21 did you put that aside as a reasonable

22 option as opposed to put it forward as one

23 from the Board to choose from?

24 MS. DALLEY:

25 A. I think that, and again, I don't recall the

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1 exact discussion and I do think that Mr.

2 Fagan and the evidence that we have on

3 record from the experts speaks to what we

4 see as reasonable inside of the proposal

5 that we've put forward. But once we made

6 the determination to move forward which was—

7 I mean, we tested, I guess is probably the

8 way to think about it. You know, when we

9 looked at the deferral account, you know,

10 was there a consideration for, you know,

11 putting again, a rider on? I don't recall a

12 detailed discussion about it, but it was a,

13 I guess, an option that we would have

14 discussed. I recall discussing it, but Mr.

15 Fagan might be able to speak to the details

16 of the benefits to that or the other option.

17 MR. O'BRIEN:

18 Q. And I wondering whether you can give us your

19 opinion on whether or not you feel that the

20 off-island purchases deferral account is

21 going to make any sort of significant dent

22 in rates, whatever money is put aside from

23 that, once Muskrat Falls comes on line?

24 MS. DALLEY:

25 A. I think that it is one piece, but the

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1 Muskrat—the quantum required for Muskrat

2 Falls is significant. And that this is one

3 small contribution to that climb.

4 MR. O'BRIEN:

5 Q. Mr. Haynes gave some evidence concerning a

6 focus and I think this arose out of the rate

7 mitigation committee, a focus on trying to

8 mitigate rates down to an 18 cents per

9 kilowatt hour range. Does that figure sound

10 –

11 MS. DALLEY:

12 A. It's 17/18 cents, yes.

13 MR. O'BRIEN:

14 Q. And that's a figure you're familiar with?

15 MS. DALLEY:

16 A. Yes.

17 MR. O'BRIEN:

18 Q. Okay. And when did you first hear of that

19 kind of a figure?

20 MS. DALLEY:

21 A. I can't recollect that.

22 MR. O'BRIEN:

23 Q. And was that something that you were looking

24 at when you were putting together the off-

25 island purchases deferral account or even

Page 53

1 the rate case itself?

2 MS. DALLEY:

3 A. Again, it's a matter of timing, so I don't

4 know specifically but I would expect that we

5 understood at a high level and even looking

6 to the exhibit which you've got on the

7 screen now, the previous estimate would of

8 have a fairly significant gap between

9 today's rates. So, I think it's fair to say

10 we would have appreciated what the order of

11 magnitude was of the change.

12 MR. O'BRIEN:

13 Q. And do you recall any direction about trying

14 to work towards those figures, 17/18 cents

15 for mitigation purposes?

16 MS. DALLEY:

17 A. No, again that may have been a discussion

18 that Mr. Haynes –

19 MR. O'BRIEN:

20 Q. At a higher level.

21 MS. DALLEY:

22 A. - yeah.

23 MR. O'BRIEN:

24 Q. May I ask you, if the deferral account isn't

25 approved, where does that leave Hydro with

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1 respect to the rate case as it's filed?

2 MS. DALLEY:

3 A. My assessment would be that part of that,

4 naturally, is before the Board, but we've

5 also put forward the expected supply

6 scenario which starts to outline what the

7 other case would be.

8 MR. O'BRIEN:

9 Q. So, would you expect that if the deferral

10 account is not approved, that's where we

11 would move to consideration of the expected

12 supply scenario?

13 MS. DALLEY:

14 A. I think that's a reasonable assumption.

15 MR. O'BRIEN:

16 Q. Okay. Under the expected supply scenario,

17 does that include recovery of or payment of

18 O&M costs for Nalcor for operating the

19 Labrador Island Link?

20 MS. DALLEY:

21 A. That is a good question, Mr. O'Brien, which

22 I should know, having reviewed the expected

23 supply, but it is escaping me right now, but

24 I will be happy to confirm that for you.

25 MR. O'BRIEN:

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1 Q. I'll ask you to do that. In terms of –

2 MS. GLYNN:

3 Q. Will we note that as an undertaking?

4 MR. O'BRIEN:

5 Q. Sure.

6 MS. GLYNN:

7 Q. Thank you.

8 (9:57 a.m. – UNDERTAKING)

9 MR. O'BRIEN:

10 Q. And I guess one of the reasons I ask you

11 that question is is that part of the off-

12 island purchase deferral account obviously

13 is a set off of O&M costs versus whatever

14 savings from recall power, is that fair?

15 MS. DALLEY:

16 A. Yes.

17 MR. O'BRIEN:

18 Q. Savings at Holyrood. So, I want to talk

19 just briefly about, sort of, how practical

20 this type of deferral account might turn out

21 to be in the long run. So, Mr. Haynes has

22 testified to this as well and we have an

23 understanding that in terms of how much

24 recall power might be available from the

25 CF(L)Co. block. It's somewhere in the range

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1 I think he said 307 megawatts, somewhere in

2 that area.

3 MS. DALLEY:

4 A. In total you mean?

5 MR. O'BRIEN:

6 Q. In total there, yeah.

7 MS. DALLEY:

8 A. Yeah, you have to take away the Labrador

9 load.

10 MR. O'BRIEN:

11 Q. And you take away your Labrador load and it

12 was somewhere in the range of 110 and 115

13 maybe megawatts available on peak, is that

14 fair?

15 MS. DALLEY:

16 A. I believe that –

17 MR. O'BRIEN:

18 Q. Sorry, off peak.

19 MS. DALLEY:

20 A. - is what Mr. Haynes spoke to, yes, it's

21 over the year it changes and over the day.

22 MR. O'BRIEN:

23 Q. Right. And in the grand scheme of things,

24 the purchases from Maritime Link really

25 aren't expected to offset too much costs

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1 compared to Holyrood, are they?  
 2 MS. DALLEY:  
 3 A. I think the, yes, the assessment we have  
 4 today is that there maybe—it would be energy  
 5 available, but it would be, whether you want  
 6 to say non-fixed or economy energy  
 7 available, whether that transpires into  
 8 something else.  
 9 MR. O'BRIEN:  
 10 Q. Yes, it wouldn't the same kind of a savings.  
 11 Has Hydro looked at other options like  
 12 purchases from Hydro Quebec over the  
 13 Labrador Island Link?  
 14 MS. DALLEY:  
 15 A. I'm not familiar with that, so that's a good  
 16 discussion for you to have with Ms. Williams  
 17 about what the plans are for supply.  
 18 MR. O'BRIEN:  
 19 Q. Now, is it possible that from the  
 20 availability of recapture, if that goes  
 21 down, that this deferral account might  
 22 actually cost taxpayers, or ratepayers'  
 23 money.  
 24 MS. DALLEY:  
 25 A. I think that our position on that generally

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1 is that that is always probable, but  
 2 unlikely.  
 3 MR. O'BRIEN:  
 4 Q. You mean always possible and unlikely.  
 5 MS. DALLEY:  
 6 A. Possible, sorry, not probable.  
 7 MR. O'BRIEN:  
 8 Q. I just wanted to make sure, okay.  
 9 MS. DALLEY:  
 10 A. Thank you.  
 11 MR. O'BRIEN:  
 12 Q. Because the feasibility of this whole sort  
 13 of approach depends on the availability of  
 14 the recapture power, that's fair?  
 15 MS. DALLEY:  
 16 A. It does and the ability to supplement on top  
 17 of that.  
 18 MR. O'BRIEN:  
 19 Q. An increased load in Labrador that could  
 20 result in a reduction of what's available,  
 21 is that fair?  
 22 MS. DALLEY:  
 23 A. It could and I think that's a matter of  
 24 timing which Mr. Haynes spoke to yesterday,  
 25 that there's constraints on the Labrador

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1 system which will prevent load growth at  
 2 some significance. Again, I don't have the  
 3 details.  
 4 MR. O'BRIEN:  
 5 Q. Has the regulatory group done any analysis  
 6 on that?  
 7 MS. DALLEY:  
 8 A. Of?  
 9 MR. O'BRIEN:  
 10 Q. On, sort of, what possible constraints there  
 11 might be on the availability of recapture  
 12 power?  
 13 MS. DALLEY:  
 14 A. I believe our estimates inside of the  
 15 deferral account were based on what we  
 16 understood the scenarios to be considering  
 17 the current load forecast which would take  
 18 into consideration what we see for load  
 19 growth that's possible inside of the  
 20 Labrador system.  
 21 MR. O'BRIEN:  
 22 Q. Now, I understand that that forecast  
 23 availability doesn't take into account the  
 24 possible requirements of Wabush Mines in  
 25 2019 or even 2018, is that fair?

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1 MS. DALLEY:  
 2 A. I don't believe that's correct, but we could  
 3 confirm that.  
 4 MR. O'BRIEN:  
 5 Q. Can you confirm that?  
 6 MS. DALLEY:  
 7 A. If that is in the current load forecast,  
 8 then that would have been considered –  
 9 MR. O'BRIEN:  
 10 Q. Can I get an undertaking to confirm that?  
 11 MS. DALLEY:  
 12 A. Yes.  
 13 MS. GLYNN:  
 14 Q. We'll note that on the record.  
 15 (10:00 – UNDERTAKING)  
 16 MR. O'BRIEN:  
 17 Q. And we spoke with Mr. Haynes about this  
 18 point as well, just in terms of there being  
 19 a multiple of applications for power for  
 20 data centres in Labrador. Is that something  
 21 that you are familiar with?  
 22 MS. DALLEY:  
 23 A. Yes.  
 24 MR. O'BRIEN:  
 25 Q. Who handles those requests? Is it handled

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1                   in your department in any way?

2 MS. DALLEY:

3           A.     It is. We actually have our key account

4                   manager fielding those requests. So, we've

5                   taken the approach to centralize them so

6                   that we have consistent approach to them and

7                   we're able to consolidate that information.

8                   So, the key account manager has been

9                   involved in every request for data centres.

10                  And in some cases I've been personally

11                  involved as well from a customer

12                  perspective.

13 MR. O'BRIEN:

14           Q.     And that's Mr. Coish, is it?

15 MS. DALLEY:

16           A.     It is.

17 MR. O'BRIEN:

18           Q.     Okay. And so you've centralized those

19                   requests. Are you able to give us an idea

20                   as to, sort of, how much firm capacity is

21                   being requested right now?

22 MS. DALLEY:

23           A.     Sure, and I will say that, I think we have

24                   13 megawatts in service today. I think our

25                   requests are 272, 275. It's quite

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1                   significant.

2 MR. O'BRIEN:

3           Q.     Yes. And those requests, how are they

4                   handled, sort of, from a timing perspective?

5                   Mr. Haynes talked about the possibility of

6                   there being an 18 month to two-year sort of

7                   gap from a request to being in service.

8 MS. DALLEY:

9           A.     This is a – you know.

10 MR. O'BRIEN:

11           Q.     It's the best information you can give us on

12                  that?

13 MS. DALLEY:

14           A.     Yeah. It depends on where the request is

15                   located. So, if it's in Labrador West

16                   versus Labrador East because load profiles

17                   are specific to those areas and if it

18                   requires – and I think this is what Mr.

19                   Haynes was speaking to – you know, we're

20                   certainly constrained in Labrador West and I

21                   can't say that this is a scenario, by the

22                   way, that Hydro has found itself in before

23                   where we actually have a lineup of requests

24                   and I think Mr. Haynes spoke to we're not

25                   alone from a jurisdictional standpoint on

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1                   this matter. But we've got requests, yes,

2                   backed up in – and I say this lightly, but

3                   in a queue because we have to take a first-

4                   come, first-serve approach, but all those

5                   customers are aware that we cannot serve

6                   that load without some construction or some

7                   alternative supply. It would be

8                   transmission constraints or in some cases,

9                   supply constraints, and that has to follow a

10                  process and that process will take time and

11                  they've been told that it could be 18 to 24

12                  months, maybe longer, depending on what the

13                  alternatives and solutions are.

14 MR. O'BRIEN:

15           Q.     And is that the case for all of the

16                   customers when they require significant

17                   capital expense in order to provide that

18                   load or are there some customers that can be

19                   given that load right now or relatively

20                   soon?

21 MS. DALLEY:

22           A.     No, I don't think there are any requests in

23                   the queue, and again, I'm almost positive

24                   there are no requests standing right now

25                   that don't require some kind of

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1                   construction. Actually, no, let me back up

2                   on that, because we – it's an intriguing

3                   process to deal with data centres and I can

4                   put it that way. So, they'll come in and

5                   say "we'd like 100 megawatts" and we'll say

6                   "we don't have that and here's what it will

7                   take to get it" and they'll say "well, what

8                   do you have?" and we'll say, you know, pick

9                   your number, six, five, four, three, two,

10                  one and they will – we've literally – it's

11                  almost like a negotiation, "how about ten?"

12                  Well, we don't have ten. How about eight?

13                  We don't have eight. How about six, two,

14                  one?" you know. So, they're very aggressive

15                  is what I would say, maybe assertive. I

16                  mean, everyone's polite, but you know, they

17                  have a business case that clearly is

18                  compelling to them and they are willing to

19                  flex and bend to what we are able to

20                  deliver.

21                  So, we do have a customer in Labrador

22                  West now who is at that kind of stage where,

23                  you know, based on where they want to

24                  locate, based on the distribution system,

25                  the transmission constraints, future load

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1 constraints, we've told them that we can  
 2 serve them at 7.75 megawatts and that is  
 3 what they are pursuing. We've also told  
 4 them that they – you know, so that's active  
 5 today that we're looking at serving that  
 6 customer.  
 7 It is a strange time and a strange  
 8 predicament to be in because, you know, we  
 9 do feel that we have an obligation to serve,  
 10 but at the same time, we understand that the  
 11 pressure and constraints all around on the  
 12 system itself, but plus on the off-island  
 13 deferral account.  
 14 MR. O'BRIEN:  
 15 Q. I understand that, and I think it's  
 16 intriguing for all of us, I mean, that  
 17 scenario in which you've got so many  
 18 applications and they'll take whatever you  
 19 can give. Our concern, I guess, at this  
 20 point, and maybe you can help us with this,  
 21 is sort of if we're looking at a 2018-2019  
 22 test year, to what extent will there be any  
 23 impact from those centres in terms of the  
 24 availability of recall and are you able to  
 25 provide us a little more information, even a

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1 summary in terms of what's there as being  
 2 requested, what's anticipated as being made  
 3 available within those test years?  
 4 MS. DALLEY:  
 5 A. Yes, I would say, based on the information  
 6 we have today -  
 7 MR. O'BRIEN:  
 8 Q. Could you do that?  
 9 MS. DALLEY:  
 10 A. - we should be able to provide that. Again,  
 11 these things are – the data centres are very  
 12 – it's very fluid, you know. I'd have to  
 13 ask Robert, but you know, he gets multiple  
 14 calls probably daily or close to daily. The  
 15 rate structure is such in Labrador that it  
 16 is very attractive to data centres.  
 17 (10:07 a.m. UNDERTAKING)  
 18 MR. O'BRIEN:  
 19 Q. And so, could you look into that for us; to  
 20 provide an undertaking to provide some  
 21 information that would outline sort of how  
 22 much you have – you in turn, I think you  
 23 said 275 or 272 to 275 megawatts in terms of  
 24 requests right now outstanding?  
 25 MS. DALLEY:

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1 A. Yes.  
 2 MR. O'BRIEN:  
 3 Q. Can you give us an idea as to which ones are  
 4 likely to be filled within the two test  
 5 years -  
 6 MS. DALLEY:  
 7 A. I understand, based on the existing  
 8 constraints and -  
 9 MR. O'BRIEN:  
 10 Q. - and when, just so we can get an idea.  
 11 MS. DALLEY:  
 12 A. - possible construction timelines.  
 13 MR. O'BRIEN:  
 14 Q. Exactly.  
 15 MS. DALLEY:  
 16 A. Yeah.  
 17 MS. GLYNN:  
 18 Q. The undertaking is noted.  
 19 MR. YOUNG:  
 20 Q. Yes, I think we understand that, yeah.  
 21 MS. DALLEY:  
 22 A. Yeah, I have a good sense of that.  
 23 MR. O'BRIEN:  
 24 Q. Okay.  
 25 MS. DALLEY:

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1 A. And again, the only thing I will say is the  
 2 flexibility of data centres, not just on  
 3 size, but on location, is also quite  
 4 astounding. So, if we say, you know – they  
 5 want a spot in Happy Valley-Goose Bay and -  
 6 MR. O'BRIEN:  
 7 Q. They'll take it.  
 8 MS. DALLEY:  
 9 A. - there are constraints, they'll say "well,  
 10 what about Churchill Falls?" and we talk  
 11 about the constraints there and they say  
 12 "what about" – they'll go anywhere.  
 13 MR. O'BRIEN:  
 14 Q. Yeah, yeah.  
 15 MS. DALLEY:  
 16 A. So, based on – that's based on the best  
 17 available information we have for people  
 18 that we're engaged with.  
 19 MR. O'BRIEN:  
 20 Q. Yeah, and that's our concern. I understand  
 21 Hydro's position in terms of you feel you  
 22 have a duty to serve, so the applications  
 23 are there. You have to follow through with  
 24 the applications. So, we just want to get  
 25 an idea as to how that might affect the

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1 availability of recall power.  
 2 MS. DALLEY:  
 3 A. I understand.  
 4 MR. O'BRIEN:  
 5 Q. In terms of – again, back to the O&M costs  
 6 for the Labrador Island Link. If there is a  
 7 scenario whereby Hydro is getting close to  
 8 having not enough recall power to make it  
 9 financially feasible to draw down on that  
 10 recall power – you understand what I'm  
 11 saying in terms of if you had to pay for the-  
 12 the-  
 13 MS. DALLEY:  
 14 A. Oh, yes.  
 15 MR. O'BRIEN:  
 16 Q. - operating and maintenance costs, as well  
 17 as – and offset that versus what possible  
 18 savings there. Would Hydro draw down recall  
 19 power at all or would you draw it down to a  
 20 negative?  
 21 MS. DALLEY:  
 22 A. You mean the account itself?  
 23 MR. O'BRIEN:  
 24 Q. Yeah. So, the customers would owe money.  
 25 MS. DALLEY:

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1 A. It's a good question that I don't recall  
 2 discussing.  
 3 MR. O'BRIEN:  
 4 Q. Okay. And so there's no protocols in place  
 5 as to how Hydro would address that?  
 6 MS. DALLEY:  
 7 A. You mean to see if it was backstopped  
 8 essentially?  
 9 MR. O'BRIEN:  
 10 Q. Yeah.  
 11 MS. DALLEY:  
 12 A. Not that I recall.  
 13 MR. O'BRIEN:  
 14 Q. Okay.  
 15 MS. DALLEY:  
 16 A. And again, that's not to say that there  
 17 wouldn't have – Mr. Fagan, I think, and Ms.  
 18 Williams would have some detail on that.  
 19 MR. O'BRIEN:  
 20 Q. Yeah, and I think Mr. Haynes had sort of  
 21 talked about there being some sort of  
 22 threshold, the possibility of a threshold or  
 23 breakeven point where you'd have to consider  
 24 is it cost effective to continue with  
 25 recall.

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1 MS. DALLEY:  
 2 A. I think it certainly makes sense, you know.  
 3 Our objective wouldn't be to put customers  
 4 in a position where this was – put them at  
 5 some harm.  
 6 MR. O'BRIEN:  
 7 Q. Yeah. And in the event that recall power is  
 8 not determined to be cost effective, so it's  
 9 not drawn down, would Hydro expect to pay  
 10 O&M costs for Nalcor without having received  
 11 service?  
 12 MS. DALLEY:  
 13 A. I think if the economics changed such that  
 14 it wouldn't make sense, I don't see how we  
 15 could.  
 16 MR. O'BRIEN:  
 17 Q. Okay. What would happen – yeah, so even if  
 18 it changed after a few months and the  
 19 economics changed, would that whole scenario  
 20 stop, in terms of payment of O&M costs and  
 21 recall?  
 22 MS. DALLEY:  
 23 A. I haven't been party to those discussions,  
 24 Mr. O'Brien, so I do think it's a good  
 25 question and I think it's a good question

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1 for Mr. Fagan in the context of the account  
 2 and Mr. Haynes may have had discussions at  
 3 the, you know, mitigation committee where  
 4 it's cross Nalcor as well about what those  
 5 discussions may have been.  
 6 MR. O'BRIEN:  
 7 Q. Okay. I just had a couple of questions on  
 8 rates in general before I get into some of  
 9 the costs and some budget issues. Mr.  
 10 Haynes had testified that due to the lower  
 11 market rates for excess power from Muskrat  
 12 Falls, in fact that the cost of the project  
 13 must be recovered through rates charged to  
 14 customers on the Island Interconnected  
 15 System. It's in the customers' best  
 16 interest that the sale of electricity from  
 17 Muskrat Falls on the Island be maximized.  
 18 MS. DALLEY:  
 19 A. That is the structure of the commercial  
 20 agreements as I understand them, from a unit  
 21 cost perspective.  
 22 MR. O'BRIEN:  
 23 Q. So, is Hydro looking at any options to  
 24 realize that goal and sort of how you would  
 25 maximize sales?

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1 MS. DALLEY:  
 2 A. And I can't recall if Mr. Haynes mentioned  
 3 that, but I understand that that is a  
 4 discussion at the rate mitigation committee  
 5 level.  
 6 MR. O'BRIEN:  
 7 Q. Oh, is it? Okay. In this GRA, Hydro hasn't  
 8 proposed any change to Newfoundland Power's  
 9 wholesale rate design, and I understand  
 10 Hydro has filed a motion with the Board to  
 11 have that issue – to have the issue raised  
 12 by the Consumer Advocate's expert regarding  
 13 that design, among other issues addressed in  
 14 the cost of service hearing in the fall.  
 15 MS. DALLEY:  
 16 A. Yes.  
 17 MR. O'BRIEN:  
 18 Q. Why does Hydro believe that's the preferable  
 19 approach to deal with it?  
 20 MS. DALLEY:  
 21 A. I think we think that's the – discussions  
 22 again that I've had with Mr. Fagan is that's  
 23 the correct forum for it to be dealt with  
 24 and Mr. Fagan could speak to it in more  
 25 detail.

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1 MR. O'BRIEN:  
 2 Q. Okay. I wonder if we could change just to  
 3 have some discussion about budget process in  
 4 general.  
 5 MS. DALLEY:  
 6 A. Sure.  
 7 MR. O'BRIEN:  
 8 Q. Could we bring up PUB-NLH-51, Attachment 1?  
 9 This appears to be the Newfoundland and  
 10 Labrador Hydro guidelines for budgets 2017  
 11 through to 2019. I believe Mr. Haynes  
 12 indicated that's the only real written  
 13 budget guidelines used by Hydro to establish  
 14 annual budgets. Is that fair?  
 15 MS. DALLEY:  
 16 A. Those are the process and key dates, yeah,  
 17 as noted.  
 18 MR. O'BRIEN:  
 19 Q. Okay. But he also indicated there was some  
 20 verbal directions in terms of how – of the  
 21 preparation of budgets. Can you tell us  
 22 sort of how the process involved – what kind  
 23 of verbal directions do you get from him, in  
 24 terms of putting together budgets?  
 25 MS. DALLEY:

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1 A. I don't recall the discussion around – with  
 2 Mr. Haynes, but I do recall the direction  
 3 that I gave to my team.  
 4 MR. O'BRIEN:  
 5 Q. Sure, yeah, okay.  
 6 MS. DALLEY:  
 7 A. Which was to hold the budget flat, absorb  
 8 any structural increases that came through  
 9 and if there were situations outside of that  
 10 where they could not do that, then they were  
 11 to – we were to talk through that and it had  
 12 to come with justification.  
 13 (10:15 a.m.)  
 14 MR. O'BRIEN:  
 15 Q. So, when you say "hold it flat" that's no  
 16 inflationary increase whatsoever?  
 17 MS. DALLEY:  
 18 A. No.  
 19 MR. O'BRIEN:  
 20 Q. Okay. And is that a normal process for  
 21 Hydro to hold budgets flat?  
 22 MS. DALLEY:  
 23 A. I think there's been a lot of variability  
 24 over the last number of years that I've been  
 25 aware of.

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1 MR. O'BRIEN:  
 2 Q. So, those are the directions you give your  
 3 team. Is that fair?  
 4 MS. DALLEY:  
 5 A. Yes.  
 6 MR. O'BRIEN:  
 7 Q. Okay. And you're responsible for all of the  
 8 departments we looked at yesterday under  
 9 Corporate Services and Regulatory Affairs.  
 10 Do you look at any – as the individual, I  
 11 guess, responsible for Human Resources, are  
 12 you responsible for labour budgets for all  
 13 Hydro?  
 14 MS. DALLEY:  
 15 A. We've centralized that process, so yes.  
 16 MR. O'BRIEN:  
 17 Q. Okay.  
 18 MS. DALLEY:  
 19 A. But again, the budgets are built up from a  
 20 resource perspective through the various  
 21 departments, but then that would – and I  
 22 spoke to this – I think I mentioned it  
 23 yesterday and Mr. Haynes talked about it as  
 24 well – the centralized process that we have  
 25 in place for oversight management control of

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1 the salaries budget, the FTE budget.  
 2 MR. O'BRIEN:  
 3 Q. And that's the committee, is it, the  
 4 compensation committee, or is that it a  
 5 different process?  
 6 MS. DALLEY:  
 7 A. No, I'm speaking of the process that the  
 8 Hydro executive have in place.  
 9 MR. O'BRIEN:  
 10 Q. Okay. So, in terms of building up the  
 11 budget, it starts at the bottom in terms of  
 12 management puts together what they need. Is  
 13 that based on a work plan?  
 14 MS. DALLEY:  
 15 A. It's slightly the opposite.  
 16 MR. O'BRIEN:  
 17 Q. Okay.  
 18 MS. DALLEY:  
 19 A. So, the HR compensation team would send out  
 20 essentially the FTEs, meaning the positions,  
 21 to the requisite business unit managers to –  
 22 as part of their budget, so they are aware.  
 23 Again, we have a very – I think we've put in  
 24 place very tight controls over it. So,  
 25 managers essentially don't control their

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1 operating budgets. They control the work  
 2 that's being done, but they have to justify  
 3 their budgets. So, they look at those  
 4 position IDs or the positions they have that  
 5 had been in and they have to justify either  
 6 remove those positions or if they're adding  
 7 positions, then that needs to come through  
 8 the budget process with justification up  
 9 through their executive and then across to  
 10 us and then we would consider that inside of  
 11 the – again, what we call the gate-in  
 12 session, but the FTE management session.  
 13 MR. O'BRIEN:  
 14 Q. Okay. So, in terms of the first step,  
 15 that's from your level or the centralized  
 16 level to send out FTEs to management in each  
 17 department?  
 18 MS. DALLEY:  
 19 A. That's correct.  
 20 MR. O'BRIEN:  
 21 Q. And how do you determine those FTEs? Is  
 22 that based on what was there the year  
 23 before?  
 24 MS. DALLEY:  
 25 A. Yeah, they would be taken from the existing

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1 in place and then they would have to justify  
 2 whether those were required for the coming  
 3 year.  
 4 MR. O'BRIEN:  
 5 Q. And how do you come up with it at that level  
 6 in terms of if there are movements, say, in  
 7 2016 when there was a movement out to Nalcor  
 8 for certain individuals, that was done at  
 9 the reorg process, but is there any move –  
 10 any discussion at the higher level as to  
 11 reduction in FTEs before it goes out to  
 12 management?  
 13 MS. DALLEY:  
 14 A. You mean are we asking people to take ten  
 15 percent of their budgets gone?  
 16 MR. O'BRIEN:  
 17 Q. Exactly. Do you do anything like that?  
 18 MS. DALLEY:  
 19 A. No, it's built up from the work that is  
 20 required and the justification for the work  
 21 planning. So, that comes through the budget  
 22 process through the various executives and  
 23 then that is justified across, but in – I  
 24 guess it's justified at each divisional  
 25 level and then that would be discussed by

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1 the executive through the budget review  
 2 process if there were any new budgeted  
 3 positions or unbudgeted positions, whether  
 4 those would be gated through or allowed.  
 5 MR. O'BRIEN:  
 6 Q. And maybe I'm misunderstanding. I  
 7 understood on your earlier evidence that the  
 8 starting process would be that the executive  
 9 would send out to the management "here's  
 10 what your FTEs are".  
 11 MS. DALLEY:  
 12 A. Right.  
 13 MR. O'BRIEN:  
 14 Q. "You come back to us now and tell us whether  
 15 or not you need any more or any less and  
 16 we'll – and you'll have to justify that".  
 17 Is that how that works?  
 18 MS. DALLEY:  
 19 A. Yeah, I think that's fair.  
 20 MR. O'BRIEN:  
 21 Q. Okay, all right. And do you, before you  
 22 send it out, do you look at it to say – at  
 23 the executive level to say "we need to cut  
 24 down on FTEs before we even go out to  
 25 management" and say "you need to do this now

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1 with ten percent less FTEs this year” or one  
 2 percent less FTEs or some kind of an  
 3 analysis like that?  
 4 MS. DALLEY:  
 5 A. I think that’s – it’s a good question, Mr.  
 6 O’Brien, and I can understand why you’re  
 7 asking that. I think the approach that  
 8 we’re taking is, I’ll say, more thoughtful  
 9 and judicious in how we’re approaching it.  
 10 So, each – every position that is filled, so  
 11 not just retirements, but extensions, any  
 12 turnover, anyone who has taken another  
 13 position inside of the company, each  
 14 position comes for discussion about whether  
 15 that position is to be refilled or not and  
 16 those are active discussions. So, to give  
 17 you some – the Board some context around  
 18 this, in 2017, about half of those positions  
 19 that were requested were filled. So, there  
 20 is a high degree of scrutiny which happens  
 21 at the executive level on an ongoing basis  
 22 as to whether roles are required and whether  
 23 they will impact reliability or, you know,  
 24 our ability to deliver on the objectives  
 25 that we’ve laid out.

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1 MR. O'BRIEN:  
 2 Q. And is that part of the gate-in process?  
 3 MS. DALLEY:  
 4 A. Yes.  
 5 MR. O'BRIEN:  
 6 Q. Okay. And maybe I'll ask you to walk me  
 7 through sort of exactly how that process  
 8 works, the gate-in process. What does it –  
 9 what kind of rigours are involved with that?  
 10 MS. DALLEY:  
 11 A. Sure. There's a process laid out where we  
 12 have a lead inside of the Hydro HR team that  
 13 manages and oversees that. So,  
 14 administratively, she would reach out to the  
 15 various business unit owners. We do the  
 16 gate-ins now -- we were doing them biweekly  
 17 and we're now doing them monthly, and we've  
 18 got a process in place where managers will  
 19 submit their requisitions. They're giving –  
 20 they understand that justification needs to  
 21 be presented and they're expected to have  
 22 had discussions with their requisite  
 23 executives if they're bringing a position  
 24 forward. And those positions are then –  
 25 again, we have a process and tool in place,

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1 such a spreadsheet, but those things are  
 2 brought forward and we look at the budget  
 3 impacts of the requests that are being made  
 4 and then again discuss the justification. I  
 5 think it's fair to say that it's a very – I  
 6 almost want to say terse, to be fair. You  
 7 know, we have a great working relationship  
 8 as a team, but there is a lot of pushback in  
 9 that meeting and there are people that – you  
 10 know, there's a lot of questioning done, a  
 11 lot of scrutiny put in positions right  
 12 across the board and that gives us the  
 13 ability and the flexibility to determine  
 14 whether or not we can make do with one less  
 15 resource in a particular area. And if we  
 16 have a situation, for example, where we're  
 17 seeing terminals taking on more work but may  
 18 see less in lines, we're able to adjust  
 19 those FTEs on a very dynamic basis through  
 20 the year or not fill positions as a result,  
 21 and that includes temporaries, and the  
 22 resource charts are provided from an  
 23 operational perspective around the various  
 24 trades to determine whether or not we can  
 25 flex and bend the work. So, it's a very

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1 active discussion and then the outputs from  
 2 that are then put through the system.  
 3 MR. O'BRIEN:  
 4 Q. Okay. And I just had a couple of questions  
 5 to follow up on your answer there. The  
 6 first one is whether or not you were a part  
 7 of those meetings, of monthly meetings. Are  
 8 you involved in those?  
 9 MS. DALLEY:  
 10 A. Yes.  
 11 MR. O'BRIEN:  
 12 Q. Okay. And is this gate-in process, is that  
 13 something that's different than how Hydro  
 14 handled say staffing and FTEs back in 2015?  
 15 MS. DALLEY:  
 16 A. Yes.  
 17 MR. O'BRIEN:  
 18 Q. Okay. And who brought that process into  
 19 play? Is that something that you brought in  
 20 yourself of –  
 21 MS. DALLEY:  
 22 A. Mr. MacIsaac.  
 23 MR. O'BRIEN:  
 24 Q. Mr. MacIsaac did, okay. And has it allowed  
 25 Hydro to keep a handle on or to manage the

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1 number of FTEs that it's working with better  
 2 than it did before?  
 3 MS. DALLEY:  
 4 A. In my opinion, yes.  
 5 MR. O'BRIEN:  
 6 Q. Okay. So, in terms of the budget itself,  
 7 just putting FTEs aside, in terms of labour  
 8 costs, how is that handled at the budget  
 9 level? Is that handled at a higher level  
 10 with the Compensation Committee or is that  
 11 handled at a budget level as well for both?  
 12 MS. DALLEY:  
 13 A. I had—yeah, it's a good question.  
 14 MR. O'BRIEN:  
 15 Q. Yes.  
 16 MS. DALLEY:  
 17 A. I think Mr. Haynes touched on this  
 18 yesterday, but we would have discussions  
 19 between, you know, whether it's myself and  
 20 Human Resources and Nalcor, my compatriot  
 21 or, you know, our HR managers, but we would  
 22 have discussions about the compensation's  
 23 team's results. We do a general market  
 24 survey annually. It's fair to say that the  
 25 last couple of years have been—we've

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1 understood the constraints and we're seeing  
 2 that in the market. I think we've had some  
 3 fairly—and whether or not it was written  
 4 direction or not, but you know, the  
 5 government has given clear direction to all  
 6 the crowns that there is an expectation  
 7 around cost control that dovetails with  
 8 what—certainly from the Hydro executive  
 9 team, what we see as our mandate anyway, but  
 10 we would have taken that—had those  
 11 discussions at, I'll say the staff or  
 12 management level around compensation  
 13 results, and then, aligned on the  
 14 recommendations to take to the Compensation  
 15 Committee of the Board which at this point  
 16 is a Nalcor Compensation Committee of the  
 17 Board. And those recommendations would be  
 18 put forward to the Nalcor Board as well as  
 19 the Hydro Board for approval. And then  
 20 subsequently, those would be worked into the  
 21 budgets if approved.  
 22 MR. O'BRIEN:  
 23 Q. And are those worked in as recommendations?  
 24 In other words, is Hydro able to modify  
 25 those once you get them back from the

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1 committee?  
 2 MS. DALLEY:  
 3 A. If we had concerns about what was being  
 4 brought forward to the committee, we would  
 5 make those concerns known to the committee.  
 6 So, that process is really done up front  
 7 versus on the back end of it.  
 8 MR. O'BRIEN:  
 9 Q. Okay. And in terms of labour costs and  
 10 inflation, is it—does Hydro seek to maintain  
 11 labour increases at inflationary levels or –  
 12 MS. DALLEY:  
 13 A. I don't know the—yeah.  
 14 MR. O'BRIEN:  
 15 Q. I know you said flat earlier, but I'm  
 16 wondering whether or not inflation comes  
 17 into it when it comes to labour costs.  
 18 MS. DALLEY:  
 19 A. I think that at this point, and again, this  
 20 is one of the items that consider to be  
 21 somewhat of an evolution for us and for  
 22 Hydro. What's important from a compensation  
 23 perspective at this time in the structure  
 24 that we have is that we're first on  
 25 principle aligned with what Nalcor is doing.

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1 There's a degree of exchange that happens  
 2 between our employees as they move between  
 3 the various entities. So, from a  
 4 compensation perspective we are cognizant  
 5 that we don't want to create inequities  
 6 inside the company. Then, yes, we would  
 7 look to the market to see what was happening  
 8 in the market from a market survey  
 9 perspective. And I think we filed the, I  
 10 believe, the last results in an RFI, but  
 11 then, we would also have consideration to  
 12 what was happening in the local market. So,  
 13 we haven't made a determination long term,  
 14 whether it's to maintain it at an  
 15 inflationary level, but that is a point of  
 16 discussion which I expect that we will  
 17 settle on going forward.  
 18 MR. O'BRIEN:  
 19 Q. And you talk about aligning yourself with  
 20 Nalcor in that regard. Can you square that  
 21 circle with trying to keep Hydro independent  
 22 from Nalcor?  
 23 MS. DALLEY:  
 24 A. I can, yes.  
 25 MR. O'BRIEN:

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1 Q. Okay.

2 MS. DALLEY:

3 A. Because I think that--again, I think I just

4 spoke to it, but I'll touch on it briefly

5 again that, you know, an engineer in Hydro

6 working in the electricity operations or on

7 the engineering team is the—essentially the

8 same position as is being—within the

9 operations in Nalcor. So, if we are not in

10 lockstep as to our compensation structure,

11 we are at risk of either us being out of

12 step with them or them being out of step

13 with us. We also do look, and I think has

14 been brought up in past proceedings before

15 the Board, to what is happening at

16 Newfoundland Power and what their—certainly

17 from a trades perspective, what their rates

18 are to make sure again we're not losing line

19 workers, PLTs, common trades which generally

20 we have, to Newfoundland Power as well to

21 the Atlantic Canadian Utilities.

22 MR. O'BRIEN:

23 Q. Okay. And I touched on this a bit earlier,

24 just in terms of overall labour forecasts

25 and staffing. And in your role as head over

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1 Human Resources, what role do you plan in

2 terms of other departments not under your

3 head and under your purview in terms of

4 staffing them?

5 MS. DALLEY:

6 A. I think twofold.

7 MR. O'BRIEN:

8 Q. Yes.

9 MS. DALLEY:

10 Q. One from, I mean just from a process

11 perspective, as I mentioned, we would

12 provide. Again the—and control indeed the

13 data that is incorporated into the budget

14 just from a quality control perspective, as

15 well from an FTE, from the gate-in process

16 perspective. And as a member of the

17 executive I share responsibility with the

18 executive, and I question and, you know,

19 query their request for controls and, you

20 know, people and budgets. So, it's part of

21 a control, I'll say mechanism.

22 MR. O'BRIEN:

23 Q. Yes.

24 MS. DALLEY:

25 A. Management controls that are in place, and

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1 I'm party to that process, and active

2 member.

3 (10:30 a.m.)

4 MR. O'BRIEN:

5 Q. And I may be jumping ahead a little bit, but

6 you mentioned yesterday in terms of monthly

7 management operation costs, you get a

8 monthly report and have a look at that. Do

9 you see overall costs as well, outside of

10 your department? Do you see overall labour

11 costs that you look at monthly or is –

12 MS. DALLEY:

13 A. Yes.

14 MR. O'BRIEN:

15 Q. Okay.

16 MS. DALLEY:

17 A. Yeah.

18 MR. O'BRIEN:

19 Q. And when you get those reports, if anything

20 is out of step, say from an overall labour

21 perspective in the company, what steps would

22 you take in terms of managing that budget?

23 MS. DALLEY:

24 A. Yeah, it's—we're managing it to the process,

25 in the process that we put in place for

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1 managing the FTE budget. So, this is part—

2 and again, this is a process that we put in

3 place in 2016, and we've continued to

4 refine. And I'll just step out very

5 quickly, but one of the things that we found

6 when the team, the management team, was

7 fully formed and focused on this coming into

8 late 2016, early 2017, was that having data

9 to make informed management decisions was a

10 gap that we needed to close. So, the

11 monthly O&M budget reports and status

12 reports and forecast reports are part of

13 that mechanism. We also see capitalized

14 labour and overtime on a monthly basis, so

15 that we're able to see and control. So, and

16 then we have monthly cost management, cost

17 control meetings with senior executives,

18 where we question those things. So, yes, if

19 I see things that are looking off, overtime

20 down, for example, to a granular level –

21 MR. O'BRIEN:

22 Q. Yes.

23 MS. DALLEY:

24 A. - we will question what's driving that and

25 what collectively we need to do to right the

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1 ship. It is however, an ongoing improvement  
 2 process, but we've got mechanisms in place  
 3 today that afford us a level of insight and  
 4 control that I—again, I can't speak to  
 5 previous processes that were structured, but  
 6 that certainly wasn't available in the last  
 7 number of years.

8 MR. O'BRIEN:  
 9 Q. Yes, I was going to ask you that. Just—  
 10 okay, and in terms of mechanisms, once you  
 11 see something that may be out of whack in  
 12 terms of your budget, what sort of  
 13 mechanisms do you have in terms of stepping  
 14 in and altering that? Is it just your  
 15 discussions amongst executive or do you have  
 16 any written protocols on how you're going to  
 17 deal with that?

18 MS. DALLEY:  
 19 A. I think that that's party to good management  
 20 and executive oversight. So, I can't say  
 21 that we've had issues that don't find their  
 22 way through insight and resolution. If we  
 23 have discussions about a particular issue,  
 24 and I'll say that it's non-controllable in  
 25 the sense that it's explainable and we will

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1 accept that.

2 MR. O'BRIEN:  
 3 Q. Yes.

4 MS. DALLEY:  
 5 A. But you know, there is a great deal of  
 6 pressure to manage the business efficiently  
 7 and control costs. But we are also aware  
 8 that the trajectory—we are on a path and  
 9 that we have taken what I consider to be  
 10 good and effective steps in the time that  
 11 we've had, and that we know that there are  
 12 still some improvements to come.

13 MR. O'BRIEN:  
 14 Q. You don't take issue, I take it, with the  
 15 fact that prior to 2016 Hydro did have some  
 16 difficulty with managing costs? Is that a  
 17 fair statement?

18 MS. DALLEY:  
 19 A. I think that's fair, and I think the Board  
 20 reflected that clearly in the order.

21 MR. O'BRIEN:  
 22 Q. Yes.

23 MS. DALLEY:  
 24 A. And I believe that came up through Mr.  
 25 Haynes' testimony.

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1 MR. O'BRIEN:  
 2 Q. Yes.

3 MS. DALLEY:  
 4 A. But when the Board's order came down last  
 5 time, we had the—there was some very—the  
 6 Board's order was very informative and  
 7 instructive. And there were some very  
 8 direct discussions about what we needed to  
 9 change the way that we were doing business  
 10 and to be able to demonstrate to the Board,  
 11 but also to customers, that we were running  
 12 a very efficient operation. And again, I  
 13 think it's fair that—and you should question  
 14 each executive that hits the stand on that  
 15 because that is a very active discussion and  
 16 everyone can speak to it.

17 MR. O'BRIEN:  
 18 Q. So, in terms of your—I take it from your  
 19 personal point of view, that that hits you  
 20 as an executive as something that Hydro  
 21 needs to deal with in terms of managing  
 22 costs in the future? It's important.

23 MS. DALLEY:  
 24 A. Absolutely.

25 MR. O'BRIEN:

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1 Q. It's important to show that you're managing  
 2 costs in a—within least-cost principles as a  
 3 utility?

4 MS. DALLEY:  
 5 A. Yes.

6 MR. O'BRIEN:  
 7 Q. Okay. And what's the biggest challenge do  
 8 you see for Hydro in terms of managing its  
 9 costs?

10 MS. DALLEY:  
 11 A. Transition change and culture.

12 MR. O'BRIEN:  
 13 Q. And just explain that for me.

14 MS. DALLEY:  
 15 A. I think that we've still—we had come through  
 16 a period of transition and change. The way  
 17 we describe it internally is, you know, the  
 18 outages in 2014 and '13, '14 and '15, were a  
 19 clear message that what we were doing was  
 20 not what needed to be doing. And I think  
 21 the company swung the pendulum, you know,  
 22 back a certain way. And again, I wasn't at  
 23 the time close to it, but I think in  
 24 retrospect you just have to look at the  
 25 evidence of the budget or the cost actuals

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1 to see that. There was a regard for  
 2 reliability. We are trying to find the  
 3 right balance and, yeah, I think we've made  
 4 that point in the evidence and I can  
 5 certainly—I did have a few months to work  
 6 with Mr. MacIsaac when he came in, and you  
 7 know what his perception was and what he  
 8 saw. And I think we swung it back to do  
 9 very much, Mr. O'Brien, what I think you  
 10 spoke to, was why not just cut ten percent?  
 11 Why not just cut 20 percent? And I think  
 12 you can do that, and I think there are  
 13 industries that indeed do do it, but I think  
 14 for us to do it inside of the mandate we  
 15 have, which is very balanced around, you  
 16 know, still being able to deliver customer—  
 17 service to customers at an appropriate level  
 18 and not, you know, not have unintended  
 19 consequences as a result of the actions that  
 20 we've taken. So, this executive feels that—  
 21 and I certainly feel that we need to be  
 22 again judicious in how we go about it, and  
 23 we have a very clear end in mind from the  
 24 perspective of being a well-managed and  
 25 efficient organization, but it will take us

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1 some time. And so, there's a transition  
 2 period that I think we're going through.  
 3 We also have the integration work happening  
 4 on the Muskrat Falls assets that we've seen,  
 5 for example in '17, just tremendous inter-  
 6 company out, labour out, as a result of work  
 7 that was being done which we feel was  
 8 judicious for our crews to do, but again, it  
 9 led us to some swings in labour that we  
 10 weren't anticipating. So, you know, as we  
 11 get to a more steady state and as we get the  
 12 right data and information in place to make  
 13 informed decisions, we are not instituting  
 14 the processes and putting those in place,  
 15 that we can make informed decisions that  
 16 don't have, as I say, unintended  
 17 consequences.

18 MR. O'BRIEN:  
 19 Q. In terms of your operating costs and  
 20 controlling your operating costs, would  
 21 salaries be the most difficult side of that?

22 MS. DALLEY:  
 23 A. I don't know if it's the most difficult  
 24 side, Mr. O'Brien, but I think it's fair to  
 25 say that inside of our –

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1 MR. O'BRIEN:  
 2 Q. The biggest part?  
 3 MS. DALLEY:  
 4 A. - O&M salary is, you know, between, given  
 5 the year, 60 to 65 percent of those costs.

6 MR. O'BRIEN:  
 7 Q. Yes, it's the biggest part.

8 MS. DALLEY:  
 9 A. So, it is almost impossible to control  
 10 without--your O&Ms without controlling your  
 11 salaries.

12 MR. O'BRIEN:  
 13 Q. And in terms of--we talked earlier about the  
 14 Board's order.

15 MS. DALLEY:  
 16 A. Yes.

17 MR. O'BRIEN:  
 18 Q. One of the things that we saw in that order  
 19 was that the Board has disallowed 4 million  
 20 dollars for salaries on the basis that  
 21 really that Hydro hadn't proven that the  
 22 salaries that were included in the tests  
 23 year were reasonable at that point. I'm  
 24 wondering in terms of the test year now, has  
 25 Hydro taken those comments into account in

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1 preparing what salaries are expected in the  
 2 test years for 2018 and 2019?

3 MS. DALLEY:  
 4 A. I think the—yes would be the answer to that  
 5 because we've looked at the Board's order in  
 6 detail when it came out. We met as a team  
 7 at the time and went through it and talked  
 8 about what we needed to do, again to in that  
 9 case right that ship, and give the Board  
 10 confidence in the processes and structures  
 11 that we had in place. We would have had  
 12 the—you would have seen the, for example,  
 13 the FTE management process or the gate-in  
 14 sessions come out of that discussion. So, I  
 15 think that there's consideration for that  
 16 inside of what we do. I think our  
 17 compensation philosophy overall is the same  
 18 from the perspective of again getting to the  
 19 P50 of the Atlantic Canadian Utilities, that  
 20 had not changed at this time. So, yes, I  
 21 think that we've considered that.

22 MR. O'BRIEN:  
 23 Q. So, you're more focused on head-count really  
 24 than a change in compensation?

25 MS. DALLEY:

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1 A. Well, I think we've had--since 2015, we've  
 2 gotten to the end from a non-union  
 3 perspective, to the end of the previous  
 4 collective agreement. So, those negotiated  
 5 adjustments have gone through, and we've had  
 6 since twenty—I think 2016, 2017, and the  
 7 2018 results have not been communicated to  
 8 employees yet, because it's still underway.  
 9 But there's been zero and zero increases at  
 10 the non-union level over the last couple of  
 11 years. So, and the compensation review, the  
 12 market review, I think the average is  
 13 probably around 1.6 or 1.8. So, there would  
 14 be some leveling of our salaries coming  
 15 from that process.

16 MR. O'BRIEN:  
 17 Q. And is that based into the—built into the  
 18 test years?

19 MS. DALLEY:  
 20 A. The zero and zero you mean?

21 MR. O'BRIEN:  
 22 Q. No, no, any additional—and maybe I'd didn't  
 23 get your point. I understood that  
 24 negotiations were ongoing now for a new  
 25 collective agreement? Is that -

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1 MS. DALLEY:  
 2 A. They're not underway.

3 MR. O'BRIEN:  
 4 Q. Okay.

5 MS. DALLEY:  
 6 A. No.

7 MR. O'BRIEN:  
 8 Q. All right, okay. In terms of another point  
 9 before—I want to talk to just briefly about  
 10 FTEs and how they're—just the numbers that  
 11 are built into the test year, but before I  
 12 get to that, I just want to confirm—Mr.  
 13 Haynes talked about a dedicated productivity  
 14 team going forward, and that's been  
 15 established. You are not part of that team  
 16 yourself, are you?

17 MS. DALLEY:  
 18 A. No.

19 MR. O'BRIEN:  
 20 Q. And do you have any contact with that team  
 21 on a regular basis?

22 MS. DALLEY:  
 23 A. They have—yes, I assisted in the development  
 24 of the team.

25 MR. O'BRIEN:

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1 Q. Okay.

2 MS. DALLEY:  
 3 A. As did—and the executive had input into this  
 4 approach.

5 MR. O'BRIEN:  
 6 Q. Yes.

7 MS. DALLEY:  
 8 A. And we had meeting with them. Ms. Hutchens,  
 9 I think Mr. Haynes explained is the -

10 MR. O'BRIEN:  
 11 Q. Okay, yes.

12 MS. DALLEY:  
 13 A. - executive contract from an administrative  
 14 perspective, but we've made it clear to the  
 15 committee members that they have right and  
 16 ready access to the executive who are very  
 17 supportive of this initiative. And we've  
 18 met with them to--again on a periodic basis,  
 19 and established essentially a reporting  
 20 mechanism so we can see what they're doing  
 21 and hear directly from them on the interface  
 22 they're having, the ideas that they're  
 23 receiving, the ones that they're, you know,  
 24 assessing, and those that are being  
 25 implemented to ensure that there are no

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1 roadblocks to what we're trying to achieve.

2 MR. O'BRIEN:  
 3 Q. And are you, yourself, aware of any  
 4 potential cost savings they've identified to  
 5 date?

6 MS. DALLEY:  
 7 A. I don't have the—so, the team was probably  
 8 fully constituted -

9 MR. O'BRIEN:  
 10 Q. Yes.

11 MS. DALLEY:  
 12 A. I think Mr. Haynes mentioned December.

13 MR. O'BRIEN:  
 14 Q. Yes.

15 MS. DALLEY:  
 16 A. But it actually was probably more into the  
 17 February timeframe of this year.

18 MR. O'BRIEN:  
 19 Q. Oh, was it? Okay.

20 MS. DALLEY:  
 21 A. So, the team has been tasked with--through  
 22 last year as part of the executive and the  
 23 cost control, we had amassed a number of  
 24 what we felt were opportunities that were,  
 25 if one could say, you know, things that we

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1 could see that there were opportunities  
 2 there. Whether as I mentioned yesterday,  
 3 you know, something as simple as cell  
 4 phones, you know, renegotiating cell phone  
 5 plans, making sure we have the right things  
 6 in place. Looking at fleet vehicles, is our  
 7 policy, right? Which I can tell you it is  
 8 not because it's probably 25 years old. So,  
 9 looking at that, rewriting that policy,  
 10 making sure that we get that implemented,  
 11 that's active and underway today. So, as a  
 12 result of that work, we haven't put a  
 13 quantum of savings around it, but what we've  
 14 asked the team to do very quickly is assess  
 15 what the quantum of savings are. So, as  
 16 they are developing those ideas, looking at  
 17 the business case around them, then giving  
 18 us an estimate of what those savings are.  
 19 In the meantime, and I think Mr. Haynes  
 20 explained this, we put forward the  
 21 productivity allowance.  
 22 MR. O'BRIEN:  
 23 Q. Yes.  
 24 MS. DALLEY:  
 25 A. I believe the 1.1 million, which is to take

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1 into account the components of the O&M that  
 2 would fall in that. So, that's not  
 3 vacancies or FTEs; it's the other side of  
 4 the equation on O&Ms.  
 5 MR. O'BRIEN:  
 6 Q. So, this is a productivity team, so to  
 7 speak, I guess and there's the link between  
 8 that productivity allowance and what you  
 9 expect maybe this team might be able to  
 10 achieve over the next couple of years? Is  
 11 that fair?  
 12 MS. DALLEY:  
 13 A. Yes, I think that's what we've said. We do  
 14 understand that again, we're trying to be  
 15 someone systematic without being overly  
 16 bureaucratic.  
 17 MR. O'BRIEN:  
 18 Q. Yes.  
 19 MS. DALLEY:  
 20 A. If I could put it that way. Where we, you  
 21 know, we put a process in place that  
 22 actually ends up, you know, creating  
 23 something that we just don't want. So, you  
 24 know, this team are made with people that  
 25 have—they were hand-selected, have a very

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1 distinct skillset from project management to  
 2 engineering who worked on capital jobs,  
 3 who've worked operating aspects of the  
 4 business. Our internal energy efficiency  
 5 lead is there who has a background in  
 6 efficiency drives. That's, you know, how  
 7 this individual thinks. We've got  
 8 representation from Operations in the field  
 9 who understands how work is executed and  
 10 planned. So, we've tried to be very  
 11 thoughtful and focused in how we've  
 12 approached that. I know Mr. Haynes  
 13 mentioned that the—you know, there's been a  
 14 terms of reference which all the executive  
 15 have had input into and approved for that  
 16 team, and they understand very much what the  
 17 role is. And they are out—part of that is  
 18 getting those savings, absolutely. That is  
 19 the end goal, and more. So, I don't like  
 20 saying that I'm not very much living on hope  
 21 on these things. This team knows that they  
 22 are expected to deliver and that we think  
 23 that they can deliver, and they're out with  
 24 the business as well just to change the  
 25 culture. And I can tell you from the

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1 initial meetings we've had with them,  
 2 they've gone out and met with our teams, out  
 3 across the various regions and have been  
 4 exceptionally well received. I think that  
 5 the front-line employees of Newfoundland and  
 6 Labrador Hydro want to deliver what is  
 7 absolutely best for customers, and they're  
 8 focused on delivering it and are coming up  
 9 with—you know, it's grassroots suggestions  
 10 and means and things that, you know, we may  
 11 not see at our level. And they are giving  
 12 that team those suggestions. They've got a  
 13 catalogue, a database, that they're keeping  
 14 to, you know, essentially catalogue those  
 15 ideas and suggestions, bottom them out,  
 16 prioritize them. It's, I'll say, an  
 17 expected process based on the assessments  
 18 we've done. We've spoken with BC Hydro, for  
 19 example, who have a process similar to this  
 20 which we were pleased to hear when—we had a  
 21 contact there, so we just reached out to  
 22 them. And they have a similar process in  
 23 place for the last couple of years. So,  
 24 this is not unheard of, and we have some  
 25 expertise in-house, and Mr. Haynes has

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1 mentioned Lean Six Sigma. So, we've got  
 2 people trained and there are different  
 3 levels in that. So, we've got people  
 4 trained in that to make sure that we're  
 5 looking at ways to eliminate waste, look at  
 6 innovative ways to do our business.  
 7 (10:45 a.m.)  
 8 MR. O'BRIEN:  
 9 Q. And I don't mean to be facetious with this  
 10 question, and I'm just drawing on your  
 11 comment there that you would expect the team  
 12 to deliver on "finding efficiencies and  
 13 more." And I'm wondering whether or not you  
 14 do expect the team to find more than the  
 15 million-dollar productivity allowance in  
 16 efficiencies. And the reason I ask that is  
 17 because I—it's been put to Mr. Haynes that  
 18 the million-dollars that set aside for  
 19 productivity allowance is a small  
 20 percentage, a very small percentage of  
 21 overall operating costs. So, if there's an  
 22 expectation of finding more efficiencies,  
 23 why not put forth more of a productivity  
 24 allowance for the case?  
 25 MS. DALLEY:

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1 A. Yeah, I would make the same statement that I  
 2 made earlier. I think we can do this. What  
 3 we wanted to demonstrate to the Board and  
 4 hopefully to the parties is that we've made  
 5 a number of process changes here, and that  
 6 we have the, you know, again the controls in  
 7 place from a cost perspective, but we also  
 8 want to be thoughtful in how we do that.  
 9 So, the team is expected to data mine the  
 10 opportunities that come in and put savings  
 11 around them. So, we've made—and you know,  
 12 I'm inclined to agree with you, on the  
 13 bottom half of the operating and maintenance  
 14 expenses, removing salary from that. So, if  
 15 it's, you know, 40 to 50 million dollars, a  
 16 million dollars on that is, you know—I don't  
 17 know. I probably shouldn't be the one doing  
 18 math on the stand, but you know, it's a  
 19 percentage and so we're—it is underway is  
 20 what I would say, and I respect that neither  
 21 the Board nor the parties until we are able  
 22 to demonstrate that there are savings, and  
 23 we certainly have no issue doing that. As a  
 24 Crown Corporation, as a regulated utility,  
 25 we should be doing that.

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1 MR. O'BRIEN:  
 2 Q. Thank you, Ms. Dalley. I wonder if we could  
 3 move just to have a discussion about FTEs in  
 4 general and what's in rate case. And part  
 5 of this I'm going to ask you to just try to—  
 6 I was a little bit confused when I looked  
 7 through some of this information, but I just  
 8 want to get it straight in my head. I  
 9 wonder if we could pull up page 3.4 of the  
 10 evidence, please. Table 3.1. Okay, so we  
 11 have net FTEs from 2015 test year to 2019  
 12 test year shown in that table. So, those  
 13 are net of time charged into Hydro and out  
 14 of Hydro, is that accurate?  
 15 MS. DALLEY:  
 16 A. That is correct.  
 17 MR. O'BRIEN:  
 18 Q. And they don't include FTEs which would be  
 19 associated with administration fees?  
 20 MS. DALLEY:  
 21 A. No, they do not.  
 22 MR. O'BRIEN:  
 23 Q. Okay. So, Hydro-based FTEs, they're the  
 24 ones that are used or determined as part of  
 25 the process, the operating budget annually?

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1 Is that right?  
 2 MS. DALLEY:  
 3 A. That's correct.  
 4 MR. O'BRIEN:  
 5 Q. Okay. So, we've got the 2017 forecast, 2018  
 6 and '19 there. If we look at the 2015 test  
 7 year, that figure is 888 for net FTEs. Can  
 8 we pull up NP-NLH-13, please? And here  
 9 we've got a question which ask Hydro to fill  
 10 out a table of FTEs and vacancies. If we  
 11 scroll down to the table and the response,  
 12 we see the 2015 test year as FTEs of 943,  
 13 and I understand from the Footnote 1 these  
 14 are Hydro-based FTEs. Then, there's a 40  
 15 vacancy there. The 888 we looked at before,  
 16 does that include an additional 15 from the  
 17 order of the Board increasing the 40  
 18 vacancies to 55, do you know?  
 19 MS. DALLEY:  
 20 A. I'm sorry, can you walk me through that  
 21 again?  
 22 MR. O'BRIEN:  
 23 Q. Yes. So, we have 943 here as to what the  
 24 home-based FTEs were for the 2015 test year,  
 25 and there's a vacancy there of 40, but if we

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1 looked at the previous table, we had net  
 2 FTEs of 888. Now, in the Board's previous  
 3 order Hydro had put forth vacancies of 40,  
 4 but ultimately the order included 55. I'm  
 5 wondering how we got from 943 down to 888?  
 6 MS. DALLEY:  
 7 A. That's from the 2015 test year to the 2015 -  
 8 MR. O'BRIEN:  
 9 Q. Yes.  
 10 MS. DALLEY:  
 11 A. Can you bring up the previous table again?  
 12 MR. O'BRIEN:  
 13 Q. Sure.  
 14 MS. DALLEY:  
 15 A. Okay. Sorry, just go back to the other one.  
 16 Off the top of my head, I don't know.  
 17 MR. O'BRIEN:  
 18 Q. Okay, and that's fine. And I wonder if you  
 19 could just undertake to determine that for  
 20 me?  
 21 (10:53 a.m. - UNDERTAKING)  
 22 MS. DALLEY:  
 23 A. Sure, yeah.  
 24 MS. GLYNN:  
 25 Q. Noted on the record.

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1 MR. O'BRIEN:  
 2 Q. If we go—if we look at 2016, there's FTEs on  
 3 this table here, and this is the NP-NLH-13  
 4 2016 FTEs of 872, and there's a vacancy of  
 5 46 noted. Now that 872 appears to be--the  
 6 way I'm reading the table, that would be  
 7 what the FTEs would be at the beginning of  
 8 2016. If you take 943 and take the 721  
 9 away, you get down to 872? Is that a fair  
 10 assumption?  
 11 MS. DALLEY:  
 12 A. That looks to be the case, yes.  
 13 MR. O'BRIEN:  
 14 Q. And I don't think there's anything nefarious  
 15 about that, and I think the 46 then comes  
 16 off of that to give us an end of 2016 of  
 17 826.  
 18 MS. DALLEY:  
 19 A. 2016.  
 20 MR. O'BRIEN:  
 21 Q. And maybe we can look at PUB-NLH-32. Yes,  
 22 so we have 872, 2015 actual, Hydro-based  
 23 FTEs and then it comes down to 826. So, if  
 24 we took that 46 vacancy off the 872, that  
 25 would suggest to me the end of year it was

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1 826?  
 2 MS. DALLEY:  
 3 A. Yes.  
 4 MR. O'BRIEN:  
 5 Q. Okay. And that netted out with time in and  
 6 out of Hydro to get a net FTE of 809 for  
 7 2016?  
 8 MS. DALLEY:  
 9 A. That's right.  
 10 MR. O'BRIEN:  
 11 Q. And that doesn't include the administration  
 12 fees, FTEs, is that right?  
 13 MS. DALLEY:  
 14 A. No, that's right.  
 15 MR. O'BRIEN:  
 16 Q. Right, okay. So, and the administration  
 17 FTEs, if we pull up MP-NLH-10, Revision 1,  
 18 so in chart we sort of see the net FTEs in  
 19 2016 of 809 that we saw in the last one, and  
 20 then there's 20 FTEs associated with  
 21 administration fees. So, a total net of 829  
 22 with everything included? Is that fair?  
 23 MS. DALLEY:  
 24 A. Yes.  
 25 MR. O'BRIEN:

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1 Q. Okay. So, the actual FTEs, if we can go  
 2 back to the last table, the actual FTEs for  
 3 2016 at the end was 826 with the net of 809.  
 4 Now, that's well down from the actual figure  
 5 at the end of 2015 which we had, it looked  
 6 to be 888?  
 7 MS. DALLEY:  
 8 A. Yes.  
 9 MR. O'BRIEN:  
 10 Q. And I'm assuming a large portion of that is  
 11 a relation to the transfer of employees or  
 12 of FTEs to Nalcor?  
 13 MS. DALLEY:  
 14 A. It is.  
 15 MR. O'BRIEN:  
 16 Q. Is that a fair assumption?  
 17 MS. DALLEY:  
 18 A. Yeah, the bulk of this is related to the  
 19 reorganization moves, and then, the admin  
 20 fee added into that.  
 21 MR. O'BRIEN:  
 22 Q. Right. And we see here as well, 2016 to  
 23 2017, the actual Hydro-base FTEs go from 826  
 24 up to 846, so there's an additional of—an  
 25 addition of 40 FTEs? Okay? So, we've got

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1 40 there. If we go to PUB-NLH-32, that's it  
 2 there, sorry. We're at that one. If we  
 3 could go to NP-NLH-13 again. We see  
 4 forecast for—we see 2016 moving from 872 to  
 5 906 in the 2017 forecast. There's a  
 6 forecast of 34 there versus the 40 we saw in  
 7 the previous slide. Are you able to tell me  
 8 why there's 40 on one and 34 on another and  
 9 which might be more accurate?  
 10 MS. DALLEY:  
 11 A. Sorry, I missed in remarks where the 34 –  
 12 MR. O'BRIEN:  
 13 Q. If you go back, right here on this one here,  
 14 if you look from 2016, we've got 872?  
 15 MS. DALLEY:  
 16 A. Yes.  
 17 MR. O'BRIEN:  
 18 Q. If you add 34 to that, you get 2017 forecast  
 19 of 906?  
 20 MS. DALLEY:  
 21 A. Oh yes.  
 22 MR. O'BRIEN:  
 23 Q. Okay? So, if we go back to the other slide,  
 24 we have 826 Hydro-based FTEs going up to  
 25 860. That's a 40 increase. And the 872 was

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1 the beginning of the year; 826 is the end of  
 2 year. So, I think we've sort of established  
 3 that.  
 4 MS. DALLEY:  
 5 A. So, the difference between the 34 and 40?  
 6 MR. O'BRIEN:  
 7 Q. Yes.  
 8 MS. DALLEY:  
 9 A. Not off the top of my head, no.  
 10 MR. O'BRIEN:  
 11 Q. And maybe if we—actually, we're close to  
 12 eleven. Maybe I can probably break here and  
 13 I bring to another slide that might help us  
 14 get that.  
 15 MS. DALLEY:  
 16 A. Sure.  
 17 MR. O'BRIEN:  
 18 Q. Okay.  
 19 CHAIR:  
 20 Q. Thank you.  
 21 (OFF RECORD – 10:59 A.M.)  
 22 (RESUME – 11:32 a.m.)  
 23 CHAIR:  
 24 Q. Carry on, Mr. O'Brien.  
 25 MR. O'BRIEN:

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1 Q. Thank you, Madam Chair. Now we do have a  
 2 split screen here of a couple of RFIs, PUB-  
 3 NL-32 and NP-NLH-13, and I'll just take you  
 4 through, Ms. Dalley, I guess my query was  
 5 more if you look at 2016 actuals versus 2017  
 6 forecast in the top one, there's a  
 7 difference of 40 Hydro based FTEs, and in  
 8 the bottom one, there's a difference of 34  
 9 and the footnote on the bottom one, on 13 I  
 10 believe, indicates that we're talking about  
 11 home based FTEs as well. Now, I believe we  
 12 had assumed, I assumed that the 872 on the  
 13 bottom one, that's the beginning of the year  
 14 because the 826 as the end of the year, is  
 15 that fair? So I'm just wondering if that's  
 16 the beginning. Was there 40 FTEs  
 17 transferred or forecast to be transferred in  
 18 2017 or 34?  
 19 MS. DALLEY:  
 20 A. So I'm going to go back to a couple of  
 21 points which—and this is points of  
 22 clarification.  
 23 MR. O'BRIEN:  
 24 Q. Sure.  
 25 MS. DALLEY:

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1 A. One, in NP-13 the footnote is incorrect, so  
 2 it's gross FTEs.  
 3 MR. O'BRIEN:  
 4 Q. Okay, all right.  
 5 MS. DALLEY:  
 6 A. And the number between 2016 and '17 and to  
 7 be fair, this should have been very easy for  
 8 me because at the beginning of the year we  
 9 start with the budget.  
 10 MR. O'BRIEN:  
 11 Q. Okay.  
 12 MS. DALLEY:  
 13 A. So it's not carried over from subsequent  
 14 years, it's a budget based on that year and  
 15 what we expect the vacancies to be, and so  
 16 that's why you see the 40 there, right.  
 17 MR. O'BRIEN:  
 18 Q. And this is in '13, the footnote there.  
 19 MS. DALLEY:  
 20 A. Yeah, I was talking about '17, but '16.  
 21 MR. O'BRIEN:  
 22 Q. Okay, all right. So in terms of—I'm going  
 23 to ask that we pull up separately now, we  
 24 can put these two down, PUB-NLH-33. I want  
 25 to get an idea in terms of transfers of

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1 home-based FTEs for 2017. So this RFI, if  
 2 we go right up to the top, Hydro is asked to  
 3 provide a list of the new FTE positions  
 4 added to Hydro for each of the years 2016 to  
 5 2019 test year, and if we scroll down to  
 6 Table 1, there's a list here for 2016 added,  
 7 and if we scroll down to the next page, it  
 8 appears to be a total number of positions  
 9 added in 2016 of 9. Is that FTEs?  
 10 MS. DALLEY:  
 11 A. It's positions, but they're comparable.  
 12 MR. O'BRIEN:  
 13 Q. Okay, so that's in 2016, and in 2017, if we  
 14 scroll down, we see a total of 35, and is  
 15 that comparable as well?  
 16 MS. DALLEY:  
 17 A. I think the FTEs are 36.  
 18 MR. O'BRIEN:  
 19 Q. It's 36? Can we scroll it up here? So  
 20 starting at 2017 there, executive leadership  
 21 Hydro, vice-president finance services and  
 22 we scroll down, I think there's a total at  
 23 the bottom there for a number of positions,  
 24 2017 are 35?  
 25 MS. DALLEY:

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1 A. Just give me a second.  
 2 MR. O'BRIEN:  
 3 Q. Sure.  
 4 MS. DALLEY:  
 5 A. Yes, those were the positions that drove the  
 6 FTEs in that year.  
 7 MR. O'BRIEN:  
 8 Q. Okay. Now, if we started in 2016, I think  
 9 we talked about having 826 in terms of home-  
 10 based FTEs at the end of 2016 and you add  
 11 the 35 to that, you come up with 861. I  
 12 think that's the figure that's in the test  
 13 year for 2018. Does that sound right?  
 14 MS. DALLEY:  
 15 A. That test year has 846.  
 16 MR. O'BRIEN:  
 17 Q. 846? Is that home based?  
 18 MS. DALLEY:  
 19 A. Sorry, net FTEs of—well with the settlement.  
 20 MR. O'BRIEN:  
 21 Q. Oh, I see, okay.  
 22 MS. DALLEY:  
 23 A. So the additional vacancy, right.  
 24 MR. O'BRIEN:  
 25 Q. Yeah, but if we're just looking at home-

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1 based FTEs, we looked at 2016, at the end of  
 2 2016 we had 826; and then in 2017, we add 35  
 3 positions, that's the plan, forecast plan.  
 4 MS. DALLEY:  
 5 A. Yes.  
 6 MR. O'BRIEN:  
 7 Q. So the forecast, I guess, for the end of  
 8 2017 was to be at 861 home-based FTEs, is  
 9 that fair?  
 10 MS. DALLEY:  
 11 A. In 2017 the home-based forecast was 866.  
 12 MR. O'BRIEN:  
 13 Q. And that's sort of where I have a bit of a  
 14 gap between 866 and 861. If I had 826 and  
 15 added 35 positions to it, I would have  
 16 expected it to get to 861.  
 17 MS. DALLEY:  
 18 A. So some of them are partials, though.  
 19 MR. O'BRIEN:  
 20 Q. Okay.  
 21 MS. DALLEY:  
 22 A. Right. So you wouldn't have a whole year on  
 23 some of them. It would depend on when they  
 24 were brought onto the system.  
 25 MR. O'BRIEN:

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1 Q. Would that reduce it or increase it?  
 2 MS. DALLEY:  
 3 A. Well how those positions would be borne out  
 4 would be in the actual numbers, in the  
 5 actuals, so the forecast may have been and  
 6 we would go into the year, for example, and  
 7 say we need to add, you know, these six  
 8 roles, these six people. Depending on when  
 9 they were actually brought on board, that  
 10 would have an impact on actuals, so we may  
 11 have forecast a certain amount.  
 12 MR. O'BRIEN:  
 13 Q. Okay, so if we look at the 2017, actuals  
 14 that will bear out that?  
 15 MS. DALLEY:  
 16 A. Yeah, it would bear out through the actuals.  
 17 MR. O'BRIEN:  
 18 Q. All right, so I'll take you to that now in a  
 19 minute. While we're on this RFI, I want to  
 20 take you through some of the positions here  
 21 or ask you to take me through some of the  
 22 positions in terms of how it was that Hydro  
 23 established it was reasonable to add these  
 24 positions or FTEs in the 2017 year, and the  
 25 rationale behind that, and we talked about

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1 the gating-in process and that had come in  
 2 late 2016, is that accurate?  
 3 MS. DALLEY:  
 4 A. No, it was earlier in 2016.  
 5 MR. O'BRIEN:  
 6 Q. Earlier in 2016, okay, good. All right, so  
 7 let's scroll up to the beginning of 2016.  
 8 We've got our executive leadership in Hydro  
 9 and they've all been added into, in that  
 10 year except for finance, is that right, if  
 11 we scroll down?  
 12 MS. DALLEY:  
 13 A. Yes, finance would have been 2017.  
 14 MR. O'BRIEN:  
 15 Q. And I'm satisfied you've given us an  
 16 explanation as to the rationale behind the  
 17 executive team and the leadership, the  
 18 executive leadership for financial services,  
 19 that falls into the same rationale of  
 20 independent operation of Hydro, from an  
 21 executive point of view?  
 22 MS. DALLEY:  
 23 A. Yes.  
 24 MR. O'BRIEN:  
 25 Q. Okay. So if we scroll down a bit more, the

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1 regulatory affairs and corporate services,  
 2 those two positions, would you have been the  
 3 one to choose those positions and sort of  
 4 decide whether or not they were appropriate  
 5 for adding in 2017?  
 6 MS. DALLEY:  
 7 A. Yeah, I would have brought them forward.  
 8 MR. O'BRIEN:  
 9 Q. Okay, you would have brought them forward.  
 10 The technical report specialist, was this a  
 11 role that was previously filled by somebody  
 12 else within their department?  
 13 MS. DALLEY:  
 14 A. Yeah, I think it's fair to say that at the  
 15 time when we were providing, again what we  
 16 felt were fairly operational or technical  
 17 reports, that we would have had various  
 18 people in the business writing those  
 19 reports, creating them, investigating them  
 20 and putting them together. We assess from a  
 21 quality perspective that we had a choice to  
 22 either bring, you know, the skills and  
 23 abilities and structure off of everyone that  
 24 touched those reports or have it centralized  
 25 quality control process to do that, so we

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1 put that forward. That was actually a term  
 2 role, so it wasn't a fulltime role, so it  
 3 was something that we had seen in other  
 4 regulatory teams and so we had some  
 5 familiarity with and so we wanted to, I  
 6 guess assess whether or not that was an  
 7 option for us, and so we did bring that role  
 8 on as a result.  
 9 MR. O'BRIEN:  
 10 Q. Okay, and in terms of, so you mentioned  
 11 quality, I get the impression that the  
 12 reports that were being done were done by  
 13 other individuals at different times and you  
 14 sort of brought that together as to one role  
 15 to do those reports, is that fair?  
 16 MS. DALLEY:  
 17 A. Yes.  
 18 MR. O'BRIEN:  
 19 Q. Okay, and you felt that was better from a  
 20 quality perspective for the organization?  
 21 MS. DALLEY:  
 22 A. Well certainly someone that had, you know,  
 23 skills leaning more towards, again,  
 24 technical writing, you know, be it  
 25 engineers, finance or otherwise.

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1 MR. O'BRIEN:  
 2 Q. And was there a cost analysis done before  
 3 adding that particular role?  
 4 MS. DALLEY:  
 5 A. I can't recall specifically in back, but  
 6 whether or not we had other roles that were  
 7 being, again because generally in those  
 8 sessions and particularly around that time  
 9 we would have looked for other roles being  
 10 eliminated, to be able to absorb, so that  
 11 process had started then, so I don't  
 12 remember the specific discussion around that  
 13 one whether or not, I think we had that role  
 14 in place for about six months and then we  
 15 actually moved it into a different role.  
 16 (11:42 a.m. - UNDERTAKING)  
 17 MR. O'BRIEN:  
 18 Q. And can you just follow up with that and let  
 19 me know whether or not there were any other  
 20 roles eliminated as a result of that  
 21 position.  
 22 MS. DALLEY:  
 23 A. I can see if we have records that would be  
 24 that specific at that time.  
 25 MR. O'BRIEN:

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1 Q. Okay, all right.  
 2 MS. GLYNN:  
 3 Q. We'll note that as an undertaking.  
 4 MR. O'BRIEN:  
 5 Q. And how about the regulatory project  
 6 manager, was this a position that had been  
 7 previously performed by other individuals or  
 8 is this a new position?  
 9 MS. DALLEY:  
 10 A. Yes, that was something that the regulatory  
 11 council at the time actually was also  
 12 conducting that role and the regulatory  
 13 council role is currently vacant, but when  
 14 we constructed that role, we had that as a  
 15 council role, but also more of an  
 16 administrative role and what was borne  
 17 through 2017 was that that was, it was too  
 18 much workload for that role, so we've  
 19 subsequently taken essentially those two  
 20 roles that are there and we have a role now  
 21 which is regulatory compliance, so we've  
 22 merged those roles into one to allow the  
 23 regulatory council the appropriate focus.  
 24 MR. O'BRIEN:  
 25 Q. Did you say the regulatory council role is

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1 currently vacant?  
 2 MS. DALLEY:  
 3 A. Yes, it is.  
 4 MR. O'BRIEN:  
 5 Q. So the merger is with respect to which  
 6 positions again?  
 7 MS. DALLEY:  
 8 A. So the regulatory project manager is a  
 9 temporary role through the General Rate  
 10 Application, so it's short-term assistance.  
 11 The technical report specialist role and the  
 12 role that the regulatory project manager are  
 13 performing are now being coalesced into a  
 14 regulatory compliance role.  
 15 MR. O'BRIEN:  
 16 Q. So these two positions that we have here are  
 17 now being merged?  
 18 MS. DALLEY:  
 19 A. I think that's a fair assessment of it.  
 20 It's not just those roles, but yes.  
 21 MR. O'BRIEN:  
 22 Q. Okay.  
 23 MS. DALLEY:  
 24 A. Essentially these are temporary roles.  
 25 MR. O'BRIEN:

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1 Q. And is that as a result of any cost analysis  
 2 that Hydro has looked at?  
 3 MS. DALLEY:  
 4 A. I think it's a combination of costs and to  
 5 be fair, process improvement and quality, so  
 6 those were the drivers.  
 7 MR. O'BRIEN:  
 8 Q. In terms of other positions that we see  
 9 here, say for production or engineering  
 10 services and in the other areas, are you  
 11 able to speak to the logic behind the  
 12 addition of these positions, or is it better  
 13 I take that up with the VPs –  
 14 MS. DALLEY:  
 15 A. It's better for the recusant executives to  
 16 speak to them, so –  
 17 MR. O'BRIEN:  
 18 Q. Can you say on a higher level whether a cost  
 19 benefit analysis would have been done for  
 20 the adding of each of these roles?  
 21 MS. DALLEY:  
 22 A. Some of them were and the context was around  
 23 reorganization, so they would have been done  
 24 in the context of that, and the individual,  
 25 anything that was outside of that would have

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1 had, you know, business reasons for them  
 2 being brought forward.  
 3 MR. O'BRIEN:  
 4 Q. Okay, so I can take up the business reasons  
 5 with the individuals involved.  
 6 MS. DALLEY:  
 7 A. Yes.  
 8 MR. O'BRIEN:  
 9 Q. Okay. And so for production, that would be  
 10 Ms. Williams, is that right?  
 11 MS. DALLEY:  
 12 A. Yes.  
 13 MR. O'BRIEN:  
 14 Q. And engineering services –  
 15 MS. DALLEY:  
 16 A. And engineering, Mr. Gardiner; and finance,  
 17 Ms. Hutchens.  
 18 MS. O'BRIEN:  
 19 Q. Okay. In terms of all of these roles in  
 20 2017, have they all been filled? Were they  
 21 all filled in 2017?  
 22 MS. DALLEY:  
 23 A. No, they were not. Some have subsequently  
 24 been, I can see one there that has been  
 25 eliminated.

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1 MR. O'BRIEN:  
 2 Q. Okay, and are you able to look at it, at the  
 3 screen there, and go through and tell me  
 4 which ones were filled and which ones were  
 5 not, or can you give me an undertaking to  
 6 look at it?  
 7 MS. DALLEY:  
 8 A. Whether some are vacant today or there's  
 9 changes, the individual executives  
 10 accountable can certainly take you through  
 11 that.  
 12 MR. O'BRIEN:  
 13 Q. Okay. Will that flush its way through the  
 14 actuals really in 2017, we'll see a little  
 15 bit of that when we see the actual figure of  
 16 FTEs for 2017?  
 17 MS. DALLEY:  
 18 A. I think we have seen the figures for 2017.  
 19 MR. O'BRIEN:  
 20 Q. And that's why I'm wondering if that will  
 21 show up essentially when we look at those  
 22 actuals.  
 23 MS. DALLEY:  
 24 A. Yes, yeah.  
 25 (11:48 a.m. - UNDERTAKING)

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1 MR. O'BRIEN:  
 2 Q. I wonder before we leave this if we could  
 3 pull up NP-NLH-11, Revision 1. So this is  
 4 net FTEs for each functional area, so  
 5 there's a table there, Table 1. And I'm  
 6 wondering whether or not I could ask for an  
 7 undertaking to update that table to include  
 8 2017 actuals?  
 9 MS. DALLEY:  
 10 A. Absolutely.  
 11 MR. O'BRIEN:  
 12 Q. Okay, thanks.  
 13 MS. GLYNN:  
 14 Q. Noted on the record.  
 15 MR. O'BRIEN:  
 16 Q. And could we turn to PUB-NLH-59, and there  
 17 appears to be on the next page—sorry, at the  
 18 bottom of the first page, "In addition to  
 19 the position listings provided in Hydro's  
 20 response to PUB-NLH-33"—so that's what we  
 21 were looking at earlier, the 35 positions in  
 22 2017, "the balance of the list of positions  
 23 that showed a net changes in FTEs from the  
 24 2015 test year to the 2019 test year is  
 25 provided in Table 2 and Table 3." If we

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1 scroll over, when I look through Table 2, so  
 2 there's a number of positions there that  
 3 were traded off or eliminated from 2015 to  
 4 2019 test year. There also seems to be  
 5 positions that are added and increased in  
 6 that timeframe that don't show up on PUB-33.  
 7 Can you tell me whether or not those were  
 8 added in 2015, 2018—or when they might have  
 9 been added?  
 10 MS. DALLEY:  
 11 A. I don't have that handy, but yes, we would  
 12 know that.  
 13 (11:49 a.m. - UNDERTAKING)  
 14 MR. O'BRIEN:  
 15 Q. Can you find that information out for me?  
 16 MS. DALLEY:  
 17 A. Uh-hm.  
 18 MR. O'BRIEN:  
 19 Q. And are any of those positions that are  
 20 added, under Table 3, do they fall under  
 21 your purview?  
 22 MS. DALLEY:  
 23 A. The environmental coordinator would.  
 24 MR. O'BRIEN:  
 25 Q. Okay, and is that a position that was

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1 recently added, do you recall?  
 2 MS. DALLEY:  
 3 A. My recollection is that position would have  
 4 transferred over in 2016.  
 5 MR. O'BRIEN:  
 6 Q. In 2016?  
 7 MS. DALLEY:  
 8 A. Yes, or whether it was transferred or  
 9 sitting in—I don't think it was sitting in  
 10 Hydro, but it was part of the transition of  
 11 the environmental services group.  
 12 (11:50 a.m. - UNDERTAKING)  
 13 MR. O'BRIEN:  
 14 Q. Okay, and can you find out for me, just to  
 15 confirm that, so with all of those positions  
 16 when they were added?  
 17 MS. DALLEY:  
 18 A. Oh, sure.  
 19 MS. GLYNN:  
 20 Q. We will note both those undertakings on the  
 21 record.  
 22 MR. YOUNG:  
 23 Q. Just so I understand, Mr. O'Brien, those  
 24 three, the positions on Table 3, just when  
 25 each of those were added?

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1 MR. O'BRIEN:  
 2 Q. Yeah, I mean, it looks as though they  
 3 weren't—there's a previous indication that  
 4 they weren't included in PUB-33 as positions  
 5 added in 2016 or 2017, so I just wanted to  
 6 know when they were added.  
 7 MR. YOUNG:  
 8 Q. Okay, thank you.  
 9 MR. O'BRIEN:  
 10 Q. And the environmental coordinator, in terms  
 11 of the rationale behind bringing that  
 12 position in or transferring that in, can you  
 13 give me any background on that?  
 14 MS. DALLEY:  
 15 A. My recollection at the time because we had  
 16 some fairly detailed discussion about it,  
 17 because if I recall, the plan or the request  
 18 was to actually have two environmental  
 19 coordinators as part of the transfer and  
 20 through discussions with the manager of  
 21 environment we were able to reduce that to  
 22 one and that was based on and justified with  
 23 they typically do very in-depth resource  
 24 charts through the year of the projects and  
 25 what resources are required, so that's what

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1 would have driven that.  
 2 MR. O'BRIEN:  
 3 Q. And would that have been based on sort of a  
 4 cost benefit analysis of what was required,  
 5 versus justifying –  
 6 MS. DALLEY:  
 7 A. It would have been based on the  
 8 environmental work that needed to be  
 9 completed and then resources required to  
 10 complete much of that work is compliance  
 11 focussed.  
 12 MR. O'BRIEN:  
 13 Q. So this individual or this FTE came from  
 14 Nalcor, is that right?  
 15 MS. DALLEY:  
 16 A. At the time, yes, I think the enviro—again,  
 17 that's something I can confirm, but the  
 18 resources would have been sitting in that  
 19 joint Nalcor team.  
 20 MR. O'BRIEN:  
 21 Q. And previously I guess the environmental  
 22 resources were mostly outside of Hydro and  
 23 in Nalcor, is that correct?  
 24 MS. DALLEY:  
 25 A. Yes, that's correct. Well in the most

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1 recent past.  
 2 MR. O'BRIEN:  
 3 Q. The most recent pass, yes. And could we  
 4 pull up NP-NLH-10. I just wanted to confirm  
 5 the figures here for—so for the net FTEs  
 6 2018 and 2019, we see 852 and 850, correct?  
 7 And we have a forecast in 2017 of net FTEs  
 8 of 860, and we talked earlier about the  
 9 actuals from 2017 and maybe we can have a  
 10 quick look at that, and that would be in  
 11 Information 1, page 8 of, I think it's 118,  
 12 Table 3-1. Right, so we see the forecast  
 13 there of 860 and the actuals of 815, and is  
 14 that a result of some of the positions we  
 15 talked about earlier, the 35 positions not  
 16 being filled or being filled to a smaller  
 17 degree in terms of not an overall, not a  
 18 full year?  
 19 MS. DALLEY:  
 20 A. The primary driver of the net FTEs in 2017  
 21 was actually the intercompany transfers in  
 22 and out, so you would have had less coming  
 23 in as a result of the reorganization and the  
 24 movement of individuals over, and we had  
 25 significant charges out primarily a result

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1 of the work being done on, I'll say Muskrat  
 2 Falls or integration, so we would have had  
 3 resources doing work on, you know, Soldiers  
 4 Pond and the integration of those assets,  
 5 transmission assets. I can't remember the  
 6 number off the top of my head, but it's  
 7 either 27 or 32 equivalent FTEs that were  
 8 working on those projects through the year,  
 9 so that work now we expect to not be as  
 10 predominant, so that's where you would have  
 11 seen the difference in 2018. And again, as  
 12 we spoke about earlier, the adjustments we  
 13 made which I don't think the settlement  
 14 discussions are reflected in here, but we  
 15 would have seen a reduction of 15 off of  
 16 that, so I don't know the exact math, Mr.  
 17 O'Brien, but you would have seen 852 less 15  
 18 and then whatever the intercompany in and  
 19 out is. I don't have that handy, but it's  
 20 significantly less.  
 21 MR. O'BRIEN:  
 22 Q. Okay, so the 2017 forecast of 860 was based—  
 23 wasn't based on any administrative fees, but  
 24 it was based on in and out of time, it's a  
 25 net forecast, so it's based on time in and

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1 out of Nalcor, is that right?

2 MS. DALLEY:

3 A. Yes, that's correct.

4 MR. O'BRIEN:

5 Q. And the 815 is based on time in and out of

6 Nalcor as well?

7 MS. DALLEY:

8 A. Yeah, it's consistent across, net FTEs are

9 net of in and out.

10 MR. O'BRIEN:

11 Q. Okay, and so is it that the difference of 45

12 is associated with that time going out to

13 Nalcor?

14 MS. DALLEY:

15 A. In between '17 forecast and '17 actuals?

16 MR. O'BRIEN:

17 Q. Yes.

18 MS. DALLEY:

19 A. That's the primary driver, but there would

20 be some, as we talked about, timing of

21 onboarding some of those resources, but

22 yeah, fundamentally that's the biggest

23 driver.

24

25 MR. O'BRIEN:

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1 Q. Are you able to find out for me sort of how

2 much of it was associated with the timing in

3 and out of Nalcor, like an actual, the

4 actual time in and out of Nalcor for 2017?

5 MS. DALLEY:

6 A. I think we can check on that, certainly I

7 don't see any reason why not, but how much

8 detail is required to do that position by

9 position, I'm just not aware of.

10 MR. O'BRIEN:

11 Q. Okay. And I know one of the tables we

12 looked at earlier shows, if we look at NP-

13 NLH-10 Revision 1, we do see that there's

14 times in and out of Nalcor shown and I

15 wonder can you update that to include 2017

16 actuals so that would show then what FTEs

17 associated with administrative fees, what

18 associated with—actually, that's not the one

19 with the in and out.

20 MS. DALLEY:

21 A. I was going to say, yeah.

22 MR. O'BRIEN:

23 Q. No, sorry. I think it's 13, is it—or sorry,

24 11.

25 MS. DALLEY:

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1 A. PUB-32 shows FTE time charged in and out.

2 MR. O'BRIEN:

3 Q. Okay, there you go.

4 MS. DALLEY:

5 A. So I understand what you're looking for is

6 put the administration fees in that, so you

7 can see the –

8 MR. O'BRIEN:

9 Q. Sure.

10 MS. DALLEY:

11 A. Is that what you're asking for?

12 MR. O'BRIEN:

13 Q. No, no, I'm asking to see the time in and

14 out, so I want the actual from 2017 updated,

15 can we get that table updated?

16 MS. DALLEY:

17 A. Oh, the updated, yes.

18 MS. GLYNN:

19 Q. I have to confess that I'm a little bit

20 unclear on what the undertaking is now.

21 (11:57 a.m. - UNDERTAKING)

22 MR. O'BRIEN:

23 Q. So what we're going to ask for, the

24 undertaking is to have Table 31 in PUB-32

25 updated to show 2017 actuals, so we'll see

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1 the time in and out of Nalcor for that.

2 MS. GLYNN:

3 Q. Okay, that's noted on the record.

4 MR. O'BRIEN:

5 Q. Okay, thank you.

6 MR. TEMPLETON:

7 Q. Apologies, Jacqui, just a point of

8 clarification, the previous undertaking

9 which was in respect to PUB-NLH-59, is that

10 going to be two separate undertakings or the

11 one? It was in relation to Table 2 and

12 Table 3, are we going to treat those as two

13 separate undertakings or just as one?

14 MS. GLYNN:

15 Q. So it's the same request, it was just for

16 the different positions, so we can use that

17 as one undertaking.

18 MR. O'BRIEN:

19 Q. Okay, sure. So in terms of 2018 test year,

20 is Hydro tracking towards 852 in terms of

21 net FTEs?

22 MS. DALLEY:

23 A. It's early in the year, so I will say that,

24 you know, if you look at our pattern of

25 hiring, it's typically around maintenance

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1 time, so you see more impacts coming through  
 2 as you go through the year. So as we head  
 3 later into the year, we will have a better  
 4 sense of that, but certainly we have the  
 5 controls in place to ensure that that's the  
 6 case and that's our objective.

7 MR. O'BRIEN:  
 8 Q. And so the 35 positions that we looked at  
 9 previously, are they intended to be—the ones  
 10 that haven't been filled, are they intended  
 11 to be filled in 2018?

12 MS. DALLEY:  
 13 A. You'd have to ask the individuals there as  
 14 we talked about on that list, but what I  
 15 would say is they cannot be filled and cause  
 16 an increase in the complement, so if someone  
 17 has a position that they require, when  
 18 positions are eliminated, they go into, only  
 19 way to describe it is a central pool. So  
 20 they go into a central pool and from a FTE  
 21 perspective, it's eliminated, not really a  
 22 pool, it's eliminated, so when a position  
 23 comes back in, if we have the ability to  
 24 trade off and stay flat and it makes  
 25 business sense to have that role, then we

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1 would do that. A good example that we  
 2 already talked about was the energy control  
 3 center operators, my understanding, and Mr.  
 4 LeBlanc could speak to this in more detail,  
 5 but those roles are required, as is a  
 6 reliability and commercial manager within  
 7 the NLSO, so those are six roles that we've  
 8 understood we would have to absorb, and so,  
 9 as we went through 2017 we identified other  
 10 positions that could be eliminated, and in  
 11 early 2018 we eliminated—it's the equivalent  
 12 of, I think probably 13, 14 FTEs to  
 13 essentially enable us to absorb those new  
 14 roles with no net increase.

15 MR. O'BRIEN:  
 16 Q. Okay, so in terms and just so I'm clear, so  
 17 in terms of the PUB-33 where we looked at  
 18 those 35 positions that were intended to be  
 19 added in 2017, some of which may not have  
 20 been added, is that fair or filled, I should  
 21 say.

22 MS. DALLEY:  
 23 A. I saw one, Mr. O'Brien, yeah, and again,  
 24 I'll leave the detail on this to Ms.  
 25 Hutchens, but you know, there's a role there

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1 for a manager of tax and treasury that when  
 2 we were doing the initial assessment, Ms.  
 3 Hutchens had not yet joined the company, and  
 4 so there were some roles we didn't fill at  
 5 the time because we felt it was important  
 6 for the vice-president of finance, once that  
 7 individual was in, to have the ability to  
 8 assess the need and shape the team the way  
 9 that that individual felt the team should be  
 10 shaped to deliver on what was required, so  
 11 that's an example of a role that wasn't  
 12 filled and has subsequently been eliminated.

13 MR. O'BRIEN:  
 14 Q. Okay, so anything that wasn't filled out of  
 15 that list would have been eliminated?

16 MS. DALLEY:  
 17 A. Well it would have contributed to the  
 18 vacancy, but it's either been, the role, and  
 19 again, it's positions versus FTEs, but that  
 20 position is no longer there.

21 MR. O'BRIEN:  
 22 Q. Okay, so the FTE still may be necessary?  
 23 And I'm just trying to clarify.

24 MS. DALLEY:  
 25 A. No. Yeah, I know. The FTE is removed when

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1 the position is removed.

2 MR. O'BRIEN:  
 3 Q. Right, okay. And I can speak to the  
 4 individuals responsible for those. Why  
 5 don't we turn to operating costs? We looked  
 6 at 2016 and Mr. Haynes gave some evidence on  
 7 having come on in June of 2016 and Hydro's  
 8 budget for that year had already been  
 9 produced or I guess that was back in 2015.  
 10 Did you play a role in the 2016 budget, the  
 11 initial 2016 budget and when it was put out?

12 MS. DALLEY:  
 13 A. I would have for the departments that I  
 14 would have had responsibility for at that  
 15 time, so it would have been customer service  
 16 and energy efficiency.

17 MR. O'BRIEN:  
 18 Q. And in 2016, I understand that in early 2016  
 19 there was some instructions given to  
 20 management to try to control cost, some cost  
 21 savings on a short-term basis, do you recall  
 22 that? Were you party to any discussions in  
 23 that regard?

24 MS. DALLEY:  
 25 A. I was aware of that, yes.

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1 MR. O'BRIEN:  
 2 Q. Okay, and what do you recall about it as  
 3 part of the senior leadership, what would  
 4 you told about what you should be doing,  
 5 what you should be looking for, that kind of  
 6 thing?  
 7 MS. DALLEY:  
 8 A. Sure. I recall that Mr. MacIsaac had  
 9 assumed a role, as I spoke about yesterday,  
 10 I believe, in November of that year. 2015  
 11 actuals were at that time coming through and  
 12 we had yet to have a decision on the last  
 13 hearing, so we understood that there was  
 14 uncertainty and Mr. MacIsaac felt there was  
 15 uncertainty heading into the year about  
 16 whether we were going to be able to recover  
 17 costs at the level that we were expending.  
 18 And again, I can't speak for Mr. MacIsaac, I  
 19 can speak for the messages that I feel that  
 20 I received and heard from Mr. MacIsaac which  
 21 was to go back through the budgets that had  
 22 been set earlier in 2015 and find  
 23 substantive savings to bring that budget  
 24 back to a level and to not impact  
 25 reliability at that time, and he made a

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1 number of changes in cuts to travel, cuts to  
 2 training, anything that was essentially not  
 3 related to keeping maintaining service,  
 4 immediate service to customers was to be  
 5 eliminated from the budget and the same  
 6 thing with hiring at the time. So those  
 7 would have been the most predominant things  
 8 that I recall. He also made some structural  
 9 recommendations around the visibility of  
 10 costs. We talked about, you know, the  
 11 gating-in sessions for management of  
 12 vacancies, et cetera, but you put some  
 13 control measures around that to ensure that  
 14 there was visibility at this level of what  
 15 was happening.  
 16 MR. O'BRIEN:  
 17 Q. And can we bring up PUB-NLH-54? While we're  
 18 doing that, I just want to follow up just in  
 19 terms of the instructions that you received,  
 20 were the instructions to focus on short-term  
 21 cost cutting versus long-term, do you  
 22 recall?  
 23 MS. DALLEY:  
 24 A. I don't recall the granularity of the  
 25 instructions, but what I do recall are

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1 discussions around this was an immediate  
 2 course correction, if I could say probably a  
 3 slam on the brakes, and that the culture of  
 4 cost control and cost management needed to  
 5 be pushed out to operations to all the  
 6 service departments and that this was going  
 7 to enable that. That was my interpretation  
 8 of what was happening, it was going to  
 9 enable that and that we subsequently also  
 10 needed to start looking for sustainable  
 11 savings.  
 12 MR. O'BRIEN:  
 13 Q. And I guess that's where I'm going, I mean  
 14 the answer to this particular question about  
 15 targeted reductions in 2016 starts with an  
 16 indication that executive—there was  
 17 direction given by the executive, to  
 18 management, to identify options to reduce  
 19 costs in the short term, but I understand  
 20 from what you're saying there was also sort  
 21 of a direction to look at sustainable  
 22 reductions as well, is that true?  
 23 MS. DALLEY:  
 24 A. Yes, I think that that was the, for example,  
 25 around some of the process changes that

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1 would have started under Mr. MacIsaac and to  
 2 be fair to him, he had, you know, four  
 3 months in the role to get himself underneath  
 4 a lot of that work, so he would have started  
 5 it and again, as a year of transition, you  
 6 would have seen a few bumps in the road, you  
 7 know, as we started, but yes, the executive  
 8 at the time were focussed on trying to enact  
 9 and underlie thoughtful long-term savings  
 10 opportunities.  
 11 MR. O'BRIEN:  
 12 Q. And is that as you went along, or did you  
 13 actually get instructions to do that?  
 14 Because the answer to this question seems to  
 15 be the instructions were short-term  
 16 reductions and I just want to clarify.  
 17 MS. DALLEY:  
 18 A. I think the instructions were short term,  
 19 but I think that, you know, short-term  
 20 savings are—I mean, yeah, some of them are  
 21 sustainable, but very rarely are they and I  
 22 could speak to training within that context  
 23 just because, again, we centralized training  
 24 in the HR department and managed that on  
 25 behalf of the business and since that time,

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1 we put in more controls, more rigor around  
 2 training assessment, training approval, the  
 3 ability to consolidate training together and  
 4 package it in ways which we hope to enable  
 5 us to get better cost savings around how we  
 6 deliver training, assessment training in-  
 7 house versus external, so you know, we put a  
 8 lot more rigor around training, but in 2016  
 9 the direction was cut training, so if it's  
 10 not related, required to meet regulatory  
 11 requirements, then it's not happening. And,  
 12 you know, that was, I think I can generally  
 13 say I supported that direction at the time  
 14 because I think that we needed that kind of  
 15 shock.

16 MR. O'BRIEN:  
 17 Q. To be fair, in terms of how this would  
 18 benefit customers, the short-term reduction  
 19 in costs in 2016, 2017 wouldn't benefit  
 20 customers, you'd agree with me?

21 MS. DALLEY:  
 22 A. We were, you know, exceeding test year  
 23 approved rates, you know, what we had  
 24 submitted at that time in 2015, so I would  
 25 say that in the short term, the short-term

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1 savings wouldn't have, but what it would  
 2 have done over the long time, which it has  
 3 done, is engendered the beginnings of a  
 4 culture change and I can, again, I'm going  
 5 to say what I said earlier, I can appreciate  
 6 that what I'm trying to demonstrate here is  
 7 that we've got processes and structures in  
 8 place. There will be more processes and  
 9 structures and customers will end up seeing  
 10 the results of this. Whether they see it  
 11 through—we put some of it into this GRA and  
 12 we've talked about some of it with respect  
 13 to, you know, the productivity allowance,  
 14 the additional vacancy adjustments, you  
 15 know, some of those are as we're moving  
 16 forward, we're getting more confident, I'll  
 17 say, and comfortable with our understanding  
 18 of what the drivers are in the business and  
 19 the plans are in place to do more of that in  
 20 the workplans that we have, and again, the  
 21 impact of that will be cost management for  
 22 customers.

23 MR. O'BRIEN:  
 24 Q. And if we scroll down here to Attachment 1,  
 25 there's a table here for total expenses by

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1 cost category. There's a number of columns  
 2 there, 2016 original budget, so this would  
 3 have been what was prepared in mid-2015 or  
 4 by the end of 2015, is that fair?

5 MS. DALLEY:  
 6 A. Ms. Hutchens can speak to the detailed  
 7 timing and to be fair, the details of what's  
 8 here as well.

9 MR. O'BRIEN:  
 10 Q. Okay. Do you recall—and I'll just ask a  
 11 couple of questions for you, do you recall,  
 12 there's a target reduction column there, was  
 13 there anything circulated to executive or  
 14 management about here's our target for  
 15 reduction in 2016, there appears to be two  
 16 tables that are added together to get the  
 17 actuals, there's a target reduction and in  
 18 additional reductions as well. Were you  
 19 given a written target as to what you had to  
 20 try and reduce?

21 MS. DALLEY:  
 22 A. My recollection is that there was discussion  
 23 over, yes, a target that I don't recall. I  
 24 mean, the amount is there, so it shows as 10  
 25 million, so my guess here is that that is

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1 the target reduction.

2 MR. O'BRIEN:  
 3 Q. Okay, and do you recall receiving a written  
 4 document saying here's what you need to  
 5 reduce, where's what another area needs to  
 6 reduce?

7 MS. DALLEY:  
 8 A. I don't recall that specifically, but that  
 9 doesn't mean that the instructions weren't  
 10 discussed.

11 MR. O'BRIEN:  
 12 Q. When Mr. Haynes came on as president in June  
 13 of 2016, did you receive any additional  
 14 direction concerning cost reductions?

15 MS. DALLEY:  
 16 A. In 2016?

17 MR. O'BRIEN:  
 18 Q. Yeah.

19 MS. DALLEY:  
 20 A. Again, my recollection was Mr. Haynes was  
 21 made aware of the work that was underway -

22 MR. O'BRIEN:  
 23 Q. Okay.

24 MS. DALLEY:  
 25 A. - and the decisions that had been made. He

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1 did question it to a great deal about  
 2 whether these cuts were sustainable and  
 3 whether we were inadvertently having an  
 4 impact that again unintended consequences  
 5 that we may not have been aware of. So, we  
 6 started then to talk about it in more – with  
 7 more rigour – the long-term – you know,  
 8 approach to long-term sustainable savings.  
 9 We started that discussion. There was again  
 10 a lot of transition happening through 2016.  
 11 I think it’s fair to say that we started  
 12 some of those process discussions,  
 13 collecting the data we needed to make  
 14 informed decisions, but the discussion  
 15 started in earnest upon receipt of the  
 16 Board’s order.

17 MR. O'BRIEN:  
 18 Q. That would have been the end of 2016, is it?  
 19 MS. DALLEY:  
 20 A. Yes. By that time too, the – not all of  
 21 the, but the structure had been put in  
 22 place. The executive, not all of them, but  
 23 most of them at that point had been  
 24 identified. For example, Ms. Hutchens  
 25 joined us in early January, but we had

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1 started discussions with her before she hit  
 2 the ground running.

3 MR. O'BRIEN:  
 4 Q. And we see here, in terms – I guess in terms  
 5 of Hydro’s success in reducing from its  
 6 original budget for 2016, we see there’s  
 7 significant success in the labour reduction;  
 8 a five million dollar reduction. Is that  
 9 fair?

10 MS. DALLEY:  
 11 A. Yes.

12 MR. O'BRIEN:  
 13 Q. Okay. And is that as a result of the  
 14 gating-in process that was established, do  
 15 you think?

16 MS. DALLEY:  
 17 A. I think it’s a combination of that plus the  
 18 – and you can see it here, the capital  
 19 labour, and intercompany in and out would  
 20 also be factored in there. So, we’d have to  
 21 look underneath that to see what the drivers  
 22 were.

23 MR. O'BRIEN:  
 24 Q. And earlier on in this response, there’s  
 25 discussion about aggressive management of

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1 hiring in that 2016 period and is that the  
 2 gating-in process that we’ve talked about  
 3 today?

4 MS. DALLEY:  
 5 A. Yes.

6 MR. O'BRIEN:  
 7 Q. And is that, in your mind, any different  
 8 than what a utility should be engaged in, in  
 9 terms of hiring staff?

10 MS. DALLEY:  
 11 A. Do you mean from an outcome or a process  
 12 perspective?

13 MR. O'BRIEN:  
 14 Q. From a process perspective.

15 MS. DALLEY:  
 16 A. I think it’s what we require for where we  
 17 are right now.

18 (12:15 p.m.)  
 19 MR. O'BRIEN:  
 20 Q. And what do you mean by that?  
 21 MS. DALLEY:  
 22 A. I mean that it’s the process that is meeting  
 23 – for control and management of the budget  
 24 with the systems that we have, and by  
 25 “systems” I mean the actual systems for

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1 recording and managing the data around FTEs  
 2 that a centralized approach is the approach  
 3 that we’re taking. However, an optimal  
 4 approach is, in my opinion, is to get us to  
 5 the point where the – like how we manage the  
 6 vacancy allowance is a good example. It’s a  
 7 centralized management of that. So, it  
 8 facilitates centralized control over the  
 9 budget when in reality, in a mature  
 10 organization, you should be able to push  
 11 your salary budget as a number with  
 12 appropriate targets out to business unit  
 13 owners to manage. So, we’ve had lots of  
 14 discussion as we’ve gone through this  
 15 process as to what point – and the systems  
 16 that we will need in place and the processes  
 17 to ensure appropriate and adequate  
 18 management in a decentralized manner of  
 19 salary budgets. But for where we are right  
 20 now, the centralized control is appropriate.

21 MR. O'BRIEN:  
 22 Q. And do you anticipate in the future – and  
 23 I’m trying to sort of square the circle  
 24 between the aggressive management of hiring  
 25 and a utility’s obligation to hire on a

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1 least cost basis, will that change in the  
 2 future? If it's where you are now, what we  
 3 need right now is to keep a handle on  
 4 managing FTEs. Is that something that's  
 5 going to change in the future or is this a  
 6 process you've set up now and you're  
 7 satisfied this is the way we need to  
 8 approach things going forward?  
 9 MS. DALLEY:  
 10 A. I would go back to what I had just said. I  
 11 think that this process is appropriate for  
 12 where we are right now. It facilitates the  
 13 appropriate insights and control that we  
 14 feel is required. It also helps us from a –  
 15 you know, if I can say, a horizontal  
 16 perspective, so that we're able to shift.  
 17 If we need additional resources in a certain  
 18 area, we have more flexibility at that  
 19 level. But that's not saying that there  
 20 aren't other processes and tools that can be  
 21 used to do that and we understand the pros  
 22 and cons of the approach that we're taking,  
 23 but for right now, we feel that this is the  
 24 appropriate approach, but it's – you know,  
 25 it's a fairly active discussion. You know,

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1 if you're a regional manager in Transmission  
 2 and Rural Operations in Labrador, you know,  
 3 you want another resource. You have to go  
 4 through a fairly vigorous process to get  
 5 there and you know, suffice it to say right  
 6 now that they feel the weight of having to  
 7 justify, you know, the resources that they  
 8 require and we think that's appropriate and  
 9 is appropriate through the company. I'm not  
 10 saying that they – you know, they don't want  
 11 to do that. I think they want to, and I  
 12 think with the system we have in place, you  
 13 know, it's a balance and we're facilitating  
 14 that.  
 15 MR. O'BRIEN:  
 16 Q. If we scroll up on this RFI, there's some  
 17 mention in – and you've already mentioned  
 18 this in your evidence, and so has Mr.  
 19 Haynes, in terms of some of the areas – we  
 20 go to page 2, you see at line 19 there,  
 21 “while cost reduction measures were very  
 22 successful” which we see a reduction in the  
 23 overall cost 124 million, “a number of these  
 24 costs were not sustainable.” So, we've  
 25 discussed that. “Examples include

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1 vegetation management, training and  
 2 conferences” you've mentioned that, “and  
 3 travel”. I believe you – both yourself and  
 4 Mr. Haynes may have mentioned that.  
 5 In terms of them not being sustainable,  
 6 if we scroll down to that chart again, the  
 7 savings that were obtained say from  
 8 vegetation management – and I don't know if  
 9 you can speak to that specifically, but we  
 10 see a systems equipment and maintenance  
 11 figure of 29 million going down to 25. Is  
 12 that where vegetation management would fall,  
 13 do you know?  
 14 MS. DALLEY:  
 15 A. I'm not the right person to speak to that,  
 16 Mr. O'Brien.  
 17 MR. O'BRIEN:  
 18 Q. Okay.  
 19 MS. DALLEY:  
 20 A. But I would think that either Mr. Gardiner  
 21 from a vegetation management perspective or  
 22 certainly Ms. Hutchens.  
 23 MR. O'BRIEN:  
 24 Q. Okay. And travel and training, in terms of  
 25 the savings associated with those two,

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1 travel we see went from 3.5 down to 1.9, so  
 2 you get a million and a half savings in 2016  
 3 and even less, about half a million in  
 4 training. And those are items that were  
 5 identified as being not sustainable. And  
 6 when I look through the actuals in 2017,  
 7 they don't come up that much in 2017. So,  
 8 it doesn't appear to me that there's been a  
 9 real issue with sustaining travel and  
 10 training as a problem in terms of your  
 11 overall costs.  
 12 MS. DALLEY:  
 13 A. I don't have the 2017 figures, but -  
 14 MR. O'BRIEN:  
 15 Q. Did you find that – and maybe we can bring  
 16 up 2017, Information 1, page 39.  
 17 MS. DALLEY:  
 18 A. I can't certainly speak to -  
 19 MR. O'BRIEN:  
 20 Q. Just look at the full picture of that.  
 21 MS. DALLEY:  
 22 A. - training, but Ms. Hutchens would be the  
 23 right person to speak to the other ones.  
 24 MR. O'BRIEN:  
 25 Q. Yeah. So, we see the actuals here. So, if

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1 we looked at travel, say, the 2015 actual  
 2 was 32. 2016 actual was 19. 2017 forecast  
 3 went up by, I guess, five and a half. And  
 4 then 2018, 2019 seems to be fairly  
 5 sustainable, not much increase. Would you  
 6 agree with me?  
 7 MS. DALLEY:  
 8 A. Based on the actuals, yes.  
 9 MR. O'BRIEN:  
 10 Q. And training, I'm not sure where that fits  
 11 in. So, I might have to ask someone else on  
 12 that, but what I see as being the bigger  
 13 issue in terms of sustainability seems to be  
 14 in the labour side of things. We got a 2016  
 15 actual of 64 going up to 68.  
 16 MS. DALLEY:  
 17 A. That's right. Those would be impacts of the  
 18 reorganization and again, additional FTEs  
 19 that would have been business required  
 20 through that year.  
 21 MR. O'BRIEN:  
 22 Q. And I didn't see that as being flagged as an  
 23 issue of sustainability; of labour being an  
 24 issue.  
 25 MS. DALLEY:

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1 A. What do you mean?  
 2 MR. O'BRIEN:  
 3 Q. Well, there's a number of issues that we saw  
 4 that cost reductions were unsustainable and  
 5 what was flagged was vegetation management,  
 6 training and travel. Labour wasn't flagged  
 7 as an issue with sustainability. But in  
 8 terms of the increase in costs, that's where  
 9 we're mainly seeing the increase in costs.  
 10 MS. DALLEY:  
 11 A. Yeah, we're seeing the addition of the FTEs  
 12 as a result of the reorganization and again,  
 13 as we got more comfortable coming through  
 14 '17 with our controls and processes in  
 15 place, we felt comfortable reducing that  
 16 budget.  
 17 MR. O'BRIEN:  
 18 Q. Okay. So, let's talk about the labour  
 19 related costs that we see there. So, there  
 20 is an increase from – of about four million  
 21 from the 2016 actuals to the – then, and I'm  
 22 just looking at labour related costs, not  
 23 the total.  
 24 MS. DALLEY:  
 25 A. Yeah.

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1 MR. O'BRIEN:  
 2 Q. Go from 64 to 68, so there's a four million  
 3 dollar increase. You can speak to the  
 4 overall labour costs, can you?  
 5 MS. DALLEY:  
 6 A. Yes.  
 7 MR. O'BRIEN:  
 8 Q. Okay. And the specific question I have on  
 9 that, and I just want a little clarification  
 10 on is that in terms of net FTEs, we only saw  
 11 an increase from 2016 to 2017 of six, from  
 12 809 to 815, but we see an increase in labour  
 13 costs of four million dollars. Can you tell  
 14 me why that is?  
 15 MS. DALLEY:  
 16 A. Sorry, can you tell me those FTE numbers  
 17 again?  
 18 MR. O'BRIEN:  
 19 Q. Yeah. It's 809 for 2016, that's the net  
 20 FTEs, and 815 for 2017. And there may be  
 21 other puts and takes in there, so I just  
 22 want to get the -  
 23 MS. DALLEY:  
 24 A. Yeah. I'm just looking for the previous --  
 25 just give me one second.

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1 MR. O'BRIEN:  
 2 Q. And the reason, I guess, I'm asking is I  
 3 don't want to assume that there's a six  
 4 percent increase in labour costs from six  
 5 FTEs. So, I just want to -  
 6 MS. DALLEY:  
 7 A. No.  
 8 MR. O'BRIEN:  
 9 Q. I just want to get that clarification on  
 10 that.  
 11 MS. DALLEY:  
 12 A. Some of that would be structure. So, it  
 13 would be a combination of addition of FTEs  
 14 and then some structural increase around  
 15 progression and merit as well which would go  
 16 through there, and yesterday we spoke to –  
 17 well, I think Mr. Haynes actually spoke to a  
 18 little bit about short term incentive, so  
 19 that too would have been factored into those  
 20 costs.  
 21 MR. O'BRIEN:  
 22 Q. And are you able to give an undertaking just  
 23 to put together the reason for that increase  
 24 in four million, so that I can see the  
 25 breakdown?

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1 (12:25 p.m. UNDERTAKING)  
 2 MS. DALLEY:  
 3 A. Yes. I'm not entirely sure that there's not  
 4 something on the record -  
 5 MR. O'BRIEN:  
 6 Q. Or even to point me to it and I might not -  
 7 MS. DALLEY:  
 8 A. - on that, but regardless, off the top of my  
 9 head, I don't have it.  
 10 MR. O'BRIEN:  
 11 Q. It won't embarrass me to point me to  
 12 something that's already on the record.  
 13 MS. DALLEY:  
 14 A. No.  
 15 MS. GLYNN:  
 16 Q. The undertaking is noted.  
 17 MR. O'BRIEN:  
 18 Q. So, on top of the four million dollar  
 19 increase in 2016, however, we've got a 2018  
 20 test year increase of what looks to be  
 21 another five and a half million for labour.  
 22 Is that fair?  
 23 MS. DALLEY:  
 24 A. Yes.  
 25 MR. O'BRIEN:

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1 Q. So, I wonder how you'd square that with the  
 2 reasonable cost control of your labour, on a  
 3 year-to-year basis, that type of increase?  
 4 MS. DALLEY:  
 5 A. It's primarily driven by the reorganization.  
 6 MR. O'BRIEN:  
 7 Q. In 2018?  
 8 MS. DALLEY:  
 9 A. Well, yeah, because you're carrying those  
 10 costs forward. They don't - labour costs  
 11 don't come in for one year. They stay. So,  
 12 those FTEs that were brought in, even if  
 13 they were partial years or partial FTEs in  
 14 2017, so if they were brought in at some  
 15 point during the year, they would have  
 16 caused - you know, if you had an employee  
 17 making \$70-80,000 and they were brought in  
 18 September of 2017, we would have seen a  
 19 quarter of that FTE in that year, give or  
 20 take, and then you would have seen the full  
 21 FTE and therefore the full salary as well  
 22 and subsequent benefits that go with it into  
 23 that year.  
 24 MR. O'BRIEN:  
 25 Q. And could you provide me with an analysis of

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1 what has - what came in in 2017 of those new  
 2 positions versus what's in for the full year  
 3 of 2018, so I can see that breakdown?  
 4 (12:26 p.m., UNDERTAKING)  
 5 MS. DALLEY:  
 6 A. Yeah.  
 7 MR. O'BRIEN:  
 8 Q. Okay.  
 9 MS. GLYNN:  
 10 Q. Would that be provided as part of the  
 11 original undertaking or is that a -  
 12 MR. O'BRIEN:  
 13 Q. That's fine. The original undertaking is  
 14 fine, as part of that, yeah. In terms of  
 15 total operating costs, we see an increase in  
 16 total operating costs. I'm not going to ask  
 17 you to speak to each one of those areas, but  
 18 as a vice-president of Hydro, when you look  
 19 at an increase from an actual of 130 to 142  
 20 in the test year, is that the kind of  
 21 increase on a year-over-year basis that  
 22 suggests cost control within Hydro to you?  
 23 MS. DALLEY:  
 24 A. I think what we're saying is that the  
 25 reorganization and the subsequent -

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1 certainly on the labour side, so I can speak  
 2 to that because I think that's one of the  
 3 primary drivers and there are puts and takes  
 4 in here which Ms. Hutchens can speak to -  
 5 that the reorganization was necessary for us  
 6 to deliver long term the mandate that Hydro  
 7 has been given for least cost power, again I  
 8 guess, to some degree balanced with reliable  
 9 service. And yes, we feel that that  
 10 investment is prudent for customers.  
 11 MR. O'BRIEN:  
 12 Q. And I guess the concern we have, I guess, as  
 13 intervenors is we see Hydro has done a  
 14 relatively good job of reducing costs in  
 15 2016 and 2017 and then the test years jump  
 16 up. You can see that.  
 17 MS. DALLEY:  
 18 A. Yes, I think that's fair and we're aware of  
 19 that.  
 20 MR. O'BRIEN:  
 21 Q. So that's the concern.  
 22 MS. DALLEY:  
 23 A. Yeah.  
 24 MR. O'BRIEN:  
 25 Q. And you're still satisfied that those test

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1 year figures are reasonable commitments to  
 2 cost control as you indicate in your  
 3 evidence?  
 4 MS. DALLEY:  
 5 A. Again, I think you'll see there's some  
 6 dollars going to come out of that with  
 7 respect to settlement.  
 8 MR. O'BRIEN:  
 9 Q. Sure.  
 10 MS. DALLEY:  
 11 A. And you know, even on – if I could speak  
 12 just briefly to overtime.  
 13 MR. O'BRIEN:  
 14 Q. I was going to ask you about that. Go  
 15 ahead.  
 16 MS. DALLEY:  
 17 A. Yeah. So, you know, that's a very  
 18 aggressive target in 2018 compared to the  
 19 trend line overall. I don't think there's a  
 20 year in the last few years where we've met  
 21 that. So, you know, we are putting the  
 22 appropriate rigour, and again, the entire  
 23 team can speak to the detail around this and  
 24 what is planned, but we're putting the  
 25 structures and processes in place to control

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1 that, and that's why we felt comfortable  
 2 with the target. So, the budget admittedly  
 3 was set early in these processes. So, we've  
 4 tried, through some of these measures, to  
 5 demonstrate as much as we can inside of the  
 6 process that there's some aggressive numbers  
 7 in these targets and overtime is one of  
 8 them.  
 9 MR. O'BRIEN:  
 10 Q. So, the overtime – and I take your point in  
 11 terms of the reduction in overtime, but  
 12 you'll agree with me that the higher figures  
 13 in overtime say in 2015 actuals were as a  
 14 result of a catch-up phase for Hydro in  
 15 outstanding, I guess, maintenance and that  
 16 sort of thing. Is that fair? That's a bit  
 17 of an anomaly.  
 18 MS. DALLEY:  
 19 A. So, I think it's an anomaly. The details of  
 20 it I can't speak to.  
 21 (12:30 p.m.)  
 22 MR. O'BRIEN:  
 23 Q. Okay. Can we turn to page 40? This is the  
 24 Total Operating Expenses by Functional Area.  
 25 So, your area is under Corporate Services

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1 and Regulatory Affairs. Are you able to  
 2 speak to any of the areas, say, under  
 3 General and Administration itself or would  
 4 it just be the Corporate and Regulatory  
 5 Affairs?  
 6 MS. DALLEY:  
 7 A. Just my area.  
 8 MR. O'BRIEN:  
 9 Q. Just that area, okay. And one of the – and  
 10 I'm going to ask you one question outside of  
 11 that and you can tell me if you can answer  
 12 it or not. It has to do with executive  
 13 leadership and that's -  
 14 MS. DALLEY:  
 15 A. Ms. Hutchens can speak to that.  
 16 MR. O'BRIEN:  
 17 Q. Okay. So, Corporate Services and Regulatory  
 18 Affairs, obviously you were involved in  
 19 preparing the 2017 budget for that area.  
 20 The 2016 budget information that we had  
 21 doesn't break down the costs by cost type  
 22 for that area, but I'm going to ask that we  
 23 look at NP-NLH-76, Attachment 1, and that  
 24 kind of breaks it down for cost type by  
 25 area. Yeah, so this is your area with the

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1 different departments.  
 2 So, if we look at the total operating  
 3 costs down here, we have 2015 actual of 24  
 4 million; 2016 actual of 17 million. Are you  
 5 able to tell us or generally speaking, why  
 6 there was such a reduction? There's a 25  
 7 percent reduction there in that area from  
 8 '15 actuals to '16 actuals. And it might  
 9 help if we turn to 77, NP-NLH-77. I think  
 10 there's – my understanding is largely it may  
 11 be due to Regulatory Affairs reduction in  
 12 that area.  
 13 MS. DALLEY:  
 14 A. There was, yeah, a significant decrease at  
 15 the time going into '16 and a number of, you  
 16 know, accruals that came through that same  
 17 period that we're speaking of.  
 18 MR. O'BRIEN:  
 19 Q. No, it's not in there. Okay, let's go back  
 20 to 76. Sorry, yeah, okay. So, we see a  
 21 reduction there of – there's almost a four  
 22 and a half million dollar difference in  
 23 Regulatory Affairs. So, that's the big  
 24 driver of that reduction.  
 25 And the 2016 overall operating costs

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1 for this area of 17 million, there was a  
 2 forecast of 20 million. So, there was a  
 3 forecast for 2017 to increase to that point.  
 4 If we go to Information 1, page 40, it  
 5 appears that the forecast didn't materialize  
 6 that increase. In fact, there was a minor  
 7 or small decrease. Is that true?  
 8 MS. DALLEY:  
 9 A. Between -  
 10 MR. O'BRIEN:  
 11 Q. From '16 actuals -  
 12 MS. DALLEY:  
 13 A. And '17?  
 14 MR. O'BRIEN:  
 15 Q. Yeah, and '17 actuals.  
 16 MS. DALLEY:  
 17 A. Yes.  
 18 MR. O'BRIEN:  
 19 Q. And in terms of the reason for that  
 20 decrease, are you able to tell me what the  
 21 reason for that decrease might be?  
 22 MS. DALLEY:  
 23 A. Between '17 -  
 24 MR. O'BRIEN:  
 25 Q. The failure to reach the forecast, yeah.

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1 MS. DALLEY:  
 2 A. The '17 forecast and '17 -  
 3 MR. O'BRIEN:  
 4 Q. And actual, yeah.  
 5 MS. DALLEY:  
 6 A. - and actuals.  
 7 MR. O'BRIEN:  
 8 Q. Yeah, the difference between that.  
 9 MS. DALLEY:  
 10 A. My recollection is a good portion of that  
 11 was delays associated with the timing of the  
 12 application.  
 13 MR. O'BRIEN:  
 14 Q. Okay.  
 15 MS. DALLEY:  
 16 A. The same thing with the Cost of Service.  
 17 So, there would have been a great deal of  
 18 professional services fees, legal fees, that  
 19 would have been pushed out as a result of  
 20 that.  
 21 MR. O'BRIEN:  
 22 Q. So, that previous slide we looked at, NP-  
 23 NLH-77, included the 2017 forecast but  
 24 didn't include the 2017 actuals and that  
 25 broke it down by department. I wonder if we

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1 could get an undertaking to update NP-NLH-  
 2 77, Attachment 1, just to include the 2017  
 3 actuals?  
 4 (12:35 p.m. UNDERTAKING)  
 5 MS. DALLEY:  
 6 A. Um-hm.  
 7 MS. GLYNN:  
 8 Q. The undertaking is noted.  
 9 MR. O'BRIEN:  
 10 Q. Is it 77 or 76? 76, sorry. Yeah, this one  
 11 here.  
 12 MS. DALLEY:  
 13 A. Yes.  
 14 MR. O'BRIEN:  
 15 Q. If we can update 76 to include 2017 actuals.  
 16 And that might give us a better picture as  
 17 to where that difference might be. But you  
 18 would expect, just on your recollection,  
 19 it's likely in the Regulatory Affairs area?  
 20 Is that fair? It's based on delays for -  
 21 MS. DALLEY:  
 22 A. Yeah, I've got - we got them by functional  
 23 area the same way.  
 24 MR. O'BRIEN:  
 25 Q. Yeah. And I won't hold you to that, but I'd

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1 just ask for -  
 2 MS. DALLEY:  
 3 A. No, that's fine. That's what it looks like  
 4 from my notes here.  
 5 MR. O'BRIEN:  
 6 Q. And so, if we go back to Information 1, page  
 7 40. With the failure to the forecast - the  
 8 2017 forecast to materialize in 2017  
 9 actuals, do you still expect a four million  
 10 dollar increase into the 2018 test year in  
 11 the overall costs in this area?  
 12 MS. DALLEY:  
 13 A. Which number are you referencing?  
 14 MR. O'BRIEN:  
 15 Q. Looking at the Corporate Services and  
 16 Regulatory Affairs, right.  
 17 MS. DALLEY:  
 18 A. Oh yes, yeah.  
 19 MR. O'BRIEN:  
 20 Q. So, we had a forecast of 20 million, which  
 21 would have been an increase in three  
 22 million, but it didn't materialize in 2017.  
 23 Do you still forecast that there's going to  
 24 be a four million dollar increase now from  
 25 2017 actuals to 2018 test year?

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1 MS. DALLEY:  
 2 A. Notwithstanding things that we've – so, for  
 3 example, any redistribution of vacancies  
 4 inside of that. So, some of the changes  
 5 that we've made which would again see some  
 6 reflection inside of those numbers, but yes.  
 7 MR. O'BRIEN:  
 8 Q. So, you still expect to see that increase in  
 9 the 20 – in the four million dollar range?  
 10 MS. DALLEY:  
 11 A. Yes, and that's been the – the buildup of  
 12 the budget for that year reflects that.  
 13 MR. O'BRIEN:  
 14 Q. Because that appears to be a significant  
 15 percentage increase from actual to year-  
 16 over-year.  
 17 MS. DALLEY:  
 18 A. It is, and a good portion of that is driven  
 19 through professional services, both in  
 20 Regulatory. There's some as well sitting in  
 21 environmental services. So, for example,  
 22 we've got a compliance obligation with the  
 23 start-up of TL267, which is a fairly  
 24 significant and costly monitoring program  
 25 which is built into these budgets as well.

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1 MR. O'BRIEN:  
 2 Q. And where is that covered under, Regulatory  
 3 Affairs?  
 4 MS. DALLEY:  
 5 A. No, no, no. That would be under – I'm still  
 6 looking at Schedule 3 of 10. So, yes,  
 7 Corporate Services.  
 8 MR. O'BRIEN:  
 9 Q. Yeah. And for Human Resources and Labour  
 10 Relations, I wonder if we could pull up NP-  
 11 NLH-198. Just had a quick question on that.  
 12 There's a forecast increase in operating  
 13 costs from 2016 to 2019 of about a million  
 14 and a half and the indication is that this  
 15 is primarily due to an increase in hiring  
 16 within the apprenticeship program, as well  
 17 as the training budget. Can you just give  
 18 me a little bit more information on that and  
 19 what the status is of that program?  
 20 MS. DALLEY:  
 21 A. The apprenticeship program?  
 22 MR. O'BRIEN:  
 23 Q. Yes.  
 24 MS. DALLEY:  
 25 A. Again, I think that some of the

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1 justification coming through that was some  
 2 of the holds that were done in 2016 to, you  
 3 know, slow down or manage the budget. So,  
 4 as a result, there was some back-off on  
 5 apprentices. The apprentice program, from a  
 6 succession program, is actually quite  
 7 critical to us and even more so with the  
 8 integration of the Muskrat Falls asset. So,  
 9 that program, from a succession standpoint,  
 10 is – it's really important to add some of  
 11 our system operators we train ourselves  
 12 through an internal apprenticeship program.  
 13 You don't get those people off the streets,  
 14 so as we see Muskrat Falls come online, our  
 15 expectation is we will see some turnover  
 16 inside of those operators. So, yes, we are  
 17 staffing the apprentice program at full  
 18 complement and you know, there's a lot of  
 19 pressure to actually increase that from a  
 20 succession standpoint.  
 21 MR. O'BRIEN:  
 22 Q. So, that was put on hold -  
 23 MS. DALLEY:  
 24 A. If that's what you're asking.  
 25 MR. O'BRIEN:

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1 Q. - was it, in the -  
 2 MS. DALLEY:  
 3 A. Pardon?  
 4 MR. O'BRIEN:  
 5 Q. That was put on hold in the 2016 year?  
 6 MS. DALLEY:  
 7 A. I don't think it was put on hold, but it was  
 8 adjusted. So, there were some positions  
 9 which wouldn't have been filled. As a  
 10 result of that, decisions were made.  
 11 MR. O'BRIEN:  
 12 Q. And was there a cost benefit analysis from  
 13 the perspective of reliability done at that  
 14 time? Was there a concern that if that was  
 15 put on hold that that might result in some  
 16 reliability concerns down the road, not  
 17 having enough manpower, that kind of thing?  
 18 MS. DALLEY:  
 19 A. I think that was – and again, I don't recall  
 20 the specific discussion, but that would have  
 21 been considered inside of it, and in those  
 22 early 2016 days, I'm not sure that the  
 23 operating model wasn't – if I recall, was  
 24 different at the time, so there would have  
 25 been an expected integration in early 2016

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1 of Hydro and the new, what is now the Power  
 2 Supply group, and Hydro would have been  
 3 providing services to the Muskrat Falls  
 4 group. I believe that was the operating  
 5 model, the assumptions. And so there would  
 6 have been some change as a result of that.  
 7 So, my point being that in an  
 8 integrated model, you have – you know, might  
 9 be more flexibility. I don't have the  
 10 details on that, but that was my  
 11 recollection of the understanding. So, even  
 12 the assessment of the future state impacts  
 13 at that time would have been different  
 14 because a future state would have been  
 15 different.  
 16 MR. O'BRIEN:  
 17 Q. And we looked at operating expenses. I  
 18 assume you can't speak to the operations  
 19 functional area group in terms of operating  
 20 expenses, so anyone in Engineering or -  
 21 MS. DALLEY:  
 22 A. Yeah, those would be appropriately -  
 23 MR. O'BRIEN:  
 24 Q. They'd be outside of your -  
 25 MS. DALLEY:

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1 A. Yeah, subject to those folks.  
 2 MR. O'BRIEN:  
 3 Q. Let me ask you just a couple of questions in  
 4 terms of the rural deficit, only because the  
 5 new report came in yesterday. Can we bring  
 6 up NP-NLH-55? Second revision, sorry. So,  
 7 if we scroll down here, we've got a table  
 8 with Hydro's rural deficit outlined. So, we  
 9 see that right now, as of yesterday anyway,  
 10 which you accept, subject to check, the 2017  
 11 figure is actually – it's not in the table  
 12 here, but it's – the figure is around 60.4  
 13 million? Would you agree with that, subject  
 14 to check?  
 15 MS. DALLEY:  
 16 A. Subject to check, yes.  
 17 MR. O'BRIEN:  
 18 Q. Okay. So, we can see that the rural deficit  
 19 continues sort of at an increasing kind of,  
 20 I guess, direction. And I'm wondering, it  
 21 appears from the reports that we see that  
 22 really the only efforts to control it seems  
 23 to be through conservation and demand  
 24 management and some operating initiatives  
 25 within Hydro. Is that fair?

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1 MS. DALLEY:  
 2 A. Yes.  
 3 MR. O'BRIEN:  
 4 Q. Okay. And are you able to put a dollar  
 5 figure or undertake to put a dollar figure,  
 6 if possible, on kind of what reductions have  
 7 resulted from those conservation and demand  
 8 management programs and Hydro's internal  
 9 initiatives that have been realized say  
 10 since 2015? Is it doing anything?  
 11 (12:45 p.m. UNDERTAKING)  
 12 MS. DALLEY:  
 13 A. Yeah, I can certainly provide the figures  
 14 related to CDM.  
 15 MR. O'BRIEN:  
 16 Q. Okay.  
 17 MS. DALLEY:  
 18 A. Because all those programs are economically  
 19 justified and tracked very closely.  
 20 MR. O'BRIEN:  
 21 Q. And in terms of what effect Hydro's internal  
 22 operating initiatives might be having on the  
 23 rural deficit, are you able to provide any  
 24 detail on that?  
 25 MS. DALLEY:

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1 A. I'm not the right person to speak to it.  
 2 MR. O'BRIEN:  
 3 Q. And who would I speak to about that?  
 4 MS. DALLEY:  
 5 A. That is a good question. I'm thinking -  
 6 MR. O'BRIEN:  
 7 Q. You're not going to throw anyone under the  
 8 bus.  
 9 MS. DALLEY:  
 10 A. No. Well, no, I honestly don't know.  
 11 MR. O'BRIEN:  
 12 Q. Okay.  
 13 MS. DALLEY:  
 14 A. So, I'm trying to be helpful. I think it's  
 15 – you know, Mr. LeBlanc would be aware of  
 16 what's happening in his area, but if it came  
 17 to the tracking of costs related to that, it  
 18 may indeed be Ms. Hutchens that would have  
 19 some granularity detail, but it's likely Mr.  
 20 LeBlanc.  
 21 MR. O'BRIEN:  
 22 Q. Okay. And maybe we'll speak with counsel  
 23 later and figure out -  
 24 MS. DALLEY:  
 25 A. Yeah, if that's different, I'm certain they

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1 can figure that out.

2 MR. O'BRIEN:

3 Q. Okay.

4 MS. GLYNN:

5 Q. And we'll note the CDM costs as an

6 undertaking.

7 MS. DALLEY:

8 A. Yeah.

9 MR. O'BRIEN:

10 Q. Yeah, the CDM cost. Are you aware of any

11 other alternatives that Hydro has taken or

12 considered in terms of reducing the rural

13 deficit?

14 MS. DALLEY:

15 A. Do you mean alternative supply options or

16 alternatives within that?

17 MR. O'BRIEN:

18 Q. Well, alternatives to reducing the deficit

19 or any other options that are being

20 considered right now.

21 MS. DALLEY:

22 A. I think what is filed in the report is a

23 fair representation. I think we've had some

24 - and I'll say they're very preliminary

25 discussions, but we've had under very - I'll

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1 say reasonably active discussions with

2 Government about alternative supplies from a

3 renewable perspective and so, there is some

4 assessments being done by Planning, which

5 again I expect Mr. LeBlanc can speak to in

6 more detail. And as well, and again, I

7 haven't had deep discussions, but I have

8 questioned whether or not rate structures

9 are appropriate inside and whether there's

10 anything we can do from that perspective.

11 There are a number of pressures, as I think

12 everyone here would be aware of, with the

13 subsidies being provided by Government which

14 are, you know, basically putting cost

15 pressures on those systems as well and so,

16 trying to reconcile and manage the policy

17 direction of Government around rate

18 structures that they're putting in place and

19 then the pressures on, you know, capital for

20 that is, you know, a discussion that we've

21 had and I think it's probably a lament

22 around that, but you know, I think the

23 policy objective from Government, it's

24 ultimately their decision. So, that's a

25 direction that we are following.

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1 MR. O'BRIEN:

2 Q. Would Mr. LeBlanc be the person to speak to

3 about sort of any visibility on the outlook

4 after the 2019 test year as to where this,

5 where the deficit might be going?

6 MS. DALLEY:

7 A. Yeah, I think so.

8 MR. O'BRIEN:

9 Q. Just to switch directions here, I did have a

10 question in terms of in the evidence, Hydro

11 has indicated that in 2016 it engaged

12 representatives at different levels of

13 Newfoundland Power on how it could help

14 serve and build a stronger relationship

15 between the two companies. How has that

16 progressed, in Hydro's mind?

17 MS. DALLEY:

18 A. Sorry, can you reference that again?

19 MR. O'BRIEN:

20 Q. Yeah, sure. I think it's in 2 - yeah, page

21 210, I think that's it. Sorry, 211. Bring

22 that up of the evidence.

23 MS. DALLEY:

24 A. Thank you.

25 MR. O'BRIEN:

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1 Q. At the top there, line 2. "In 2016, Hydro

2 engaged representatives at different levels

3 of Newfoundland Power on how it can help

4 serve and build stronger relationship

5 between the two companies with the aim of

6 improving the end user customer experience."

7 MS. DALLEY:

8 A. I think we've taken a few approaches to that

9 which I'll mention. One inside the role of

10 Key Account Management, which we've spoken

11 to, Mr. Coish's role. We've also asked Mr.

12 Coish, if I could say, to steward which is

13 probably more administratively than anything

14 else, the relationship with Newfoundland

15 Power. So, we have regular executive

16 meetings with Newfoundland Power, our

17 executive and them. We do agendas for those

18 meetings. They're generally monthly during

19 the operating season and then during the

20 summer, they might be bimonthly or, you

21 know, periodically, but we do have a

22 tendency to meet and then it's regular over

23 the winter, where we talk through a host of

24 topics. Again, both companies contribute

25 equally to that.

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1 We actually did a survey of a series of  
 2 representatives from Newfoundland Power back  
 3 – don't remember the timing line on this,  
 4 but I believe it was 2015. It was prior –  
 5 leading up to the implementation of the Key  
 6 Account Management role. So that we could  
 7 assess opportunities and areas that we  
 8 needed to improve, again, at the time,  
 9 looking at Newfoundland Power as a utility  
 10 customer of Hydro's, and I think the  
 11 feedback that we received from Newfoundland  
 12 Power at the time, and I can be corrected on  
 13 this, but I think the feedback was – and  
 14 again, I'm paraphrasing, you know, "yes, we  
 15 are your biggest customer, but we're also a  
 16 partner in delivering the electricity to  
 17 customers," which we agreed.  
 18 So, we treat that relationship in that  
 19 vein. That's certainly our intention. And  
 20 we've increased and enhanced the  
 21 communication. I think, again, a lot of  
 22 that came out of the outages in 2013, '14  
 23 and '15; the enhanced advance notification  
 24 protocol that we have, working together and  
 25 collaborating on that, testing that

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1 protocol.  
 2 At an operational level, there are  
 3 various relationships, but you know, to give  
 4 you some sense. I think it is better today  
 5 than it was.  
 6 MR. O'BRIEN:  
 7 Q. Is Mr. Coish, in terms of the Key Account,  
 8 I'll call him liaison, is that a fair -  
 9 MS. DALLEY:  
 10 A. I think that's – I don't want to stretch  
 11 that, but a key administratively on behalf  
 12 of myself and the executive.  
 13 MR. O'BRIEN:  
 14 Q. Okay.  
 15 MS. DALLEY:  
 16 A. You know, he coordinates the meetings. He  
 17 takes the minutes. He follows up on action  
 18 items.  
 19 MR. O'BRIEN:  
 20 Q. All right.  
 21 MS. DALLEY:  
 22 A. You know, but our relationship with  
 23 Newfoundland Power is – it's so deep and  
 24 geographically diverse. So, you know, one  
 25 of his objectives has been to try and map

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1 that out to make sure that he has some sense  
 2 of how that's happening. But my inclination  
 3 would be that if we were to put that same  
 4 level of oversight that Mr. Coish has  
 5 demonstrated inside of the Industrial  
 6 Customer relationships into Newfoundland  
 7 Power, we would require another Mr. Coish.  
 8 MR. O'BRIEN:  
 9 Q. It'd be different.  
 10 MS. DALLEY:  
 11 A. Yeah, and I don't know that that's required.  
 12 Certainly, we haven't seen that. And at  
 13 this point, we're able to manage it. I  
 14 think we have fairly good and open  
 15 relationships at the senior levels and I  
 16 would say at the working levels. I  
 17 certainly haven't heard anything different.  
 18 If there's was an issue on the west coast,  
 19 we work collaboratively to resolve it for  
 20 customers.  
 21 MR. O'BRIEN:  
 22 Q. And how about sort of with respect to  
 23 Regulatory Affairs? Is there anybody  
 24 designated as key contact person between  
 25 Newfoundland and Labrador Hydro and

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1 Newfoundland Power when it comes to that?  
 2 Would that be Mr. Fagan?  
 3 MS. DALLEY:  
 4 A. Mr. Fagan generally does, but again, we've  
 5 had some discussions at the executive level  
 6 as well.  
 7 MR. O'BRIEN:  
 8 Q. Okay. If I could ask you just--I'm going to  
 9 revert right back to earlier on when we  
 10 talked about the off-island purchases  
 11 deferral account, and I'm going to ask you  
 12 given Newfoundland Power is, as you've said,  
 13 sort of a partner as providing electricity  
 14 to customers, why there was no discussion  
 15 with Newfoundland Power at the time the rate  
 16 case was being developed in terms of this  
 17 off-island purchases deferral account as  
 18 being a rate mitigation strategy?  
 19 MS. DALLEY:  
 20 A. I think that's a good question.  
 21 MR. O'BRIEN:  
 22 Q. Okay.  
 23 MS. DALLEY:  
 24 A. And I, quite frankly, don't have a terribly  
 25 good answer. I think that our evolution of

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1 thinking around engaging early, reaching  
 2 out, doing more stakeholder engagement, be  
 3 it Newfoundland Power, industrial customers  
 4 and others, is a point of evolution. And we  
 5 did have, as we were discussing options,  
 6 rate mitigation issues and I—to be fair, I  
 7 think Mr. Haynes touched on this a little  
 8 bit in his testimony.

9 MR. O'BRIEN:  
 10 Q. Yes.

11 MS. DALLEY:  
 12 Q. Right now, we're being driven primarily  
 13 through the government committee and, you  
 14 know, I believe at that point certainly  
 15 we've talked to our contacts in government  
 16 about the importance of Newfoundland Power  
 17 to rate mitigation. So, that's the most  
 18 that I can speak of.

19 MR. O'BRIEN:  
 20 Q. Okay.

21 MS. DALLEY:  
 22 A. Ultimately, you know, discussions at that  
 23 level, at that rate mitigation, are the  
 24 decisions of government.

25 MR. O'BRIEN:

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1 Q. Okay. I appreciate that. I wonder, Madam  
 2 Chair, if I could have five minutes, just to  
 3 flip through my notes, but I think I'm  
 4 finished with my questions. Make sure I  
 5 haven't got any –

6 CHAIR:  
 7 Q. Do you want to have--to step out for five  
 8 minutes and –

9 MR. O'BRIEN:  
 10 Q. Yes.

11 CHAIR:  
 12 Q. Yes, thank you.  
 13 (OFF RECORD - 12:33 P.M.)  
 14 (RESUME - 1:01 P.M.)

15 CHAIR:  
 16 Q. Okay, Mr. O'Brien. Was that helpful?

17 MR. O'BRIEN:  
 18 Q. That was helpful, and I think everyone else  
 19 will think it's helpful. I have no more  
 20 questions.

21 CHAIR:  
 22 Q. Thank you, sir. Mr. Browne, are you ready  
 23 to start your cross?

24 MS. DAWN DALLEY, CROSS-EXAMINATION BY DENNIS BROWNE,  
 25 Q.C.

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1 BROWNE, Q.C.:  
 2 Q. Yes, I'll start. That last series of  
 3 questions put to you by Mr. O'Brien as to  
 4 exactly who are your customers and who are  
 5 you speaking for publicly, who are your  
 6 customers? Can you tell us that? Who are  
 7 Hydro's customers?

8 MS. DALLEY:  
 9 A. And I appreciate that that should be an easy  
 10 question, and to some degree it is. The  
 11 customers that are served by Hydro are  
 12 anyone who is ultimately receiving  
 13 electricity in the province from, if you  
 14 want to say, an end (phonetic) consumer  
 15 perspective, but we do have, you know, as I  
 16 think everyone understands, 38,000 direct  
 17 retail customers as well as the industrial  
 18 customers. And in essence, Newfoundland  
 19 Power, to some degree as, you know, a means  
 20 to get from a wholesale perspective, to  
 21 deliver that power to those customers.

22 BROWNE, Q.C.:  
 23 Q. In terms of domestic customers, you have  
 24 38,000 residential customers?

25 MS. DALLEY:

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1 A. Yes, I think it's been slightly –

2 BROWNE, Q.C.:  
 3 Q. Okay, 38,000. Then otherwise, your  
 4 customers are the industrials and  
 5 Newfoundland Power, is that correct? And I  
 6 guess, up in Labrador you have IOC and the  
 7 interconnected system as well?

8 MS. DALLEY:  
 9 A. That's true.

10 BROWNE, Q.C.:  
 11 Q. So, when you bring forward this application,  
 12 and you're talking about consumers and  
 13 customers, it's Newfoundland Power's  
 14 customers generally that you're talking  
 15 about?

16 MS. DALLEY:  
 17 A. It depends on what we're talking about.

18 BROWNE, Q.C.:  
 19 Q. Okay. But if you're talking about domestic  
 20 rates.

21 MS. DALLEY:  
 22 A. Oh yes.

23 BROWNE, Q.C.:  
 24 Q. And this application is effectively about  
 25 domestic rates. So, the application then

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1 affects Newfoundland Power’s customers and  
 2 your 38,000 residential customers? Is that  
 3 fair to say?  
 4 MS. DALLEY:  
 5 A. That’s correct, along with the other  
 6 customers which you mentioned.  
 7 BROWNE, Q.C.:  
 8 Q. Pardon?  
 9 MS. DALLEY:  
 10 A. The industrial customers.  
 11 BROWNE, Q.C.:  
 12 Q. Yes. Okay. So, and your evidence is that  
 13 you’re bringing in this so-called mitigation  
 14 plan or deferral account or whatever way you  
 15 want to term it. And you’re doing so  
 16 without having had any discussions at all  
 17 with Newfoundland Power? Is that your  
 18 evidence?  
 19 MS. DALLEY:  
 20 A. There were no discussions prior to.  
 21 BROWNE, Q.C.:  
 22 Q. How could that possibly be? How could you  
 23 not have discussions with Newfoundland Power  
 24 in reference to some mitigation plan which  
 25 affects Newfoundland Power’s bottom-line,

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1 but also their customers? How could you  
 2 possibly have proceeded in that fashion?  
 3 MS. DALLEY:  
 4 A. I think I answered that with Mr. O’Brien.  
 5 BROWNE, Q.C.:  
 6 Q. Pardon?  
 7 MS. DALLEY:  
 8 A. I think I answered that with Mr. O’Brien  
 9 that it’s something that, yes, makes sense  
 10 to be done, and certainly as a partner in  
 11 delivery, but the rate mitigation approaches  
 12 that are being taken, not Hydro’s, but at a  
 13 high level are happening via the government  
 14 committee that is in place. But that from a  
 15 Hydro perspective, yes, those discussions  
 16 should have taken place.  
 17 BROWNE, Q.C.:  
 18 Q. Are they going to take place now?  
 19 MS. DALLEY:  
 20 A. I don’t understand the question. We’re –  
 21 BROWNE, Q.C.:  
 22 Q. Well, the question is, are you—is  
 23 Newfoundland—you’re head of Regulation at  
 24 Hydro. Are you going to be meeting with  
 25 Newfoundland Power and the industrial

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1 customers during the interim period? This  
 2 application is going to be deferred now  
 3 until the summer months. Are you  
 4 anticipating a time to meet with  
 5 Newfoundland Power and the industrial  
 6 customers to tell them what you’re doing,  
 7 what your plans are and where it’s all  
 8 happening?  
 9 MS. DALLEY:  
 10 A. Again, subject to my recollection, but we  
 11 would have had discussions once the filing  
 12 had taken place through the executive  
 13 meetings that we have had on things that  
 14 were before the Board, and then we have the  
 15 evidence which has been presented on the  
 16 record.  
 17 BROWNE, Q.C.:  
 18 Q. Mr. O’Brien asked you a number of questions  
 19 about expenses and I’ve asked before about  
 20 bonuses. And there seems, if I can premise  
 21 my question in this fashion, there seems to  
 22 be a disconnect between what consumers, what  
 23 my client anticipates of Hydro and what—and  
 24 Hydro anticipates of itself. And when  
 25 you’re coming, looking for an extraordinary

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1 remedy from this Board, because what you’re  
 2 looking for is far from the norm, consumers  
 3 are—realize that they’re going to get hit if  
 4 your application is successful, based upon  
 5 some future costing which--it’s all a bit  
 6 dubious, but we’ll deal with all that later  
 7 on. But the disconnect is this, when we had  
 8 Dark NL which deprived customers of  
 9 electricity and resulted in economic loss  
 10 for the businesses of the province, and  
 11 indeed some personal tragedy, Newfoundland  
 12 Hydro, Newfoundland Hydro and Nalcor, you  
 13 gave yourselves bonuses that year, didn’t  
 14 you? Do you recall that?  
 15 MS. DALLEY:  
 16 A. I recall that. I don’t know the details of  
 17 it.  
 18 BROWNE, Q.C.:  
 19 Q. Okay. Well, can you confirm it in an  
 20 undertaking that you gave yourselves  
 21 bonuses? Can someone confirm that, during  
 22 the period of Dark NL?  
 23 (1:07 p.m. - UNDERTAKING)  
 24 MS. DALLEY:  
 25 A. I think it’s fair to say that agree with

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1 what you've asked. So –

2 BROWNE, Q.C.:

3 Q. And now, in this application, while we're in

4 what some might say is a period of crisis

5 from an costing perspective and consumers

6 are getting really concerned out there,

7 you're bringing on an application again

8 which has bonuses in it for yourselves. Can

9 you appreciate where there might be a

10 disconnect with what you are receiving and

11 what consumers are expected to spend in

12 reference to these matters?

13 MS. DALLEY:

14 A. I think the position that the company takes

15 with respect to short-term incentives and

16 the performance contracts, and this bears

17 out in the compensation policy as well that-

18 -well, two things. One, from a compensation

19 perspective, it facilitates us to be

20 competitive in the recruitment and retention

21 of people into senior level positions. Our—

22 the short-term incentive program by design

23 is—I think it's about one percent of our

24 labour costs, give or take, and is modest in

25 the sense of the, you know, the quantum

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1 that are available to each individual who is

2 subject to a performance contract. The

3 intention is to put a level of stretch and

4 rigor into those contracts to make it very

5 challenging to achieve them, but to also—we

6 certainly read carefully the Board's

7 direction on this from the last hearing, and

8 Mr. Haynes spoke to this about the level of

9 detail--you know, I guess Hydro specific

10 measures which were incorporated into the

11 short-term incentive contracts. So, this

12 portion of it is a portion of compensation

13 that is variable. It is at risk, and it is

14 part of our overall compensation package for

15 a group of individuals that have the ability

16 to really influence and direct the change

17 that we need in the organization for

18 customers.

19 (1:15 p.m.)

20 BROWNE, Q.C.:

21 Q. But I don't know if you appreciate my

22 question. We see it in the political sphere

23 all the time. If there's going to be a huge

24 tax increase and people are getting hit, the

25 politicians always volunteer, well, we're

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1 taking 10 percent less in our salaries or

2 we're going to hit ourselves first. We're

3 going to make some sacrifice here first.

4 Where is your sacrifice in this matter, in

5 this application? Where is the sacrifice of

6 Hydro in those terms, the monetary

7 sacrifice?

8 MS. DALLEY:

9 A. I think what we've put forward is, again, a

10 balance of what we feel is needed to achieve

11 the objectives that—again the business

12 objectives of the company, the mandate that

13 we have which is to achieve reliable

14 service, again, balanced least cost. Inside

15 of that construct we've got to look

16 definitely at compensation and making sure

17 that we are competitive but we are also

18 paying fairly to our team so that we can—and

19 individuals again who all have, you know,

20 roles to play in the province, indeed

21 consumers as well. So, that's a discussion

22 that we have with them. We've done no wage

23 increases as a result of the economy over

24 the last two years. And again, we'll soon

25 have the outcome going into 2018. So, there

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1 is a tightening inside of the cost, but we

2 still want to make sure that we are

3 incenting people to do the right things and

4 deliver on their objectives.

5 BROWNE, Q.C.:

6 Q. Now, throughout your evidence and we're

7 hearing a lot out Atlantic. We're going to

8 be—you want to head to where the Atlantic

9 provinces are going in terms of their

10 electricity costs. Why is the Atlantic a

11 comparator for this province, the other

12 Atlantic provinces?

13 MS. DALLEY:

14 A. Do you mean from a compensation perspective

15 or just rates –

16 BROWNE, Q.C.:

17 Q. I mean from a rate perspective. I'm moving

18 onto rates now.

19 MS. DALLEY:

20 A. Sure, okay.

21 BROWNE, Q.C.:

22 Q. You got my point on the compensation, I

23 hope.

24 MS. DALLEY:

25 A. I think first of all, that's not a decision

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1 that I made or was involved with, so I can't  
 2 speak to why the general comparison was made  
 3 to Atlantic Canada.  
 4 BROWNE, Q.C.:  
 5 Q. Because I don't quite get it why we would be  
 6 comparable to Nova Scotia, for instance.  
 7 Nova Scotia, do you know what the electric  
 8 space heating is in Nova Scotia in terms of  
 9 electric, in your regulator per capacity?  
 10 MS. DALLEY:  
 11 A. I wouldn't want to take the number off the  
 12 top of my head, it's less than Newfoundland,  
 13 the Island.  
 14 BROWNE, Q.C.:  
 15 Q. You got that right, it's 30 percent and  
 16 that's subject to check. So, there's space  
 17 heating, electric space heating, they go to  
 18 other forms, they use natural gas there,  
 19 some use oil, some use propane, some use  
 20 wood, some use pellets, but in terms of  
 21 electric space heating, it's 30 percent.  
 22 And furthermore, in terms of our systems,  
 23 here in this province the last time I  
 24 looked, 85 percent of our electricity was  
 25 produced by Hydro. And less than 13 percent

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1 by Holyrood and 2 percent by wind and that's  
 2 all subject to check and I'm going to ask  
 3 you to provide updated figures on that  
 4 today, if your counsel will undertake to do  
 5 that on your behalf to show what percentage  
 6 we're using right now in the province,  
 7 consumers generally, households, residences,  
 8 are using Hydro. What percentage is  
 9 produced by Hydro; what percentage is  
 10 produced by Holyrood; what percentage is  
 11 produced by wind. Can someone undertake to  
 12 do that?  
 13 MS. DALLEY:  
 14 A. Oh, I'm certain we can.  
 15 MR. YOUNG:  
 16 Q. Mr. Browne, just as a point of  
 17 clarification, would that be on a forecast  
 18 basis or –  
 19 BROWNE, Q.C.:  
 20 Q. No, just today. If you can do it on a  
 21 forecast basis and for today, if you can do  
 22 both, that would be very helpful.  
 23 MR. YOUNG:  
 24 Q. Yes, the difference is, it depends very much  
 25 on the amount of water that you get in a

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1 year and that's the only reason I ask the  
 2 question.  
 3 BROWNE, Q.C.:  
 4 Q. Yes, but generally you would agree with me –  
 5 MS. GLYNN:  
 6 Q. The undertaking is noted on the record.  
 7 Sorry, Mr. Browne.  
 8 (1:12 p.m. – UNDERTAKING)  
 9 BROWNE, Q.C.:  
 10 Q. Sure, but generally you would agree with me  
 11 that we are a province that has primarily  
 12 hydrology and producing our electricity  
 13 through Hydro.  
 14 MS. DALLEY:  
 15 A. Yes, that's the case.  
 16 BROWNE, Q.C.:  
 17 Q. And when you compare that with, say, New  
 18 Brunswick for instance, the province of New  
 19 Brunswick, we'd have to say they don't have  
 20 as much in terms of hydrology. They use  
 21 thermal and they have Point Lepreau. And  
 22 we'd have to look at, I guess, PEI. I don't  
 23 know what hydrology they would have there,  
 24 it would certainly be minimal. And we know  
 25 Nova Scotia has very little hydrology.

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1 They're into thermal and some hydrology, but  
 2 they're into coal fired and so on. So, I  
 3 come back to my premise, why are we compared  
 4 to—if all we have here are hydrology to  
 5 these other provinces which are producing  
 6 electricity and adopting other forms of  
 7 space heating in their population. Why that  
 8 comparison? I don't get it.  
 9 MS. DALLEY:  
 10 A. I don't know the background behind it, Mr.  
 11 Browne. I think that was a decision and I  
 12 think you're talking about it from a go  
 13 forward perspective.  
 14 BROWNE, Q.C.:  
 15 Q. I'm asking why you are using Atlantic  
 16 comparators here in this hearing. You're  
 17 saying the comparator we use is Atlantic.  
 18 We're looking at the Atlantic average. The  
 19 Atlantic would be 17 or 18 cents, but that  
 20 would be different factors built into how  
 21 they are getting their costing as opposed to  
 22 how we normally get our costing. Is that  
 23 not true?  
 24 MS. DALLEY:  
 25 A. Mr. Browne, I can't help but agree with your

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1 premise because the systems are different  
 2 and the drivers are different, the  
 3 consumption is different, indeed that's the  
 4 case, it's the case for all the electricity  
 5 systems across Canada. And from a rate  
 6 perspective with respect to the target  
 7 around 17/18 cents that has been set.  
 8 BROWNE, Q.C.:  
 9 Q. Hang on now, that hasn't been set, that has  
 10 been –  
 11 MS. DALLEY:  
 12 A. Sorry, that has been –  
 13 BROWNE, Q.C.:  
 14 Q. Just one moment. That has been proposed.  
 15 MS. DALLEY:  
 16 A. Proposed.  
 17 BROWNE, Q.C.:  
 18 Q. Yes.  
 19 MS. DALLEY:  
 20 A. My apologies for the wording.  
 21 BROWNE, Q.C.:  
 22 Q. That's okay.  
 23 MR. SMITH:  
 24 Q. That has been proposed and I think there's  
 25 been some discussion, I'm not even fully

Page 214

1 abreast of the discussion but there's been  
 2 some discussion about the in the context of  
 3 Atlantic Canada. But my point is I wouldn't  
 4 be party to those discussions and what the  
 5 drivers were.  
 6 BROWNE, Q.C.:  
 7 Q. But given the—it's really not apples to  
 8 apples when you look at their systems and  
 9 look at our system, why you're using an  
 10 Atlantic average or even using the Atlantic  
 11 as a comparator at all seems puzzling to me.  
 12 MS. DALLEY:  
 13 A. Well, I don't think there is an apple to  
 14 apple comparison.  
 15 BROWNE, Q.C.:  
 16 Q. Now, in reference to Atlantic and we can go  
 17 to, if just for a moment, to IC-NLH-122,  
 18 page 22 of 26. Thank you. And now we're  
 19 into the—it was supposed to be an Atlantic  
 20 comparator, but there's a few other  
 21 provinces thrown in there for reasons which  
 22 are not quite clear. We have Ontario in  
 23 there and Manitoba and British Columbia and  
 24 then the Atlantic provinces. Were they  
 25 selectively chosen, do you know, Ontario,

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1 Manitoba and British Columbia?  
 2 MS. DALLEY:  
 3 A. My understanding and I'm not entirely clear  
 4 on the request for the data, but my  
 5 understanding is this chart was compiled at  
 6 a time based on what was publically  
 7 available. So, it would have been through,  
 8 you know, whether it was rate hearings or  
 9 publically websites of various utilities.  
 10 So, this would have been the nature of the  
 11 group is driven by what was publically  
 12 available, whether or not other data—that's  
 13 what I'm told. I was told this is what was  
 14 publically available.  
 15 BROWNE, Q.C.:  
 16 Q. And is this your chart, as the regulator,  
 17 have you come forward with this chart? Did  
 18 this come out of your shop?  
 19 MS. DALLEY:  
 20 A. I was going to say, I'm certainly not the  
 21 regulator, but –  
 22 BROWNE, Q.C.:  
 23 Q. I'm sorry, but as in charge of regulation,  
 24 sorry.  
 25 MS. DALLEY:

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1 A. Yes, I think I understood what you meant,  
 2 just wanted to be clear.  
 3 BROWNE, Q.C.:  
 4 Q. At Hydro, I apologize.  
 5 MS. DALLEY:  
 6 A. My understanding is yes, that someone on the  
 7 regulatory team compiled this chart and  
 8 would have done the assessment just because  
 9 we would have known where to look; we would  
 10 have known where to go and there would have  
 11 been a familiarity with that. So, our team  
 12 was asked if we could assist with that and  
 13 we did.  
 14 BROWNE, Q.C.:  
 15 Q. Now, in the chart there now below, it says  
 16 rate effective for Newfoundland  
 17 Interconnected Domestic rates is 11.7 cents  
 18 a kilowatt. And we got an explanation of  
 19 that, it's a unit costing which includes the  
 20 basic customer charge. But the rates that  
 21 you refer to above, Nova Scotia, 15.8, 16,  
 22 16.2 and 17.2, is that a unit? Is that  
 23 based on units or it's based on the actual  
 24 charge that a rate payer such as yourself or  
 25 myself would see on their bill, you know,

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1 that basic charge there.

2 MS. DALLEY:

3 A. I'm going to take a stab at this which may

4 or may not be appropriate, but based on the

5 footnote which says, "assuming average use

6 of 1517 kilowatts per month" which is the

7 average that we use for the Island

8 Interconnected System for average usage,

9 when we calculate that 11. cents that

10 factors in that usage and factors in the

11 basic customer charge. So, again, we can

12 check with, but I would expect that those

13 are, they're pre-tax numbers that include

14 the basic customer charge. But if they

15 don't then, it would be an apples, to use

16 your, apples to apples comparison between

17 the rate.

18 BROWNE, Q.C.:

19 Q. You think it might be, but you're not sure,

20 is that fair to say?

21 MS. DALLEY:

22 A. That's what I'm saying. I think we need to

23 check that to be sure.

24 BROWNE, Q.C.:

25 Q. Okay, thank you. If you can check it, that

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1 would be appreciated.

2 MS. DALLEY:

3 A. Sure.

4 BROWNE, Q.C.:

5 Q. Because New Brunswick is particularly an

6 anomaly there. You got 12.2, 12.5, 12.8 and

7 13 and the last time I looked New Brunswick

8 was a two-tier system. And I was wondering

9 how you factored that into your equation.

10 MS. DALLEY:

11 A. And again, I don't know the details of that,

12 but we can certainly provide that as well

13 and it would have been based on publicly

14 available information. So, whether that was

15 regulated information, the website's or

16 other sources.

17 BROWNE, Q.C.:

18 Q. And Ontario, I understand, through articles

19 I've read, there's some subsidization in

20 their rate system from the government. Do

21 you know anything about that?

22 MS. DALLEY:

23 A. That is my probably, a similar recollection,

24 in the sense of what I've read about the

25 Ontario system and I'm not entirely sure but

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1 New Brunswick might be the same with some

2 degree of government interjection or

3 influence over caps or rate setting. I'm

4 not that terribly familiar with their

5 system.

6 BROWNE, Q.C.:

7 Q. Yes. So, there are different circumstances

8 for different provinces, is that fair to

9 say?

10 MS. DALLEY:

11 A. Yes, I think that's fair.

12 BROWNE, Q.C.:

13 Q. And your chart may be somewhat off base

14 perhaps, maybe, is that possible?

15 MS. DALLEY:

16 A. No, I don't know that, so.

17 BROWNE, Q.C.:

18 Q. But you'll check and let us know. That's an

19 undertaking?

20 MS. DALLEY:

21 A. Yes, to check how the -

22 BROWNE, Q.C.:

23 Q. We'd like to know if your unit costing

24 throughout and how it was derived, in

25 particular for New Brunswick and Ontario

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1 where there are subsidized rates.

2 MS. DALLEY:

3 A. Yes, I think I understand. You want to see

4 the as close to apples to apples as you can

5 get.

6 BROWNE, Q.C.:

7 Q. And if we can go to the previous -

8 MS. GLYNN:

9 Q. We'll note that as an undertaking. I'm

10 looking at Hydro's -

11 MR. YOUNG:

12 Q. Yes, just a couple of comments on that, Mr.

13 Brown, just so I understand. So, this was

14 produced, this particular--if you go to the

15 questions in the RFI, we don't need to go

16 there, but it was a question to produce or

17 provide a presentation that already existed.

18 So, this information, I think, would have

19 been last year's information and would have

20 been essentially forecast data. So, there

21 might be a little bit of unscrambling to do

22 to come up with the exact numbers, but we'll

23 do our best to come up with the same basis

24 that was used at the time. And I don't

25 because of the nature of this whether this

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1 was a Hydro table as such, but it obviously  
 2 came from Nalcor. So, I just wanted to give  
 3 that caveat that we'll have to go back and  
 4 see what the basis was at that time. It  
 5 won't be a current one; if--it will be  
 6 consistent with this table.  
 7 BROWNE, Q.C.:  
 8 Q. Yes, I just—I'm very curious because just in  
 9 my own review of it, I seem to be puzzled a  
 10 bit, but I want to know if it's the energy  
 11 charges that you're using, just to be  
 12 specific, in Nova Scotia, PEI and New  
 13 Brunswick, if these are actual energy  
 14 charges or if you're doing unit costing as  
 15 referred down there in Newfoundland and  
 16 Labrador and how the amounts were derived  
 17 for New Brunswick which has the dual system,  
 18 which is an anomaly and to other places in  
 19 Canada and the Ontario subsidization. It  
 20 seems—we need to see how it's—what's  
 21 composed, the constituent parts perhaps, if  
 22 I can use that term.  
 23 MR. YOUNG:  
 24 Q. Okay, that's understood.  
 25 MR. GLYNN:

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1 Q. And the undertaking is noted.  
 2 (1:22 – UNDERTAKING)  
 3 BROWNE, Q.C.:  
 4 Q. Now, in reference to yourself, Mr. Dalley,  
 5 you're Head of Regulatory Affairs at Hydro,  
 6 where did you work before that?  
 7 MS. DALLEY:  
 8 A. Nalcor Energy.  
 9 BROWNE, Q.C.:  
 10 Q. And what did you do there?  
 11 MS. DALLEY:  
 12 A. Prior to, going backwards from this role –  
 13 BROWNE, Q.C.:  
 14 Q. Yes, I know you had a lot of roles and I  
 15 appreciate that.  
 16 MS. DALLEY:  
 17 A. Well, my tendency is to go forward, not  
 18 backwards, so. Going backward, my previous  
 19 role in Nalcor was vice-president for  
 20 corporate relation and customer service.  
 21 So, it would have been corporate  
 22 communications throughout all the Nalcor  
 23 entities as well as customer service and  
 24 energy efficiency within Hydro. And then  
 25 prior to that I was the manager for

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1 corporate communications with Nalcor and  
 2 prior to that, essentially the same role  
 3 with Hydro which is where I started.  
 4 BROWNE, Q.C.:  
 5 Q. And when you were hired, you were hired in a  
 6 communications capacity. Is that a fair  
 7 comment?  
 8 MS. DALLEY:  
 9 A. Yes.  
 10 BROWNE, Q.C.:  
 11 Q. And what is your regulatory training besides  
 12 your experience which is always training in  
 13 and of itself, of course, but did you go to  
 14 regulatory school, take any or those courses  
 15 that they got on the go or programs?  
 16 MS. DALLEY:  
 17 A. I did actually. I attended the Camput  
 18 course as well as my own reading and  
 19 briefings and then experience, yes.  
 20 BROWNE, Q.C.:  
 21 Q. Hydro has embarked upon a net metering  
 22 program. How many have taken up the net  
 23 metering program since it was embarked upon,  
 24 do you have any knowledge of that?  
 25 MS. DALLEY:

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1 A. I do, if you could bear with me.  
 2 BROWNE, Q.C.:  
 3 Q. Sure.  
 4 MS. DALLEY:  
 5 A. Or at least I believe that I do.  
 6 BROWNE, Q.C.:  
 7 Q. Well, you can undertake to provide it in the  
 8 interest of efficiency.  
 9 (1:26 – UNDERTAKING)  
 10 MS. DALLEY:  
 11 A. Yes, I was going to say, in the interest of  
 12 efficiency, but the uptake has not been  
 13 significant.  
 14 BROWNE, Q.C.:  
 15 Q. I think I might have read somewhere and it's  
 16 subject to check, I thought the uptake was  
 17 0.  
 18 MS. DALLEY:  
 19 A. Well, I'm thinking about those that may have  
 20 been in the court of being evaluated in the  
 21 sense of working with those. And also I've  
 22 looked at Newfoundland Power's as well,  
 23 both.  
 24 BROWNE, Q.C.:  
 25 Q. Because I just noted in the press recently

1 that the town of Grand Falls/Windsor has  
 2 announced that they are trying to use wind  
 3 energy for their water treatment plant.  
 4 MS. DALLEY:  
 5 A. Okay.  
 6 BROWNE, Q.C.:  
 7 Q. And it sounded to me and I haven't checked  
 8 with anyone there that they would be an  
 9 obvious candidate for net metering. Are you  
 10 aware of that or does anyone at Hydro  
 11 monitor what people are looking for out  
 12 there or go to them and help out?  
 13 MS. DALLEY:  
 14 A. I wouldn't be aware of that. That's in  
 15 Newfoundland Power's service territory. So,  
 16 my expectation would be that they would be  
 17 in touch if the opportunity was there with  
 18 Newfoundland Power.  
 19 BROWNE, Q.C.:  
 20 Q. Well, it's 1:30, we can stop there. Is that  
 21 fair enough?  
 22 CHAIR:  
 23 Q. Yes.  
 24 BROWNE, Q.C.:  
 25 Q. Okay, we can continue tomorrow morning.

CERTIFICATE  
 I, Judy Moss, do hereby certify that the foregoing is  
 a true and correct transcript of a hearing in the  
 matter of the 2017 General Rate Application by  
 Newfoundland Hydro heard on the 25th day of April,  
 2018 at the Public Utilities Commission office, St.  
 John's, Newfoundland and Labrador and was transcribed  
 by me to the best of my ability by means of a sound  
 apparatus from audio that was not recorded by  
 Discoveries Unlimited Inc..

Dated at St. John's, NL this  
 25th day of April, 2018

Judy Moss  
 Discoveries Unlimited Inc.

1 Thank you, Ms. Dalley.  
 2 CHAIR:  
 3 Q. See you tomorrow.  
 4 Upon conclusion at 1:27 p.m.  
 5  
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A				
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