

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**

August 16, 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
Sara Kean, Assistant Board Secretary

Newfoundland and Labrador Hydro:

Geoffrey Young, Counsel
Alex Templeton, Counsel

Witness/Witnesses

Dr. Suzanne Brake, PhD,
Seniors Advocate for NL
Public Presenter

Newfoundland Power Inc.

Gerard Hayes, Q.C.

Mr. James Murphy, Public Presenter
Mr. Keith Fillier, Public Presenter
Ms. Lori Moore, Public Presenter

Consumer Advocate:

Dennis Browne, Q.C.

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

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1 CHAIR:
 2 Q. Good morning, everybody. I would like to
 3 welcome everyone to this public presentation
 4 session being held as part of the hearing of
 5 Hydro's 2017 General Rate Application. I'm
 6 not sure who's here that we don't know, but
 7 just for the purposes of making sure we're
 8 all aware of who's who; I'm Darlene Whalen,
 9 I'm Chair and CEO of the Public Utilities
 10 Board. And with me today are my colleagues,
 11 Commissioner Dwanda Newman, who is also
 12 Vice-Chair of the Board; and Commissioner
 13 Jim Oxford. And again, while many of us
 14 here today have spent a number of weeks
 15 together since April, mid April, I'd like to
 16 just again for the purposes of making sure
 17 that everyone know who's here, ask the
 18 parties who are present to introduce
 19 themselves. We'll start with the Applicant.
 20 MR. YOUNG:
 21 Q. Thank you, Madam Chair, it's Geoff Young,
 22 in-house counsel for Hydro and with me, Alex
 23 Templeton, external counsel. In the back of
 24 the room, Mr. Haynes, our President is
 25 present as are some other Hydro people.

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1 CHAIR:
 2 Q. Thank you.
 3 MR. HAYES:
 4 Q. Good morning, Madam Chair. Gerard Hayes,
 5 in-house counsel for Newfoundland Power.
 6 CHAIR:
 7 Q. Thank you.
 8 BROWNE, Q.C.:
 9 Q. Good morning, Chair. Dennis Browne,
 10 Consumer Advocate.
 11 CHAIR:
 12 Q. Thank you. There are also a number of
 13 people from the Board present at the side
 14 table; Board hearing counsel, Maureen
 15 Greene; Board counsel, Jacqui Glynn; and
 16 Assistant Board Secretary, Sara Kean; and
 17 our standing Board Secretary is at the back
 18 of the room. There are also three other
 19 intervenors in this application who are not
 20 present for this session. The group of
 21 Island Industrial Customers, namely Corner
 22 Brook Pulp and Paper Limited, Vale
 23 Newfoundland and Labrador Limited, and NARL
 24 Refining. The communities of Happy
 25 Valley/Goose Bay, Sheshatshiu, Wabush and

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1 Lab City, Hydro customers on the Labrador
 2 interconnected system are also intervening
 3 as a group of customers, as well as the Iron
 4 Ore Company of Canada, Labrador Industrial
 5 customer of Hydro.
 6 The purpose of this part of the hearing
 7 today is to provide an opportunity for
 8 public input and comment on the general rate
 9 application of Hydro currently being
 10 considered by the Board. These sessions
 11 have been a standard part of the hearing of
 12 general rate applications from both Hydro
 13 and Newfoundland Power, certainly in the 20
 14 years or so that I've been with the Board.
 15 And invitation for public participation in
 16 Hydro's General Rate Application either by
 17 way a presentation to the Board or by filing
 18 written comments was published in newspapers
 19 across the Province during the week of July
 20 11, 2018 as part of the general notice of
 21 Hydro's hearing recommencement.
 22 The Board's practice for these
 23 presentation sessions is that public
 24 presenters are not sworn or affirmed and
 25 that presenters may be asked questions by

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1 the parties and or the Board at the end of
 2 their presentation, with your permission
 3 obviously. I will also note that these
 4 proceedings are being transcribed and will
 5 form part of the public record for the
 6 proceeding. So, just to move onto our
 7 business of today. I understand we have two
 8 presentations and Dr. Brake, I think is
 9 ready to go. I'll ask first Dr. Brake if
 10 you would just introduce yourself and on
 11 whose behalf you're appearing, just for the
 12 purposes of the record. And when you're
 13 ready you can just proceed. Thank you very
 14 much.
 15 DR. SUZANNE BRAKE:
 16 Q. My name is Suzanne Brake and I'm the Seniors
 17 Advocate for the Province of Newfoundland
 18 and Labrador.
 19 CHAIR:
 20 Q. Whenever you're ready, you can just carry
 21 on.
 22 DR. BRAKE:
 23 Q. Thank you very much. Thank you very much
 24 for the opportunity to present to you today.
 25 We really appreciate it. I'd like to

<p style="text-align: right;">Page 5</p> <p>1 acknowledge the difficult job that you, as a 2 PUB, must have in these very challenging 3 economic times to make these kinds of 4 decisions and to ensure that rates are 5 really just and reasonable and to provide 6 the lowest possible cost consistent with 7 reliable service. And we know that your Act 8 is clear about that and you know, I do 9 believe, having been around for a long time, 10 that these are very, very difficult 11 decisions to make. As the Seniors Advocate 12 in Newfoundland and Labrador, I'm 13 responsible for ensuring that systemic 14 issues impacting seniors are identified, 15 reviewed and recommendations made. Since 16 November when I was appointed, I have met 17 with hundreds of people and through phone 18 calls, through e-mails, through letters, 19 face to face, meetings, et cetera, et cetera 20 and they have shared with me many issues as 21 they see it concerning seniors in our 22 Province and people as they grow older in 23 our Province. And those issues are in 24 varying degrees and they fall within 25 primarily five categories. Those issues of</p>	<p style="text-align: right;">Page 7</p> <p>1 than 65 years, but who have receive seniors 2 services. So, there's a very broad group of 3 people that we address. But we have to 4 consider our changing demographics from a 5 long term point of view. So, let's start 6 with looking at those who are 50 years plus. 7 As you can see in Newfoundland and Labrador 8 today about 44 percent of our population is 9 aged 50 years and older. And if we look 10 down the road, we can see that in 10 it's 11 estimated to increase to about 48 ½ percent. 12 And within 25 years to 49.4 percent. So, 13 there will be a steady increase in the 14 numbers of people who are growing older in 15 our Province. And because we are 16 experiencing, as well as most developed 17 countries of the world, population aging; 18 what we call population aging. And that's 19 as a result of people living longer, less 20 children being born and the large number of 21 people who were born between 1944 and 1966, 22 and they are growing older. So, it's 23 important to accept the fact that population 24 changes are occurring and will continue to 25 occur within the next few decades. And I'm</p>
<p style="text-align: right;">Page 6</p> <p>1 personal care, health care, transportation, 2 housing and finance. But a consistent and 3 common issue that continues to rise every 4 time I meet with people is the issue of the 5 potential of increased cost of electricity. 6 So, I'm here today to speak on behalf of 7 seniors and voice their concerns as I hear 8 from them. So, the way I see it from what 9 I've heard from seniors in our Province many 10 seniors can barely or cannot manage their 11 current expenses within their current 12 income. That's one reality. The second 13 reality I hear is that with the exception of 14 the very wealthy, many seniors will not be 15 able to withstand any expense increases. 16 And number three which is probably the most 17 disturbing of all to me is that the fear of 18 future expenses increases in creating great 19 angst among seniors and people as they are 20 growing older. 21 So, let's just put this in perspective. 22 Right now the office of the Seniors' 23 Advocate and our Act, our Seniors' Advocate 24 Act defines a senior as someone who is aged 25 65 years and over; or someone who is less</p>	<p style="text-align: right;">Page 8</p> <p>1 one of those baby boomers and I was 61 on my 2 birthday, so I figure I got a vested 3 interest in all of this. So, if we look at 4 the 65 plus population, we'll see that 21 5 percent of our population is aged 65 years 6 and older; and within 10 years that will 7 increase to almost 27 percent; and to 30 8 percent within 25 years. But another way to 9 look at this is that currently in our 10 Province we have 80 percent of our 11 population less than 65 years old. In ten 12 years, 73 percent of our population will be 13 less than 65 years old and 70 percent within 14 25 years. So, it's really sometimes the way 15 you look at present information which is how 16 we plan public policies and make public 17 decisions. And as I already said, the baby 18 boomers were born between '46 and '66. So, 19 the first of those boomers turned 65 20 actually in 2011 and the last will turn 65 21 in 2013. So, I recognize there are many 22 challenges associated with an aging 23 population and sometimes those kinds of 24 challenges are presented in an alarmist 25 view, but I will go on record as saying I</p>

<p style="text-align: right;">Page 9</p> <p>1 don't present it in an alarmist or 2 demographic crisis perspective. I use very 3 much a management lens and one where we can 4 look at our aging population and the way in 5 which is manageable and inclusive. So, we 6 know we have an aging population, so let's 7 look at the income right now in Newfoundland 8 and Labrador. So, so far in Newfoundland 9 and Labrador and this is statistics I just 10 received from the Department of Finance, 11 Statistics Division. There are about 12 \$15,000.00 senior couples, of course that 13 means \$30,000.00 individuals who have income 14 of less than \$41,200.00. Actually these 15 people have income between \$27,000.00 and 16 \$41,000.00. So, that's as a couple. If you 17 look at the number of single individuals in 18 the Province--and of course, what I mean by 19 that would be widows, could be divorced or 20 could be just someone who has been single 21 throughout their whole life--then there are 22 approximately 11,000 seniors in our Province 23 who have income of less than \$24,000.00 per 24 year. And actually these seniors have 25 income between \$17,800.00 and \$24,000.00.</p>	<p style="text-align: right;">Page 11</p> <p>1 things that she was a little embarrassed 2 about. For example, that she had a credit 3 card debt because she co-signed something 4 with somebody else and it ended up that they 5 had the money, but she didn't get the money 6 to pay it back. So, these things happen 7 though in real life and they continue to 8 happen as we grow older. But still her 9 expenses are pretty basic here. She said, 10 but that doesn't take into account my dental 11 bill. It doesn't take into account my 12 glasses that I need to have replaced. It 13 doesn't take into account hearing aids 14 people might need. All the things that are 15 as a result of age related changes. And it 16 doesn't take into account gifts for my 17 grandchildren and so on and so on. She told 18 me that a few months ago she received some 19 money back from something she had overpaid 20 and she was so thrilled and I asked her what 21 she had done with that money. And she said, 22 well, to be honest with you, I bought a bra 23 and I bought a bed, but I got it used on 24 Kijiji and she said I paid my dental bill. 25 So, that's how basic things are. Her</p>
<p style="text-align: right;">Page 10</p> <p>1 So, you know, sometimes when I see these 2 statistics, I say to myself, like think 3 about this, if I wake up tomorrow morning 4 and that's my income, how will I manage? 5 So, I just want to share with you just for a 6 minute to put all this in perspective, 7 somebody I call Amelia, and this is a woman 8 who called me actually within the first few 9 days that I set up office when I became 10 appointed as the Seniors' Advocate. And 11 when she called me she was actually calling— 12 I'm not going to go through all this, don't 13 worry—but when she called me she was really 14 concerned about dental care and how was she 15 going to pay her dental bill. 16 (10:15 a.m.) 17 So, over the last number of months, her 18 and I have had many conversations around her 19 ideas because seniors have phenomenal ideas 20 on how we can change things and do things, 21 and around how can we make things better for 22 her. And as you can see, she actually gave 23 me right down to the penny, what she has 24 coming in and what she has going out. And 25 she was able to share with me some of the</p>	<p style="text-align: right;">Page 12</p> <p>1 comment to me was, "I always thought that 2 becoming a senior was going to be my golden 3 years", but she said "now I've come to 4 realize that there is hardship here too". 5 So, what I'm trying to tell you is that any 6 increase in electricity costs to this woman 7 will be detrimental and she certainly 8 represents many other people as I've just 9 described to you. So, throughout my 10 consultations and my outreach and many hours 11 I've spent speaking to people and 12 understanding and trying to clearly 13 understand their issues I've come up with a 14 number of what I believe the facts of how 15 they see life. And we know from what I just 16 shared with you there are growing numbers of 17 older adults in our society, people are 18 living longer which is a wonderful thing and 19 baby boomers are growing older. So, we know 20 that's a fact of life. We also know that 21 there is growing concern that like the 22 general population, because everybody talks 23 about electricity and what it's going to 24 cost and everybody has concerns and worries 25 about it, but like the general population,</p>

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1 many seniors regardless of what their income
 2 is are very concerned about the increased
 3 cost of electricity and this is causing
 4 considerable anxiety. Seniors are under the
 5 impression, rightfully or wrongfully, that
 6 their electricity may double within a few
 7 years and they're really worried about their
 8 today and their short-term tomorrow.
 9 The other interesting piece of home
 10 ownership in our Province because most
 11 seniors in Newfoundland actually own their
 12 own homes. In fact, in Newfoundland and
 13 Labrador 51,405 or 83 percent of people who
 14 are homeowners over the age of 65 own their
 15 own homes. Canadian average is actually
 16 74.6 percent. So, Newfoundland and Labrador
 17 is different in that we actually have more
 18 older adults who own their own homes. Many
 19 seniors especially in rural Newfoundland and
 20 Labrador, in the rural parts of our
 21 Provinces actually heat their homes using
 22 some electricity—everybody uses some
 23 electricity—but they also supplement it with
 24 oil, wood and to a lesser degree, propane.
 25 But they're still dependent on electricity

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1 for doing many of these things. It's
 2 important to note that older adults, seniors
 3 who use wood are also telling me that they
 4 just can't do it anymore. They're spent
 5 their mid years and into their older years
 6 cutting wood, you know, chopping it up,
 7 putting it next to their house, storing it
 8 in their basement, et cetera, et cetera, but
 9 they just can't do it anymore physically.
 10 And in the past so easily—so what they say
 11 to me is that either we have to give up that
 12 or we have to try to buy it or just do
 13 without. So, in the past, of course, our
 14 extended families provided that role, you
 15 know, sons and daughters went out and
 16 provided this and made sure mom and dad had
 17 their store of wood, but of course we know
 18 it's sustained outmigration in our Province
 19 that that pattern has changed. It's changed
 20 significantly. Sometimes when I've been
 21 away—I was at the International Federation
 22 on Aging conference last week and presented
 23 and people asked me, they said, but in your
 24 Province of Newfoundland and Labrador you
 25 still have large extended families and

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1 people take care of each other. And I was
 2 like, well, it's not quite like that
 3 anymore. There certainly are changes.
 4 Seniors also said to me, some of them, not
 5 so comfortably, but they said they have
 6 contributed significantly throughout their
 7 lifetime. They've made their way, some of
 8 the very older people through the
 9 Depression, through World War II, they
 10 supported their children, they supported
 11 youth, they built schools, they built
 12 playgrounds, they built the Confederation
 13 Building, they done all the things that they
 14 were supposed to do and they provided
 15 essentially the infrastructure from which we
 16 now benefit from. But there is also
 17 increasing evidence of seniors still
 18 contributing significantly because their
 19 amount of debt is rising. So, we're seeing
 20 more and more seniors who are actually
 21 declaring bankruptcy or going to credit
 22 counsellors to get help with managing their
 23 debt and their finances. And some of that
 24 unfortunately or fortunately for the
 25 children maybe is due to continued support

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1 for children as they grow older. In
 2 essence, seniors feel they've done their bit
 3 and this is a stage of life that they feel
 4 they need more support in order to ensure
 5 that they actually age in place. They're
 6 not asking for anything for anything extra;
 7 they're just asking to be able to live
 8 comfortably and you know, that their
 9 contributions be recognized. Sometimes
 10 people will say, well, why don't seniors
 11 continue to work? Why don't they go back to
 12 work, make more money and pay for
 13 electricity or pay for your dental bill or
 14 whatever? Well, seniors do continue to
 15 contribute. They contribute through their
 16 direct taxation. I mean, they buy toilet
 17 tissue; they buy toothpaste and they buy all
 18 those kinds of things and they pay for their
 19 gas and they continue to contribute, they
 20 pay their property taxes and so on and so
 21 on. And they also contribute significantly
 22 and there's tremendous research in this
 23 area, on their contributions through unpaid
 24 volunteerism and care giving; there's no
 25 question. So, while there are increasing

<p style="text-align: right;">Page 17</p> <p>1 numbers of seniors who are continuing to 2 work longer and that is the truth. There 3 are more and more seniors who are working 4 longer or starting new careers. There are 5 still many seniors who are physically or 6 emotionally unable to continue to 7 participate in the paid work force. In 8 addition, seniors who do continue to 9 participate in paid work often see their 10 pensions and other ways of receiving income 11 as negatively affected. So, that's 12 something else that, as a society, we have 13 to really address. So, that gets us back to 14 the fact that many seniors, as you saw from 15 the charts I provided to you, live on low or 16 mid income, but these are also fixed 17 incomes. Many people do not have indexing 18 built in to their pension benefits and if 19 they do, it's difficult. So, when they were 20 planning for retirement, they didn't expect 21 or realize that there may be such 22 significant increases in their basic 23 fundamental kinds of expenses. Also, many 24 seniors have low disposable income. They 25 might own their house, they may have assets</p>	<p style="text-align: right;">Page 19</p> <p>1 a, I guess, more money down the road when 2 it's even more expensive. And they're 3 saying to me, well hold on a second now, I 4 only want to pay the money for my 5 electricity today because I might not be 6 around tomorrow. So, I rather use that 7 money for eye glasses, for my dentures, 8 maybe even I'll take a trip. So, you know, 9 these are the kinds of ideas that people 10 that coming to me. 11 So, what you have here is just a word 12 find. These are the words—I ask my staff if 13 they would take all of the—because when we 14 get phone calls and submissions, et cetera, 15 we put them all into an electronic record. 16 And only the issues around electricity costs 17 I asked them to do a word find for me and 18 create this lightbulb. And as you can see, 19 you know, these are the kinds of concerns 20 and issues seniors are bringing my way. 21 They're worried about survival; they're 22 worried about their income; they're worried 23 about how they are going to pay for 24 medications if they have to pay extra for 25 electricity, et cetera, et cetera. These</p>
<p style="text-align: right;">Page 18</p> <p>1 that are worth something, but their 2 disposable income is limited. So, they 3 don't have that money to pay for energy 4 efficient adaptations such as heat pumps and 5 light bulbs and appliances, et cetera, et 6 cetera. I mean, and again the other piece 7 of that is while it's easy to say that they 8 can borrow money--because we can easily say 9 that, well, they can borrow the money and 10 pay it back—there's a cultural issue there 11 because seniors take great pride in saying I 12 no longer have debt and now I'm retired. 13 And so to go and borrow money, there's a 14 cultural difference there and to be honest 15 with you, they also say, you know, am I 16 going to die before this gets paid off? So, 17 longevity is an issue. I mean, we 18 understand that longevity is a great 19 accomplishment, but it's also got to be 20 noted that the benefits of these adaptations 21 may not be realized in some seniors' lives. 22 And in addition, seniors are a little bit 23 concerned about this idea that keeps 24 emerging that perhaps we'll pay extra for 25 energy today so that we'll have base line or</p>	<p style="text-align: right;">Page 20</p> <p>1 are all things that have to do with what I 2 believe or what I know to be Maslow's 3 Hierarchy of Needs, okay. Because we know 4 that the very basic of human needs include 5 food, water, warmth and rest. Yet seniors 6 have consistently expressed to me concern 7 around their financial ability to be able to 8 provide for the most basic physiological 9 need of warmth. So, you know, I've done a 10 little bit of review and listened carefully 11 and I know that for seniors especially, 12 understanding the process, the generation of 13 energy to the transmission of energy to 14 delivery of energy to our homes and then the 15 paying of the bills as well as the roles of 16 Nalcor and Newfoundland Power and Fortis and 17 Newfoundland Hydro and then, of course, 18 thrown in there we have the Department of 19 Natural Resources and we have the Public 20 Utilities Board. So, seniors say to me, I 21 can't understand what's going on and they 22 look at the media and the media is like 23 quoting this number and then that number and 24 another number. So, they're essentially 25 very confused about what does this all mean,</p>

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1 which again, adds to that anxiety. But what
 2 they do understand and they do appreciate is
 3 that there are many elements which affect
 4 the cost of electricity. They understand
 5 that. We understand that. And we also
 6 understand that there's been an
 7 extraordinary cost through Muskrat Falls
 8 that has been placed as a burden upon the
 9 people of Newfoundland and Labrador. And
 10 they also understand when shareholders
 11 expect great dividends in order to be on par
 12 with other electrical companies through the
 13 world. They understand all those things,
 14 okay, and they don't have a problem paying
 15 for their fair share in hard times. They're
 16 always stepped up to the plate, you know, as
 17 we've grown older. But seniors support
 18 paying for electricity as they use it and at
 19 a reasonable cost. They're now at the later
 20 stages of their life and they require their
 21 income to be used for today's expenses.
 22 Seniors are now asking you, the PUB, to
 23 recognize the extraordinary burden which
 24 would be placed on many seniors if the cost
 25 of electricity is increase significantly

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1 across the Board. They simply cannot afford
 2 this cost. We must take into consideration
 3 the vulnerability of people as they grow
 4 older and ensure that humanistic values are
 5 not lost in the pursuit to balance the
 6 books.
 7 So, in conclusion I'd like to say thank
 8 you for your time and this opportunity to
 9 share with you what I've been hearing from
 10 seniors throughout our Province. And this
 11 is how you can contact me if you need more
 12 information. Thank you.
 13 (10:30 a.m.)
 14 CHAIR:
 15 Q. Thank you very much, Dr. Brake. Are you
 16 open to taking any questions if there are
 17 any?
 18 DR. BRAKE:
 19 Q. Absolutely.
 20 MR. YOUNG:
 21 Q. Thank you, Dr. Brake, we have no questions.
 22 CHAIR:
 23 Q. Newfoundland Power, any –
 24 MR. HAYES:
 25 Q. No questions. Thank you, Dr. Brake, for

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1 your presentation.
 2 CHAIR:
 3 Q. Consumer Advocate?
 4 BROWNE, Q.C.:
 5 Q. Yes, Dr. Brake, you mentioned seniors prefer
 6 to pay electricity as they go. There's talk
 7 in these hearings and has been talk about
 8 deferral accounts and other ways to bump up
 9 the cost of electricity so down the road
 10 people won't have so far to go in the actual
 11 costs. Do seniors have an opinion on that?
 12 DR. BRAKE:
 13 Q. Well, as I indicated, seniors feel we've
 14 done our bit, we know this is a basic need,
 15 a basic right to have access to electricity
 16 and heat, et cetera, and if we give more
 17 money now, I mean, we're going to die.
 18 We're eventually going to die, so we're not
 19 going to get to use this. And while many
 20 people feel well, I can do that for my
 21 children and my grandchildren and support
 22 that, but then again, there are many people
 23 who just don't have the resources to do
 24 that.
 25 BROWNE, Q.C.:

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1 Q. Thank you, Dr. Brake.
 2 CHAIR:
 3 Q. Thank you. Ms. Greene?
 4 GREENE, Q.C.:
 5 Q. No, thank you, Dr. Brake, I have no
 6 questions.
 7 CHAIR:
 8 Q. No questions?
 9 COMMISSIONER OXFORD:
 10 Q. I have no questions, but I wish to thank you
 11 for putting a human face on these hearings.
 12 Thank you very much.
 13 DR. BRAKE:
 14 Q. Thank you.
 15 CHAIR:
 16 Q. And I echo that as well, thank you, Dr.
 17 Brake. Thank you so much. We have a panel,
 18 I understand appearing next; do we need to
 19 get additional chairs? Okay. Is the panel
 20 that is presenting here?
 21 (OFF RECORD – 10:28 A.M.)
 22 (RESUME – 10:37 A.M.)
 23 CHAIR:
 24 Q. Good morning, Panel. Ms. Moore, Mr. Murphy
 25 and Mr. Fillier. Welcome to the Board. I

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1 understand your each going to make
 2 individual presentations. Is that okay?
 3 I'd ask just first when you start that you
 4 just to introduce yourself for the purposes
 5 of the record and on whose behalf, if any,
 6 you are appearing, unless it's a personal
 7 behalf obviously. And who is going to
 8 start?
 9 MR. MURPHY:
 10 Q. I'm going to start first.
 11 CHAIR:
 12 Q. Okay, just carry on whenever you are ready.
 13 MR. MURPHY:
 14 Q. So, my name is James Murphy and I am just
 15 speaking on behalf of the people of the
 16 Province and having our voices represented
 17 here. Firstly, I wanted to say good morning
 18 to the members of the Board and thank you
 19 for giving us the opportunity to speak
 20 before you and make this presentation on
 21 behalf of the people of Newfoundland and
 22 Labrador. People are not only fearful of
 23 their futures here, but are actually some
 24 are desperate to have some answers and
 25 security in the very unstable talks

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1 surrounding future electricity rates. As a
 2 province we were saddled with Muskrat Falls
 3 based on mere political propaganda with
 4 false demand forecasts, over inflated oil
 5 forecasting, severely underestimated costs
 6 analyses resulting in a project that was
 7 never needed, was never the lowest cost
 8 option and with a take or pay power purchase
 9 agreement, the rate payer was to be the only
 10 one to pay for its entirety. We saw a 6.2
 11 billion dollar project slowly morph into
 12 what's now to be at least 12.7 billion
 13 dollars. Many costly mistakes were made
 14 during construction that could have been
 15 avoided and hopefully the Muskrat Falls
 16 Inquiry will give us some answers and
 17 insight as to what went wrong and where. To
 18 compound all the follies and falsehoods, our
 19 only public oversight to ensure that the
 20 lowest cost option and the most reliable,
 21 the PUB was cast aside from having adequate
 22 time to review its validity during
 23 sanctioning. It was ran through basically
 24 as if the river was suddenly going to up
 25 stakes and take off to Quebec. So, we all

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1 had hoped that with a change in the
 2 government, maybe we would see a genuine
 3 stop/go analysis put forward with requested
 4 input from the PUB, but nothing of the sort
 5 had happened. All we got from Mr. Marshall
 6 and Premier Ball was that it just can't be
 7 stopped. Despite all our pleas and
 8 protests, the common theme was to forge on
 9 with a combined 9.2 billion dollars in
 10 federal loan guarantees. Oversight in our
 11 minds has become another meaningless word,
 12 along with transparency and accountability.
 13 Then basically the other shoe dropped on the
 14 public in 2016 with the budget put forward
 15 by the Liberals seeing a combined total of
 16 300 new taxes and fees that basically
 17 started an economic down spiral that we're
 18 seeing progress to this day. Those that
 19 were struggling prior to that time were now
 20 scrambling. Medium income earners saw
 21 thousands taken away from their yearly
 22 incomes. The paying (phonetic) was just the
 23 beginning for a lot of people. So now, two
 24 and a half years into the Liberals term
 25 knowing what the inevitable discussion

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1 needed to be around electricity rates, it
 2 seems that the current government has let it
 3 fester. Until now we have taken it upon
 4 ourselves as members of the public to make
 5 very public requests through our efforts to
 6 have this dealt with. And here we are at
 7 this point fighting against unfair rate
 8 applications that somehow seemed to have
 9 morphed into a rate mitigation funding. The
 10 principle itself is preposterous in my mind
 11 to insist that before the project comes
 12 online that we shell out money to make it
 13 less damaging to our pocket books in the
 14 future is ridiculous. If I wanted to go up
 15 to a dealership and look at a new vehicle on
 16 the lot, top of the line SUV that was
 17 substantially outside of my price range, I
 18 knew I couldn't afford it, but would it be
 19 acceptable for me to pay two years before I
 20 even had that vehicle? Is that what we are
 21 to assume that Newfoundland Hydro is looking
 22 for right now? It seems to me what is being
 23 asked from us right now and surely that must
 24 contravene standard business codes and
 25 practices.

<p style="text-align: right;">Page 29</p> <p>1 Obviously, even if Newfoundland Hydro 2 is a crown corporation and operates at an 3 arm’s length from government, this must have 4 been, somewhere along the line in my 5 opinion, a political decision to make this 6 part of a rate mitigation fund. With the 7 PUB effectively taken out of the decision 8 making process at sanctioning, in my mind, 9 it was a direct constitutional infringement 10 of the people of Newfoundland and Labrador 11 to have fair energy prices. The Liberals 12 were quick to point fingers at the previous 13 PC government for excluding you guys from 14 that decision making process at sanctioning, 15 but they’re had 2 ½ years to basically 16 reinstate the PUB to what it should be which 17 is to, mandate is to look for the lowest 18 cost option and affordability and a reliable 19 product when it comes to energy for the 20 people of the Province. 21 We were stripped basically of our right 22 to have a non-partisan, unbiased look at the 23 validity and feasibility of that project for 24 our futures. We’re now pressuring the 25 government to ensure that legislated ability</p>	<p style="text-align: right;">Page 31</p> <p>1 Newfoundland Hydro and apparently both PC 2 and Liberals governments. If the wellbeing 3 of the people of this Province were first 4 and foremost, us three wouldn’t have to be 5 sitting here this morning giving a 6 presentation to your fine folks. For that 7 reason alone, we need to have more people at 8 the table deciding what to do about the 9 repayment of this debacle of a project. And 10 going back to the rate payer solely under 11 the Power Purchase Agreement isn’t and never 12 was plausible. We have a demand and cost 13 elasticity in this Province. There’s a 14 certain plateau that people are going to be 15 able to afford to pay and that formula 16 contrived under the repayment schedule 17 cannot and will not succeed, in my opinion. 18 I predict if nothing is changed, we’re 19 looking at total collapse of the structure 20 of this agreement. And as we fear, personal 21 debt loads and extenuating collateral 22 damages to peoples’ personal finances will 23 spiral our Province into an economic 24 depression unlike, I think, that we’ve ever 25 seen in this Province. Right now we’re at a</p>
<p style="text-align: right;">Page 30</p> <p>1 of the PUB to protect the public is fully 2 restored. The Power Purchase Agreement 3 needs to be rescinded placing the repayment 4 elsewhere than, other than just the rate 5 payer. My argument is that if the PUB 6 mandate was restored full power and more 7 than just rate setting applications that we 8 would not be paying more than the least cost 9 options rates. And the overages would be 10 deemed imprudent and our goal is to pursue 11 just that. 12 We would also like to see more than 13 Nalcor, Newfoundland Hydro and government 14 make decisions on possibilities to get out 15 from under this crushing debt. The rate 16 management committee needs to be comprised 17 of people in varying fields of expertise. 18 We have several knowledgeable people in the 19 Province that can give additional input and 20 key options to explore to resolve this 21 inherent crisis. All possibilities need to 22 be explored at this point. I think that the 23 public are perfectly within their rights, at 24 this point, to not fully trust the judgment 25 and recommendations of Nalcor and</p>	<p style="text-align: right;">Page 32</p> <p>1 precipice; you guys have the ability to say 2 no to these increases that are unwarranted. 3 Furthermore, we would kindly ask the Board 4 to consider denying further rate 5 applications until we can see an established 6 plan of action put forward to the public and 7 the PUB to have full scrutiny without 8 further reaching into the rate payer 9 pockets. We weren’t asked if we wanted this 10 project. There was no referendum. Our only 11 representative being the PUB was not given 12 adequate time to evaluate the project as to 13 if it was feasible or not. And as a 14 Province we’re not able to pay for it; it’s 15 just not possible. 16 (10:45 a.m.) 17 We, the people, we have the ability and 18 the duty to stand up to our politicians that 19 although the money irrefutably has to be 20 paid back on this ill-fated project, that we 21 have to exhaust any and all options at this 22 point. The well is quick running dry in 23 Newfoundland households for expendable 24 finances. In many cases, it’s already dried 25 up. Imagine being born and having</p>

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1 \$120,000.00 in debt saddled to you to minute
 2 that you're born. Do they deserve that?
 3 Certainly none of us do. This really isn't
 4 a time for our politicians to be having a
 5 one-upmanship of each other, trying to fool
 6 the electorate into voting for them in the
 7 next election. This isn't an election
 8 campaign; this is basically our futures
 9 we're looking at and everybody is affected.
 10 Each and every one of us is going to be
 11 affected by this. Politicians have families
 12 and friends as well that are going to be
 13 equally affected. We need our politicians
 14 and everybody involved to step up, make the
 15 hard choices and do right by the people of
 16 the Province. Our very futures depend on
 17 everybody coming together to find a way out
 18 of this mess that quite frankly both parties
 19 have now had equal culpability in. We will
 20 continue to fight for our people and our
 21 Province. We don't deserve this fate. And
 22 I can speak for myself; I won't relent until
 23 the people are given one of the basics of
 24 life, that being electricity and warmth,
 25 given to them at costs that they can afford.

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1 And I would kindly ask the esteemed Board to
 2 carefully think of our message today and
 3 send NL Hydro back to the drawing board.
 4 Thank you for your time.
 5 CHAIR:
 6 Q. Thank you, Mr. Murphy. Mr. Fillier, looks
 7 like you're setting up. Go right ahead.
 8 MR. FILLIER:
 9 Q. Thank you. Good job, James. Good morning,
 10 everyone. Thank you for the opportunity to
 11 address this Board. I would just like to
 12 point out to start that every one of the
 13 participants, including the Board members,
 14 are here today because a portion of
 15 everyone's bill is used to offset the cost
 16 of these proceedings. I've chosen to take a
 17 day and a half leave, annual leave, to be
 18 here today because I feel so strongly about
 19 this topic, as do my colleagues and
 20 supporters that are in the room here today.
 21 We are not getting paid. We're here because
 22 we don't want to pay any more for power.
 23 We're here to add our voices to that of our
 24 Consumer Advocate, Dennis Brown; Dr. Suzanne
 25 Brake, who spoke earlier and others opposed

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1 to any further rate increases. To give you
 2 an idea of how much presentation is going to
 3 go, I'm basically going to talk to
 4 Newfoundland Power for a while; I'm going to
 5 talk to Newfoundland Hydro for a while and
 6 then I'm going to pretty well just
 7 generalize at the PUB board.
 8 The Newfoundland Power website states
 9 they serve over 264,000 customers, 87
 10 percent of all electricity consumers in the
 11 Province. It says, "we care about the
 12 people and the businesses we serve and aim
 13 to respond with integrity because so much
 14 depends on us". The company got its start
 15 here. The Petty Harbour Hydro Electric
 16 Plant was the first of its kind in
 17 Newfoundland and Labrador and one of the
 18 first in North America. It was put into
 19 service in the 1900 and is still in
 20 operation today. The website also speak to
 21 strong values guided by ethically sounded
 22 principles and other values, actions are
 23 true, honest and at the best interest of
 24 stakeholders. I believe in this company's
 25 list of stakeholders I would say the rate

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1 customers pay is near the bottom of that
 2 list.
 3 One of the reasons Newfoundland Power
 4 provides to support their latest increase is
 5 the instability of the economy in the
 6 Province. They can't be sure of the same
 7 profitability they have enjoyed largely part
 8 to Muskrat Falls. Ironically though
 9 Newfoundland Power did not breathe a word to
 10 question the validity of the project when it
 11 was being debated in the Legislation or in
 12 the public domain. Maybe they are concerned
 13 that the consumer base may erode. So, let's
 14 get more out of the ones that are left.
 15 Attempting to increase profits from the
 16 people of a province tethering on the brink
 17 of bankruptcy; think about that for a
 18 second. I believe this shows a disregard
 19 for the well-being of the people who helped
 20 build your company from that turbine in
 21 Petty Harbour in 1900. I contend the most
 22 important stakeholder is the company's
 23 shareholders. I contend that the company's
 24 belief that the most important stakeholder
 25 is the company's shareholders. Last year

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1 Newfoundland Power returned \$40,000,000.00
 2 to shareholders in this small market in—
 3 well, in Newfoundland and Labrador. The
 4 request of a 1.2 percent rate increase next
 5 spring would see a higher guaranteed rate of
 6 return to its shareholders from 8.5 to 9.5
 7 percent to “make it more attractive for
 8 investment” as stated in its submission.
 9 Knowing full well the financial state our
 10 Province is in, with the current level of
 11 taxation, residents being forced to recover
 12 a government deficit built through years of
 13 overspending and mismanagement.
 14 This doesn’t depict a company guided by
 15 “ethically sound principles”. Newfoundland
 16 Power has done well for itself so far in
 17 this Province. They should recognize when
 18 they are asking for too much. Another
 19 strong value the company boasts of is being
 20 trustworthy and loyal. We appreciate the
 21 loyalty and efforts of its employees during
 22 storms and outages and their community
 23 involvement. They do great work. We need
 24 Newfoundland Power and you, the Public
 25 Utilities Board, to appreciate what

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1 Newfoundland Power customers have provided
 2 already in income for shareholders. And
 3 also considering our dilemma to work with us
 4 for positive change in our Province.
 5 Newfoundland Hydro, providing service
 6 to 30,000 customers showing a 2017 profit of
 7 \$69,000,000.00 and looking for more. It’s
 8 obvious to me and many others there has been
 9 no attempt to curb spending inside
 10 Newfoundland Hydro. In the vicinity of 90
 11 percent of Newfoundland Hydro employees are
 12 on the Province’s Sunshine list. As many of
 13 you may know it’s a list of government
 14 employees making in excess of \$100,000.00
 15 per year. Numerous examples of employees
 16 making a base salary of \$95,000.00 earning
 17 \$147,000.00 in overtime on top of their base
 18 salary along with a \$2,800.00 to boot for
 19 good measure. Another example has an
 20 employee making a base salary of \$90,000.00
 21 making \$120,000.00 in overtime. I’ve worked
 22 for 33 years. How you can make one and a
 23 half times higher your salary in overtime,
 24 I’d like to see how you can do that. I’m a
 25 worker, I don’t begrudge anyone making a

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1 fair wage. My family has felt the pinch of
 2 a workplace that streamlines costs by
 3 reducing benefits, providing little or no
 4 year wage increase due to intense collective
 5 bargaining. I don’t remember hearing about
 6 any intense collective bargaining at
 7 Newfoundland Hydro. No impending strike
 8 votes. I suggest they have been pretty
 9 happy with the deals that they have been
 10 offered.
 11 Then there are the imbedded
 12 contractors; three of which have applied to
 13 the Supreme Court of Newfoundland to keep
 14 their pay a secret. Fighting legislation
 15 enacted by the Government of Newfoundland
 16 intended to allow the public to see this
 17 information because Nalcor had previously
 18 refused to share the data. They contend
 19 divulging this information would “cause them
 20 undue financial harm”. What about the undue
 21 financial harm to the people of this
 22 Province who didn’t get a chance to vote for
 23 or against this mammoth project, a project
 24 so grossly oversize for the size of our
 25 population.

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1 As my colleague just suggested, imagine
 2 is someone came to you and said, here’s a
 3 big ticket item, here’s a boat. I’ve been
 4 looking for a boat for the last three years
 5 because I can’t afford a boat. I’ve been
 6 looking for a boat on the classifieds to buy
 7 a used boat because I don’t have the money
 8 in my bank account to get a new one.
 9 Imagine if someone came up to me tomorrow
 10 and said, here you go, Keith, here’s a very
 11 expensive boat because it’s so expensive—
 12 I’ve lost my train of thought on that, I
 13 went off topic. But as my colleague
 14 suggested, I didn’t ask for the boat, I
 15 didn’t want the boat right now, but I’m
 16 stuck with the bill. And your boat—you’re
 17 going to continue to pay for your boat for
 18 50 years. And because it’s so expensive,
 19 we’re going to start you paying for this
 20 boat two years before you actually get it,
 21 you take ownership of it. I think that’s
 22 absurd. There’s been very little
 23 explanation of the cost overruns at Muskrat
 24 Falls. Construction costs went from
 25 \$6,000,000,000.00 to \$12,000,000,000.00

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1 round figures. Nobody has said where the
 2 money has gone. Part of their application
 3 is to charge us an extra roughly 6.6 percent
 4 to mitigate the future burden of Muskrat
 5 Falls, a project not yet finished. The
 6 costs associated haven't been finalized and
 7 will continue to increase. A figure of
 8 \$14,000,000,000.00 would not be an
 9 exaggeration. Before you start charging
 10 people to pay for it, maybe the people
 11 should hear an explanation of where the
 12 \$6,000,000,000.00 and counting has gone.
 13 This project was initially slated to be
 14 proving power in the Province by 2018. Now
 15 it has a new delivery date of 2021, given
 16 the problems that have plagued construction,
 17 the questions about environmental damage and
 18 the effects on food supply for people living
 19 in close proximity to the site including
 20 First Nations people. I don't hold out much
 21 hope for a champagne parade in 2021.
 22 Commissioning issues could also delay first
 23 power. Whether the project was even
 24 necessary has been strongly questioned.
 25 From the planning stages it has been so

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1 poorly managed that our Premier has called a
 2 public inquiry to provide a greater
 3 understanding of whether all options were
 4 considered at the time of sanctioning the
 5 project; why there are significant
 6 differences between the actual cost of the
 7 project and the estimated cost at the time
 8 of sanction. And whether it was justified
 9 and reasonable for the project to be
 10 excluded from the oversight of this Board.
 11 So many questions surround Newfoundland
 12 Hydro's role and management of this project.
 13 They should prove that cost overruns were
 14 reasonable and guarantee that going forward
 15 cost tracking strategies will be improved.
 16 The Provinces public sector workers
 17 have been under attack through aggressive
 18 collective bargaining to streamline costs
 19 associated with providing public services to
 20 the people of this Province. Our roads are
 21 dangerous; people have died and many lives
 22 have changed because road construction
 23 budgets haven't kept pace and road
 24 conditions have suffered. As James
 25 suggested, over 300 provincial government

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1 fees have gone up in the 2016 budget.
 2 Things that dig deeply into the pockets of
 3 residents, Crown land fees, drivers' license
 4 fees, vehicles registration, the list goes
 5 on. All intended to improve the cash flow
 6 coming back through the public sector. The
 7 elderly have had previously provided dental
 8 services cut, many now go without much
 9 needed dental care. The level of pain
 10 endured by the residents and businesses in
 11 this Province is intolerable. Yet
 12 Newfoundland Hydro, a publicly owned
 13 utility, has seen no such scrutiny. I
 14 believe Newfoundland Hydro should have to
 15 provide detailed cost containment results
 16 before coming to this Board for rate
 17 increases. Hold them to the same standard
 18 as other public services.
 19 Now, more generally to the Public
 20 Utilities Board. Given the current economic
 21 climate of our Province high unemployment,
 22 high taxation, people in our Province are
 23 hurting financially. Affordable power is a
 24 necessary component of a resident's health
 25 and wellbeing. The residents of

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1 Newfoundland and Labrador deserve reliable,
 2 affordable power. This cannot be done in a
 3 vacuum concentrating solely on the factors
 4 which affect the power utilities. You'll
 5 hear stories from my colleague, Lori Miller,
 6 about the most vulnerable in our society
 7 trying to survive and I stress the word
 8 "survive"; that's what many are doing,
 9 trying to survive. They couldn't afford
 10 last winter's power rates at 10 cents a
 11 kilowatt hour. Right now we're at
 12 approximately 12 cents a kilowatt hour.
 13 We've already put these peoples' health in
 14 jeopardy. Further increases will inevitably
 15 result in power being cut to their homes.
 16 (11:00 a.m.)
 17 We have a government who should be
 18 responsible for providing a safe environment
 19 for people dependent on government. This
 20 may bring a whole new program such as the
 21 creation of the Newfoundland and Labrador
 22 Housing Corporation in 1967 to provide
 23 adequate housing for people in need. Will
 24 be have a power equivalent to Newfoundland
 25 and Labrador Housing to make up for the

<p style="text-align: right;">Page 45</p> <p>1 power we can't afford? We all know our 2 Province can't afford a free lunch. Passing 3 this added burden to a crippled economy for 4 the sake of making a corporation "more 5 attractive to investment" is not only cruel, 6 it's inhumane and mustn't be approved by 7 this Board. 8 These companies can't expect to be 9 immune from an economic downturn. Today's 10 corporate agendas of forever increasing 11 profits to shareholders are not always 12 sustainable even in a monopoly environment 13 which these corporations enjoy. As rates 14 rise, price elasticity will lower 15 consumption through conservation and 16 alternate and more efficient forms of heat 17 and light. The future power needs of this 18 Province as depicted by these corporations' 19 submissions are not realistic. They predict 20 usage that will take a slight dip when 21 Muskrat Falls comes online and then continue 22 to rise. This defies all common sense 23 economic reasoning. Charge more and people 24 will continue to use more is frankly an 25 absurd suggestion.</p>	<p style="text-align: right;">Page 47</p> <p>1 country as 33 percent. Newfoundland and 2 Labrador has and will continue to have the 3 highest death rate in the country. This 4 year's rate, 2017 rate at 5,280 deaths has 5 been climbing steadily for the past 17 6 years. It might have been climbing longer; 7 I didn't look longer, 17 years was enough 8 for me. The Province's falling birth rate 9 will exacerbate the situation over the long 10 term as people continue to have smaller 11 families. Newfoundland and Labrador's 12 fertility rate, the average number of live 13 births per woman during her lifetime is just 14 1.38, the lowest in the country. The 15 Canadian average is 1.6. Along with low 16 fertility, the natural increase in the 17 population, birth minus death, while 18 slightly positive in 2016 and 2017 will turn 19 negative in 2018 and this trend will 20 continue as predicted by Statistics Canada. 21 I've lost my place, pardon me for a second. 22 Will turn negative in 2018 and this trend 23 will continue through 2040. The population 24 will continue to decrease, is my point. 25 The Conference Board of Canada—that's</p>
<p style="text-align: right;">Page 46</p> <p>1 The Province's future demographic 2 picture points out more factors that will 3 contribute to lower power usage. We are the 4 9th most populous province/territory in 5 Canada just ahead of Prince Edward Island. 6 A falling natural rate of population 7 increase, persistent outmigration caused by 8 the highest unemployment levels in the 9 country and a rising average age will cause 10 our population to fall. Statistics Canada 11 says the population of Newfoundland and 12 Labrador slipped by .3 percent during the 13 first quarter of 2018. The Province was the 14 only one in Canada where the population 15 dropped in that timeframe to just under 16 526,000. A 2017 population estimate put us 17 at 528,817 people. That's 2,817 people left 18 Newfoundland in three months, the first 19 quarter of the year. 20 Another important factor affecting 21 Newfoundland and Labrador's long term 22 demographic outlook is the impending 23 retirement and aging of the baby boom 24 generation. We have the oldest ratio of 25 residents over 65 years of age in the</p>	<p style="text-align: right;">Page 48</p> <p>1 the group I was looking for and I couldn't 2 remember—the Conference Board of Canada 3 predicts our population will slip to 472,043 4 by 2040, a decline of close to 9 percent. 5 The profound demographic changes will slow 6 down the provincial economy over the 7 forecast period. Economic growth is 8 projected to decelerate from an annual 9 average of 1.9 percent from 2001 to 2015 to 10 an average of 1 percent between 2016 and 11 2020. Housing starts will fall throughout 12 the forecast period due to population aging 13 and outmigration. Considering price 14 elasticity, profound demographic changes and 15 slower economic growth, there is no 16 foreseeable way that power consumption will 17 increase. The Province did well for a 18 while, the Conference Board of Canada says 19 the past nine years brought substantial 20 population growth as megaprojects drew 21 workers to the province. The population 22 increase from 509,680 in 2007 to 531,130 in 23 2017, up 4.2 percent. Utility company 24 profits are a reflection of this prosperity. 25 Newfoundland Hydro calculated a 50 year time</p>

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1 horizon for this project. They felt it
 2 necessary to defer 150 million in first year
 3 costs of the project to avoid customer rate
 4 shock. The first year of operation will
 5 still cost \$800,000,000.00. By year 50 the
 6 annual cost the Muskrat Falls project will
 7 be a staggering 2.6 billion dollars per
 8 year. Over the 50 year period, 78.5 billion
 9 dollars will be recovered from rate payers
 10 in the current scheme that we're looking at
 11 right now. Simply put, our little island
 12 can't pay for it. These figures, I'd like
 13 to thank, at this point, David Vardy who is
 14 in the room, for a lot of help on my
 15 presentation. He provided these figures. I
 16 have no reason to doubt his knowledge on
 17 this project. He's very well versed.
 18 The Rate Management Committee in place
 19 today which includes Newfoundland Power,
 20 Newfoundland Hydro, Department of Finance
 21 and Natural Resources frankly isn't the best
 22 choice to find solutions to this problem.
 23 Many of the same people that worked for
 24 Newfoundland Hydro to promote this project
 25 are still here. Are they now the best

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1 people to make it cheaper for us? The
 2 cheapest way out for us would have been not
 3 to build it in the first place. The only
 4 course which can set us on a path with any
 5 hope for affordable power in the future is
 6 for the Public Utilities Board to say no to
 7 these proposed rate increases. Let there be
 8 no rate increases until a joint panel, led
 9 by your Board, works co-operatively with a
 10 cross section of stakeholders in the
 11 Province to source ways to offset the cost
 12 of Muskrat Falls. Our current government
 13 must restore full authority to the Public
 14 Utilities Board reversing the changes made
 15 by the current Power Purchase Agreement.
 16 I was negligent when I started to talk
 17 about who I represent. I'm an individual
 18 who lives in Clarendville, Newfoundland and
 19 Labrador, Keith Fillier--I'm sorry I didn't
 20 say that earlier—and I'm honored to speak on
 21 behalf of the residents of this Province and
 22 I hold no hidden agendas. My heart is
 23 behind being able to make it affordable for
 24 people to live and raise their families and
 25 watch their children and grandchildren grow

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1 in this Province. I'd like to say I truly
 2 appreciate the honour presenting at this
 3 hearing today. Thank you for the
 4 opportunity. I hope our committee's
 5 presentation has helped to effect a positive
 6 result for the people of Newfoundland and
 7 Labrador. Thank you.
 8 CHAIR:
 9 Q. Thank you very much, Mr. Fillier. Ms.
 10 Moore?
 11 MS. MOORE:
 12 A. My name is Lori Moore and I'm from CBS and I
 13 am Jane Citizen. Thank you for the
 14 opportunity to speak on behalf of the rate
 15 payers of our Province. I feel passionately
 16 about my role here today and I have also
 17 taken annual leave to be here. While Mr.
 18 Murphy and Mr. Fillier have tackled the
 19 facts and figures, I would like to put a
 20 human face on the presentation by telling
 21 real life stories of those who are truly
 22 struggling under the financial weight of
 23 living here in Newfoundland and Labrador.
 24 Please indulge me by allowing me to start
 25 with an analogy. Suppose you wanted to boil

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1 a frog, bear with me; I'm a science girl.
 2 How would you do it? You could place the
 3 frog in a pot of hot water, but as soon as
 4 it feels the heat, it will jump out. In the
 5 first quarter of 2018, approximately 2800 of
 6 our citizens jumped out. They pulled stakes
 7 and they moved out of Newfoundland and
 8 Labrador. So, what can you do with the
 9 frog? Put a pot of cool water on the stove
 10 and then add the frog. Not sensing the
 11 danger, the frog will stay. Not sensing
 12 financial hardship, the people will stay.
 13 Turn the burner on low to slowly heat the
 14 water; slowly increase power rates. As the
 15 water warms, the frog is relaxed, the warmth
 16 is good. The people feel fine because it
 17 was just a small rate increase. As the
 18 water gets hotter, the frog is less
 19 comfortable, his energy is draining and he
 20 is unable to easily move. The people are
 21 accustomed to rate increase and even though
 22 they find it financially harder each time,
 23 they are almost apathetic because they make
 24 accommodations, they cut back where they can
 25 and they accept the things they feel they

<p style="text-align: right;">Page 53</p> <p>1 cannot change. The water is getting hotter 2 and hotter. By the time the frog realizes 3 it's in danger, the water is beginning to 4 boil and it's too late to take action. The 5 rate increases higher and higher until 6 people are so in debt. It's too late to 7 take action. They can no longer move away 8 in order to possibly make their financial 9 situation better. They have no money and 10 they are stuck. The frog perishes in the 11 boiling water. The people perish under 12 crushing debt. The boiling frog story is 13 offered as a cautionary tale and while the 14 results of this experiment are questionable, 15 it is a decent metaphor to warn of the 16 eventual undesirable consequences of yet 17 another Newfoundland Power rate hike. 18 I have reached out to numerous people 19 in Newfoundland and Labrador on social 20 media, on the protest lines, in the grocery 21 stores, the post office, anywhere people 22 gather together. The recurring theme from 23 our people is of financial hardship and 24 inability to effectively cope with 25 increasing grocery bills, insurance, gas,</p>	<p style="text-align: right;">Page 55</p> <p>1 government would like us to think is getting 2 better, it is not. Budget cuts and such 3 aren't going to get us out of the hole we 4 just keep digging. There's no reason to 5 stay on a sinking ship if there is a life 6 raft nearby. Out of the mouths of babes. 7 From The Compass also in 2017 an 8 interview with Wanda and Gene White, a 9 disabled couple tells us that they live in 10 their own home and they receive income 11 support. They are on an equal payment plan 12 with Newfoundland Power of \$150.00 a month. 13 They take \$75.00 out of their bi-weekly 14 cheque as a payment towards their heat and 15 light. Afterwards they have roughly \$370.00 16 on which to live, to buy medications, pay 17 taxis to go to doctor appointments and take 18 care of the remaining bills. They turn on 19 their heat for two hours a day in one room 20 only, the kitchen, even on the coldest of 21 days in the winter. They sleep in an 22 unheated room which is making Wanda sicker 23 as the cold makes her condition worse. 24 There is little they can do and they know 25 it. They also need food. They cannot have</p>
<p style="text-align: right;">Page 54</p> <p>1 taxes, property taxes, and power bills. 2 Families are finding the debt overwhelming 3 and scouring the internet to find ways to 4 manage. The already vulnerable sector, 5 those on fixed income and our seniors which 6 is about 20 percent of our population, are 7 telling me stories from this past winter of 8 buying Kraft Dinner, rice, bread and soup on 9 sale to keep food in their stomachs. If 10 they're not actually buying food, they're 11 signing up at the food banks in record 12 numbers and those shelves are empty. Kerry 13 Abbott of St. Vincent de Paul in Carbonear 14 says a dip in donations combined with more 15 people relying on the organization are both 16 of which fuelled by a less than stellar 17 economy. An interview of 82 graduates 18 across the Province by the Telegram in 19 September 2017 realized that 75 percent of 20 the eastern Newfoundland students are 21 leaving, have left possible for greener 22 pastures attributing their reasons to no 23 work, lack of opportunity and one grad from 24 central eloquently pointed out that the 25 financial situation, no matter how the</p>	<p style="text-align: right;">Page 56</p> <p>1 both heat and food. They do not have the 2 money to do that. They dress in layers to 3 keep reasonably warm and Wanda often wears 4 gloves and a hat around the house. "An 5 increase will see us without someone else 6 needed for survival", Wanda says. That's 7 another \$8.10 on every \$100.00 and while it 8 may not seem like much to anyone else, that 9 eight dollars can buy four packs of Macaroni 10 and Cheese, two dozen eggs, two litres of 11 milk, a jar of peanut butter. A warm home 12 and freedom from hunger should be the right 13 of every man, woman and child in 14 Newfoundland and Labrador. The frog is 15 uncomfortable. 16 (11:15 a.m.) 17 Iris had her equal payment plan jump 18 from \$200.00 to \$278.00 in July 2018. She's 19 a single woman with a mortgage, a car 20 payment, and a \$45,000.00 income. She's 21 very scared of what her future holds. She 22 has cut out the extras and she's doing 23 everything she can to facilitate energy 24 savings. She has opened up her home to 25 three students and this symbiotic</p>

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1 relationship gives her a little more income
 2 and the students a safe clean room to stay.
 3 Obviously not everyone is able to make these
 4 kinds of concessions. The frog is more
 5 uncomfortable.
 6 Lisa has four young children. Her
 7 husband died tragically and now she has only
 8 one income. Their home was where they were
 9 supposed to grow old together. Her first
 10 power bill after her husband died shocked
 11 her. It was over \$700.00 reasoning that it
 12 was higher because she had so many people
 13 coming and going and bringing her food and
 14 condolences. She thought it will be lower
 15 next month. It was higher! With funeral
 16 costs, no second income and an accumulating
 17 power bill, she resolved to save some money
 18 by nagging her children to turn off the
 19 lights, setting the thermostats lower,
 20 adding extra blankets on her children's
 21 beds, limiting screen time, limiting baths
 22 and buying a shower time to encourage
 23 shorter showers, lowering the temperature on
 24 the hot water boiler. All great ideas to be
 25 sure, but she was already behind on her

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1 power bill and she was in a financial hole
 2 that was getting deeper. Lisa played the
 3 rob Peter to pay Paul game and she started
 4 to panic when the notices and the phone
 5 calls came fast and furious from collectors
 6 and a cut off notice from Newfoundland
 7 Power. Dark thoughts entered her mind. She
 8 thought she and her children would be better
 9 off if they were all no longer here.
 10 Thankfully a church got involved and Lisa is
 11 doing a little better. And she's feeling a
 12 little better about her situation, but the
 13 more people I speak to the more I realize
 14 that most are only one pay cheque away from
 15 financial ruin. The frog is really
 16 uncomfortable.
 17 Statistics Canada just released numbers
 18 and in the period May 2017 and May 2018,
 19 there were 2638 consumer bankruptcy filings
 20 in Newfoundland and Labrador, higher than
 21 any year in the past decade. People are
 22 unable to keep up with the ever increasing
 23 cost to live here.
 24 Jennifer Crane Kent says on Facebook,
 25 "I think we're going to have to pack up and

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1 move. I've already started hand washing
 2 dishes and constantly turning off lights and
 3 fans. I'm scared when it's time for heat.
 4 I use the washer and dryer only once a week.
 5 What else can you do? I don't know what's
 6 going to happen to everyone. How do I keep
 7 my four kids fed or keep them warm? We
 8 spend an average of 350 a week to just feed
 9 our kids now. Thank God we both have good
 10 jobs, but we are still living pay cheque to
 11 pay cheque. I wouldn't be surprised if they
 12 olden days makes a comeback. The frog is
 13 most uncomfortable.
 14 I'm no economist, but even with my
 15 glasses off I can clearly see a problem.
 16 Home sales, according to Remax Spring Market
 17 Trends report, reveals high inventory and
 18 longer periods of time on the market; 13.6
 19 months is the average. Real estate is in a
 20 buyer's market phase. There are record
 21 amounts being paid for houses and I'm not
 22 talking about high amounts. I'm talking
 23 about diminished amounts that see people
 24 taking up to \$100,000.00 losses on their
 25 homes just to get out of debt, just to get

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1 out of here. The frog is much more
 2 uncomfortable.
 3 On Twitter Michelle Dawe Hall, a nurse,
 4 says that the moving company her and her
 5 physician husband are using to move to
 6 Ottawa this month are busier than they have
 7 ever been in their many years in business.
 8 Newfoundland is their home and they are
 9 moving. The frog is getting much, much more
 10 uncomfortable.
 11 Unemployment rates in Newfoundland and
 12 Labrador as of June 2018 provided by Stats
 13 Canada were 15.5 percent. Richard tells me
 14 that he has had to live in the main part of
 15 his two story house. He uses polyethylene
 16 sheeting stapled from the floor to the
 17 ceiling forming plastic walls to block off
 18 the rest of his house including the
 19 upstairs. He has moved his bed to the
 20 kitchen and there he lives for half the
 21 year. His attempt at selling his house has
 22 revealed that he has mold and mildew
 23 accumulation because of the lack of heat the
 24 plastic walls not allowing the house to
 25 breath. He has no extra money to fix the

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1 problem. A rate increase will finish him,
 2 he says. The frog is no longer able to
 3 move.
 4 Newfoundland Hydro indicates that rates
 5 are expected to almost double as a result of
 6 the Muskrat Falls project. Few, if any,
 7 jurisdictions have had to deal with such a
 8 large rate increase brought on by a single
 9 project. So, there is little in the way of
 10 regulatory precedents to guide the Board and
 11 the parties on what has worked or not work
 12 in other jurisdictions facing a challenge of
 13 this magnitude. Statements like this do not
 14 afford much hope to the families who are
 15 already struggling with unprecedented debt
 16 loads. As stated in a petition currently
 17 circulating the Province, at a time when the
 18 people of Newfoundland are dealing with high
 19 levels of taxation, increased unemployment
 20 rates, increased food bank usage, increased
 21 bankruptcies and many are being forced to
 22 choose between food, heat and medications.
 23 Newfoundland Power and Newfoundland Hydro
 24 continue to seek numerous power rates
 25 increases through the Public Utilities

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1 Board. Once the Muskrat Falls project comes
 2 online, these rates are predicted to
 3 increase significantly to unmanageable
 4 levels for the average citizens of our
 5 Province. I implore you, on behalf of the
 6 people of Newfoundland and Labrador do not
 7 let the water get any hotter. The people
 8 cannot be expected continue to bear the
 9 significant burden of major rate increases.
 10 I respectfully submit that your reject this
 11 latest request for a rate hike.
 12 Let the frog live; let the people of
 13 Newfoundland and Labrador live. Just say no
 14 to this requested rate hike. Thank you.
 15 CHAIR:
 16 Q. Thank you very much. Thanks to all of you.
 17 Are you open to take some questions if there
 18 are any?
 19 MR. MURPHY:
 20 Q. Sure.
 21 MR. YOUNG:
 22 Q. Thank you, Madam Chair. We have no
 23 questions, but I would like to say though
 24 that while we don't agree with every single
 25 factor heard at this point, there was a high

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1 degree of truth in what we heard this
 2 morning. And an extremely and profoundly
 3 valid perspective and we appreciate that.
 4 MS. MOORE:
 5 Q. Thank you.
 6 CHAIR:
 7 Q. Thank you.
 8 MR. HAYES:
 9 Q. No questions. Thanks very much for your
 10 presentation.
 11 MS. MOORE:
 12 Q. Thank you.
 13 CHAIR:
 14 Q. Mr. Browne?
 15 BROWNE, Q.C.:
 16 Q. No questions. You've made quite a
 17 contribution here and thank you for coming.
 18 GREENE, Q.C.:
 19 Q. No questions, Madam Chair. Thank you to the
 20 Panel.
 21 COMMISSINER OXFORD:
 22 Q. No questions. Thank you for presenting.
 23 CHAIR:
 24 Q. And thank you very much, thank you, very
 25 compelling. Thank you.

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1 I guess that brings us to the end of
 2 our scheduled business. I'd like to express
 3 particular thanks to those who presented
 4 here today. It's important that the Board
 5 and certainly the parties hear directly from
 6 those are affected by the decisions we are
 7 required to make with respect to the issues
 8 before us in this application.
 9 With respect to the specific issues the
 10 presenters have raised as regards to where
 11 rates are going and the associated
 12 uncertainty and impact, I can only say that
 13 the Board acknowledges your concerns. The
 14 Board's job at the end of this particular
 15 proceedings is to review the body of
 16 evidence on the record and with respect
 17 Hydro's application which is to set rates
 18 for 2018 and 2019 and to issue a final
 19 decision. We are close to completing the
 20 record and the date for final submissions
 21 from the parties will be set soon. I would
 22 like to say though in the meantime, the
 23 Board will continue to accept written
 24 comments, at least for the next couple of
 25 weeks I could say, from any interested

1 person who wish to provide their view
 2 directly to the Board on the application.
 3 The schedule for the completion of the
 4 proceeding including the final days for
 5 receipt of those submissions will be
 6 available on the Board’s website. And in
 7 the meantime I would encourage anyone who
 8 has any questions or needs any clarification
 9 on any, where we’re going forward, the
 10 Board’s secretary, Ms. Cheryl Blundon can be
 11 available to any of you at any time.

12 Thank you again, so much, thank you.
 13 Thank you everybody and I guess that
 14 concludes our proceeding. We’ll be in touch
 15 with respect to the schedule for further
 16 submissions.

17 Upon conclusion at 11:25 a.m.

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CERTIFICATE

I, Paulette Murphy, hereby certify that the foregoing is a true and correct transcript in the matter of the Newfoundland and Labrador Hydro 2017 General Rate Application heard before the Board of Commissioners of Public Utilities, 120 Torbay Road, St. John’s, Newfoundland and Labrador and was transcribed by me to the best of my ability by means of a sound apparatus.

Dated at St. John’s, Newfoundland and Labrador this 17th day of August, 2018

Paulette Murphy

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