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<p>1 CHAIRMAN: 2 Q. So, I guess we're ready to commence. I 3 understand you filed two undertakings which 4 you wish to address, is that correct? 5 MS. GLYNN: 6 Q. Yes, Mr. Chair, we have two undertakings this 7 morning. One is Number 10 which is the 2015 8 performance contract template for the VP of 9 Hydro. And the second one is undertaking 10 Number 21 which is the average weekly earnings 11 which that are located on the Government of 12 Newfoundland and Labrador's website. Thank 13 you. 14 CHAIRMAN: 15 Q. So, and I think we're now back to Mr. O'Brien. 16 MR. DARREN MOORE, CROSS-EXAMINATION BY MR. LIAM O'BRIEN - 17 CONTINUED 18 MR. O'BRIEN: 19 Q. Thank you, Mr. Chair. I believe when we left 20 off questioning yesterday we were talking 21 about balancing interests of Hydro and within 22 the matrix organization. I want to come back 23 to that a little bit later. I thought I'd 24 start off this morning and maybe give Mr. 25 Moore and Mr. Gardiner a chance to give us a</p>	<p>1 our engineering--I think we were called 2 Engineering Services in those days. Being a 3 temporary position, my interest was seeking 4 full time employment with the corporation. 5 So, I moved to Bay D'Espoir in June of 1992 at 6 the plant electrical engineer. 7 MR. O'BRIEN: 8 Q. Okay. 9 MR. MOORE: 10 A. I progressed through a number of positions in 11 Bay D'Espoir at that time in our hydro 12 Generation Division up to the asset managers 13 role when I left in 2004 and moved to our 14 Bishop Fall's office in Transmission and Rural 15 Operations. I moved into the manager of 16 Transmission and Distribution role at that 17 time and eventually into the role I'm in today 18 in 2001. 19 MR. O'BRIEN: 20 Q. I wonder if we can bring up PUB-NLH-138 21 Revision 2, just want to have a look at the 22 Org Chart attachment there. And who would you 23 report into exactly, Mr. Moore? 24 MR. MOORE: 25 A. I report to the Hydro's Chief Operating</p>
<p>1 little bit more background in terms of their 2 positions. So, Mr. Moore, I'm wondering, 3 you're a Hydro employee, is that right? 4 MR. MOORE: 5 A. Yes, that's correct. 6 MR. O'BRIEN: 7 Q. And how long have you been with Hydro exactly? 8 MR. MOORE: 9 A. I started in 1992, so 23 plus years right now. 10 MR. O'BRIEN: 11 Q. And have you always been a Hydro employee? 12 MR. MOORE: 13 A. Yes, I have. 14 MR. O'BRIEN: 15 Q. And you're, right now, the General Manager of 16 Transmission and Rural Operations, is that 17 right? 18 MR. MOORE: 19 A. That's correct. 20 MR. O'BRIEN: 21 Q. And did you have any previous positions with 22 Hydro? 23 MR. MOORE: 24 A. Yes. My initial position was--well, back in 25 1992 I started off in a contractual role with</p>	<p>1 Officer. 2 MR. O'BRIEN: 3 Q. Okay. So, if we come down here on page 2, 4 that's you there, General Manager, 5 Transmission and Rural Operations and it says 6 see page 20. So you have a number of reports 7 into you then as well. 8 MR. MOORE: 9 A. That's right. 10 MR. O'BRIEN: 11 Q. If we move to page 20, can we just have a look 12 at that? Okay, so all of these reports you 13 have, I guess you have eight direct reports 14 into you, is that right? 15 MR. MOORE: 16 A. That's correct. 17 MR. O'BRIEN: 18 Q. Okay. And is there any other--we talked about 19 yesterday with Mr. McDonald, about some dotted 20 line and possible two reporting situations, is 21 there anyone on that line that might report 22 elsewhere? Those eight individuals that might 23 report elsewhere other than into you? 24 MR. MOORE: 25 A. No, there's no actual dotted lines, but I will</p>
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1 say that if you look over, somewhere in the
 2 middle there, Manager of Safety, Health and
 3 Environment.
 4 MR. O'BRIEN:
 5 Q. Okay.
 6 MR. MOORE:
 7 A. That department has a very close working
 8 relationship with Nalcor's Safety, Health and
 9 Environment team in St. John's.
 10 MR. O'BRIEN:
 11 Q. Okay.
 12 MR. MOORE:
 13 A. So, it's a very close working relationship
 14 there such that implementation and control of
 15 any environmental health and safety issues and
 16 activities, I guess, out in the field itself,
 17 are very closely aligned with our corporate
 18 standards and programs. So, close working
 19 relationship, but not a dotted line as such.
 20 MR. O'BRIEN:
 21 Q. Okay. And how about yourself, do you have any
 22 other dotted lined report to someone else,
 23 say, in Nalcor or anyone else in Hydro?
 24 MR. MOORE:
 25 A. No, I directly report to the Chief Operating

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1 Officer.
 2 MR. O'BRIEN:
 3 Q. Okay. And in terms of--I know you summarized
 4 yesterday and perhaps you can give us an
 5 overview again today, the key areas of your
 6 responsibility in your position.
 7 MR. MOORE:
 8 A. Yes, my key area of responsibility would be, I
 9 guess, accountability and oversight and
 10 execution of TRO's divisional plan which has a
 11 line of sight to Hydro's corporate plan and
 12 that would take into account all five goals
 13 that we are accountable for; safety,
 14 environment, business excellence, people and
 15 community; very similar to how Nalcor and
 16 Hydro are structured with respect to corporate
 17 planning. So, that would be my key
 18 accountability, I guess, to develop our
 19 divisional plan to be lined up with Hydro's
 20 corporation plan and to execute that plan and
 21 measure compliance to the plan and how we're
 22 doing performance wise along the way as we
 23 execute throughout the year. We have eight
 24 key managers set up in TRO. We have three
 25 managers for each region. One is the manager

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1 of TRO Central over on the left and that
 2 person is accountable for all our assets in
 3 the central region which is basically the
 4 Island portion of the Province excluding the
 5 Great Northern Peninsula. We also have a
 6 manager for TRO Labrador which is essentially
 7 all our assets and people in the Labrador
 8 region which is all of Labrador excluding
 9 Southern Labrador. And almost over to the far
 10 right actually we got our manager of TRO
 11 Northern and that person is responsible for
 12 the Great Northern Peninsula plus Southern
 13 Labrador. We also have our manager of network
 14 services. That person is accountable for our
 15 communications infrastructure and our 14
 16 microwave sites throughout the Province for
 17 our mobile radio system and our teleprotection
 18 system for our assets. I mentioned our
 19 manager of Safety Health and Environment. So,
 20 that person is accountable for all ares of
 21 TRO, all three regions and all the managers
 22 within TRO. We have two managers of Long Term
 23 Asset Planning. One looks after our
 24 transmission and distribution assets; the
 25 other looks at our generation and terminals

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1 assets. And over to the far right we have a
 2 manager of TRO services. So that person
 3 serves all of TRO in looking at our vegetation
 4 management program, our fleet, our
 5 warehousing, the common services I guess, and
 6 all the tools and equipment, parts and pieces,
 7 the critical spares that are required to
 8 service all of TRO; that would be that
 9 person's accountability.
 10 MR. O'BRIEN:
 11 Q. In terms of your role, is there any portion of
 12 your time that you would charge out of Hydro
 13 to other lines of business within Nalcor?
 14 MR. MOORE:
 15 A. Very little, actually. The majority of my
 16 time would be charged into Hydro. An example
 17 I can think of where I may charge a day out of
 18 Hydro would be perhaps if there was a meeting
 19 for a day here in St. John's on the Lower
 20 Churchill Project and I would have a work
 21 order that I could use to charge my time out
 22 of Hydro for that, that type of event, but
 23 very little.
 24 MR. O'BRIEN:
 25 Q. Would it be an event that was related to Hydro

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1 work or was it just something that you could
 2 charge out of Hydro?
 3 MR. MOORE:
 4 A. Like anything that would be required, I guess,
 5 to maybe support or be involved with another
 6 line of business, I would charge my time out,
 7 but it's very rare when that happens.
 8 MR. O'BRIEN:
 9 Q. Okay. And how about the other eight, sort of,
 10 that direct reports to you, would any of them
 11 have any real reason to charge time out of
 12 Hydro and to Nalcor?
 13 MR. MOORE:
 14 A. No, their time is same as mine, very close to
 15 100 percent Hydro.
 16 MR. TERRY GARDINER, CROSS-EXAMINATION BY MR. LIAM O'BRIEN
 17 - CONTINUED
 18 MR. O'BRIEN:
 19 Q. Okay. Now, Mr. Gardiner, you are a Nalcor
 20 employee, is that right?
 21 MR. GARDINER:
 22 A. Yes, I am.
 23 MR. O'BRIEN:
 24 Q. Okay. And you've been with Nalcor since when?
 25 MR. GARDINER:

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1 A. 1987.
 2 MR. O'BRIEN:
 3 Q. What's that, 1987?
 4 MR. GARDINER:
 5 A. 1987, yes.
 6 MR. O'BRIEN:
 7 Q. So, you started with Hydro, did you?
 8 MR. GARDINER:
 9 A. I did.
 10 MR. O'BRIEN:
 11 Q. Okay. In what position did you start in?
 12 MR. GARDINER:
 13 A. I started at a transmission design engineer in
 14 our transmission group.
 15 MS. GLYNN:
 16 Q. Mr. Gardiner, if I could just ask you to speak
 17 into the microphone.
 18 MR. GARDINER:
 19 A. Sorry about that. Thank you.
 20 MR. O'BRIEN:
 21 Q. And when did you start with Nalcor?
 22 MR. GARDINER:
 23 A. In 2011, the management team of PETS, all the
 24 managers were transferred from Hydro to
 25 Nalcor.

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1 MR. O'BRIEN:
 2 Q. And what was your position at that time?
 3 MR. GARDINER:
 4 A. I was Manager of Transmission and Distribution
 5 Design.
 6 MR. O'BRIEN:
 7 Q. And is that essentially the same position you
 8 have now, only it's been renamed?
 9 MR. GARDINER:
 10 A. What happened early in 2013 there was a
 11 restructuring that happened in PETS in which I
 12 assumed the Manager of Engineering and Support
 13 Services where the lines of accountability for
 14 the civil engineering and transmission and
 15 distribution engineering, as well as the
 16 drafting and properties, a new position with
 17 Safety league that reported into me as well as
 18 project support services was created.
 19 MR. O'BRIEN:
 20 Q. Okay. Perhaps we can have a look back at
 21 page, I believe it's page 9 of this document.
 22 I think I got the right page here. So, this
 23 is you over on the far left, is it?
 24 MR. GARDINER:
 25 A. Yes, that's correct.

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1 MR. O'BRIEN:
 2 Q. Manager of Technical Services and Project
 3 Support.
 4 MR. GARDINER:
 5 A. That's correct.
 6 MR. O'BRIEN:
 7 Q. Okay. And so you'd report directly into the
 8 Vice President of Project Execution and
 9 Technical Services?
 10 MR. GARDINER:
 11 A. I do.
 12 MR. O'BRIEN:
 13 Q. Do you have a dotted line report into, say,
 14 Mr. Henderson or anyone else?
 15 MR. GARDINER:
 16 A. I don't know if it's a dotted line, but I do
 17 have accountability at his Hydro leadership
 18 team, to report on our actions of PETS.
 19 MR. O'BRIEN:
 20 Q. What do you mean by accountability to report?
 21 MR. GARDINER:
 22 A. What I mean is that I give updates on where we
 23 are in terms of our capital program with
 24 regard to cost, schedule as well as I also
 25 give updates on technical services activities

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<p>1 that take place, such as the status of capital 2 budget progression. In my role as Engineering 3 Manager and Support Services, in Technical 4 Services, one of the things that we do is we 5 are responsible for completing the capital 6 proposal that gets submitted to the Board. 7 And I would give an update on the status of 8 where that is, at the leadership team. 9 MR. O'BRIEN: 10 Q. Now, when you say completing capital 11 proposals, is that for all lines of business 12 or is it just for Hydro? 13 MR. GARDINER: 14 A. Within the Project Execution and Technical 15 Services Divisions we do--are responsible to 16 complete the capital budget proposals for all 17 lines of business. And at the Hydro 18 leadership team I would report into the team 19 where we are with the Hydro Application for 20 PET projects. 21 MR. O'BRIEN: 22 Q. How does that reporting work? Is that a 23 monthly thing? 24 MR. GARDINER: 25 A. It is a monthly thing, yes. Basically we have</p>	<p>1 engineering. 2 MR. O'BRIEN: 3 Q. Sorry, okay, page 11, perhaps. No? Page 10, 4 sorry. 5 MR. GARDINER: 6 A. That's right. 7 MR. O'BRIEN: 8 Q. There we go. So, you have two Nalcor 9 employees who directly report to you, is that 10 right? 11 MR. GARDINER: 12 A. That's correct. 13 MR. O'BRIEN: 14 Q. And then right down the middle here, there's a 15 number of Hydro employees, I believe, it looks 16 like it's about 12, is that right? 17 MR. GARDINER: 18 A. That's correct. 19 MR. O'BRIEN: 20 Q. You got 14 in total that report to you. 21 MR. GARDINER: 22 A. That's correct. 23 MR. O'BRIEN: 24 Q. So, in terms of your role then, do you have 25 role in supervising all of those direct</p>
<p>Page 14</p> <p>1 a chart that we put up on the wall and we have 2 delivery dates and we track to those dates. 3 And, of course, that's looking out towards the 4 application to the Board. So, which we would 5 stuart to that. 6 (9:15 a.m.) 7 MR. O'BRIEN: 8 Q. What do you mean by looking out to the 9 application? 10 MR. GARDINER: 11 A. Well, our application of our capital budget to 12 Board was filed, I believe, this year at the 13 end of July. So, we would have to complete 14 those proposals in a timely manner so that 15 they could be reviewed and prepared and 16 submitted to the Board. 17 MR. O'BRIEN: 18 Q. Okay. So, if we turn to page 12 and you have 19 a number of direct reports yourself. 20 MR. GARDINER: 21 A. I do. 22 MR. O'BRIEN: 23 Q. Is that right? Is this your at page 12? 24 MR. GARDINER: 25 A. No, it is not. That's the manager of civil</p>	<p>Page 16</p> <p>1 reports? 2 MR. GARDINER: 3 A. I do. 4 MR. O'BRIEN: 5 Q. Okay. And how about in terms of incentives, 6 is there performance contracts with any of 7 those individuals that you look after? 8 MR. GARDINER: 9 A. There's no performance contracts as such. You 10 do a developmental performance review. 11 MR. O'BRIEN: 12 Q. And that's when you get into, sort of, whether 13 somebody exceeds expectations, that kind of 14 thing. 15 MR. GARDINER: 16 A. Yes, that's correct. 17 MR. O'BRIEN: 18 Q. Okay. I wonder if we go back to page 9. How 19 would your role differ from the role of a 20 manager of project execution regulated over on 21 the far right? 22 MR. GARDINER: 23 A. My role would be as an Engineering Manager 24 within the Technical Services side of the 25 house. I would be responsible for the</p>

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<p>1 engineering that gets done in Nalcor. Whereas 2 a manager of Project Execution was a position 3 that we created when we restructured the PETS 4 division, or the Engineering Services in 2010, 5 we had a name change, but the actual work 6 didn't start until 2011 when that person was 7 hired. And that person is exclusively for the 8 Project Execution of Regulated Projects only. 9 So, he's a dedicated resource that focuses on 10 completing the Capital Program for Regulated. 11 MR. O'BRIEN: 12 Q. And that would include Hydro then? 13 MR. GARDINER: 14 A. That is Hydro, regulated--yes, when I say 15 regulated, that's what I mean, Hydro. 16 MR. O'BRIEN: 17 Q. And I guess my question was more if you are 18 responsible for reporting on, say, Project 19 Execution, with respect to Hydro and other 20 lines of business, how would that - 21 MR. GARDINER: 22 A. That report would be rolled up from the 23 manager of Project Execution into a report 24 that I would bring to the leadership at Hydro. 25 MR. O'BRIEN:</p>	<p>1 who provide the engineering support to various 2 projects. So, I would review drawings. I 3 would review drawings and contracts. We do 4 engineering support. 5 MR. O'BRIEN: 6 Q. Do you deal with scheduling, planning, 7 anything like that? 8 MR. GARDINER: 9 A. At a high level. 10 MR. O'BRIEN: 11 Q. Okay. Who would deal with it, sort of, at a 12 lower level? 13 MR. GARDINER: 14 A. We have a Planning and Scheduling Department 15 that does that does an integrated resource 16 plan for all of PETS in which our technical 17 services resources as well as our project 18 execution resources are all laid out and 19 timelines are set and then resources get set 20 against that. 21 MR. O'BRIEN: 22 Q. Okay. And would those individuals be Nalcor 23 employees who deal with that or is there a 24 mixture? 25 MR. GARDINER:</p>
<p>1 Q. Okay, so he would report to you in terms of 2 where he is on that? 3 MR. GARDINER: 4 A. He reports functionally to the vice-president, 5 as I do, but as a shared services, I would sit 6 on that Board and he would give me that report 7 that I would present to the Board. 8 MR. O'BRIEN: 9 Q. And you'd present that to the Nalcor - 10 MR. GARDINER: 11 A. No, to the Hydro leadership team. 12 MR. O'BRIEN: 13 Q. Hydro board, oh, I see, okay. So, there's a 14 bit of co-ordination then between yourself and 15 him in terms of reporting then. 16 MR. GARDINER: 17 A. Yes, right, that's correct. 18 MR. O'BRIEN: 19 Q. Now, in terms of your key areas of 20 responsibility, other than reporting, what 21 other areas are you, sort of, responsible for? 22 MR. GARDINER: 23 A. I am responsible to give feedback and work 24 with our engineering team in the civil and 25 transmission areas. I work with the engineers</p>	<p>1 A. There's a mixture with us, right now, yes, 2 there is. We do have a planner that does 3 Hydro regulated planning and we also have a 4 planner that does non-regulated planning. 5 MR. O'BRIEN: 6 Q. Do you, yourself, have any role in asset 7 management or anything like that? 8 MR. GARDINER: 9 A. I guess our whole division has a role in asset 10 management. There's no, not, direct 11 responsibility. 12 MR. O'BRIEN: 13 Q. And do you provide any other services apart 14 from reporting on and dealing with a high 15 level, I guess, of engineering and support for 16 any other lines of business or is this all 17 lines that you deal with? 18 MR. GARDINER: 19 A. We deal with all lines of business, yes. 20 MR. O'BRIEN: 21 Q. Okay. And you report directly to Mr. 22 MacIsaac, is that right? 23 MR. GARDINER: 24 A. Yes, Vice President of Project Execution and 25 Technical Services.</p>

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1 MR. O'BRIEN:
 2 Q. I wonder can we bring up PUB 229? I want to
 3 ask Mr. Henderson just a little bit about your
 4 job description, Mr. Henderson, if we could?
 5 If we can go to page 6? Okay, this is your
 6 job description, is that correct?
 7 MR. ROBERT HENDERSON, CROSS-EXAMINATION BY MR. LIAM
 8 O'BRIEN - CONTINUED
 9 MR. HENDERSON:
 10 A. That's correct.
 11 MR. O'BRIEN:
 12 Q. And is that something that would have been
 13 given to you then when you started in April of
 14 2013?
 15 MR. HENDERSON:
 16 A. Yes, it is.
 17 MR. O'BRIEN:
 18 Q. Okay. And under the summary of the job
 19 function we see the VP NLH leads the NLH
 20 leadership team including direct operational
 21 reports and functional leads assigned to NL.
 22 The leadership team, I believe, we talked
 23 about yesterday, that was the team we went
 24 through in that RFI, 328 I believe it was, is
 25 that correct?

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1 MR. HENDERSON:
 2 A. That's correct.
 3 MR. O'BRIEN:
 4 Q. And the functional leads assigned to NLH, who
 5 would that be?
 6 MR. HENDERSON:
 7 A. The functional leads assigned to NLH, I'd have
 8 to go back to that RFI. I'll try to do it off
 9 the top, I don't think I have that note here
 10 with me right now.
 11 MR. O'BRIEN:
 12 Q. We can bring the RFI up.
 13 MR. HENDERSON:
 14 A. Okay, that would be helpful.
 15 MR. O'BRIEN:
 16 Q. I believe it was 328, PUB.
 17 MS. GRAY:
 18 Q. 328?
 19 MR. O'BRIEN:
 20 Q. 328, I think it was. Yes, that's the one
 21 there I think, is it?
 22 MR. HENDERSON:
 23 A. If you go to page 2, so the functional areas
 24 would be the Divisional Controller for Hydro,
 25 the Manager of Project Execution which is--it

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1 was the Manager of Project Execution, but
 2 there's changes in people. So, Terry took
 3 that role. So, he's a functional area. Human
 4 Resources and Labour Relations is a functional
 5 area. Safety and Health, Environmental
 6 Services. The Rates and Regulation is within
 7 the functional area of finance. Internal
 8 audit would be a functional area and legal.
 9 The Senior Corporate Analyst is also a
 10 functional area.
 11 MR. O'BRIEN:
 12 Q. And how many of those individuals, in terms of
 13 the functional areas, would be Nalcor
 14 employees?
 15 MR. HENDERSON:
 16 A. Maybe it's easier for me to say the
 17 exceptions. The Manager of Rates and
 18 Regulation is Hydro; the Divisional Controller
 19 is Hydro; the Senior Legal Counsel is Hydro.
 20 I think I may have skipped over the Senior
 21 Communication Advisor Hydro, that was
 22 replaced, as I mentioned yesterday with the
 23 Vice President and that would be a functional
 24 area.
 25 MR. O'BRIEN:

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1 Q. Okay.
 2 MR. HENDERSON:
 3 A. And then on the previous page, I think I also
 4 may have--the General Manager of Finance is a
 5 functional area, but that position is a Hydro
 6 position.
 7 MR. O'BRIEN:
 8 Q. It's a Hydro position, okay. And these
 9 individuals, would they all report in directly
 10 through you or would some report directly to
 11 Nalcor even though they're Hydro positions?
 12 MR. HENDERSON:
 13 A. In all cases of the functional areas, they
 14 have a functional executive that they would
 15 report to and then they would--I know we've
 16 gotten into saying the dotted line reporting,
 17 but they are people that I work with routinely
 18 dealing directly with Hydro issues.
 19 MR. O'BRIEN:
 20 Q. Okay. And I won't necessarily hold you to the
 21 dotted line idea, but I do want you to give me
 22 an overview of sort of how that works in terms
 23 of the double reporting, I guess.
 24 MR. HENDERSON:
 25 A. So that functional vice presidents would be

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1 providing the, I'll say the guidance and
 2 oversight to ensure that the manner in which
 3 things are done are in a consistent standard
 4 way across Nalcor in terms of those functional
 5 activities and they would have those, I'll
 6 say, specialized skills in those functional
 7 areas so it ensures there is a consistent
 8 approach and to meet the requirements of the
 9 larger corporation. But then when it comes to
 10 the day to day activities related to Hydro for
 11 those areas, those people would be in regular
 12 contact with me, certainly at the monthly
 13 meetings at a minimum, but there's--also
 14 depending on what is happening, there'd be
 15 regular meetings to talk about things that are
 16 currently happening. So, there's that and
 17 then that relationship is that we work through
 18 and to discuss Hydro related issues and
 19 resolve those or as necessary, direction is
 20 given to complete the things that are required
 21 to ensure that those things that have to be
 22 done with Hydro are done.
 23 MR. O'BRIEN:
 24 Q. And who has the overall accountability then
 25 for each particular employee in terms of

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1 supervision or is it a joint accountability?
 2 MR. HENDERSON:
 3 A. It's a joint accountability in terms of the,
 4 I'll say, direct supervisory, it's as per the
 5 organizational chart, but in terms of the
 6 service and activities related to Hydro, it's
 7 very much directly with me.
 8 MR. O'BRIEN:
 9 Q. So, if there is a situation where the interest
 10 of the larger organization varies from the
 11 interest at Hydro, is that taken to a higher
 12 level at the leadership level as opposed to
 13 dealing with it through one particular
 14 employee?
 15 MR. HENDERSON:
 16 A. Well, these employees that are here on the
 17 Hydro leadership team have the ability and the
 18 responsibility and accountability to ensure
 19 that what's required for Hydro is undertaken
 20 and that's very clear. And they report to me
 21 how they are doing and if there are any issues
 22 which they--there has not been any--that would
 23 say, I can't do it because, you know, Nalcor
 24 says you got to do this. That just doesn't
 25 happen. These people are getting the work

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1 done for Hydro as required and that
 2 conversation that we have and that's very
 3 clear accountability by them to get that work
 4 done.
 5 MR. O'BRIEN:
 6 Q. I wonder if we can go to PUB 138 Revision 2
 7 again. That's the chart, page 2, the Org
 8 Chart, page 2, the attachment. Actually, can
 9 we go to page 1 of that. So, this leadership
 10 team here, that's the Nalcor leadership team,
 11 is that right?
 12 (9:30 a.m.)
 13 MR. HENDERSON:
 14 A. That's -
 15 MR. O'BRIEN:
 16 Q. Because I see some missing there.
 17 MR. HENDERSON:
 18 A. That is the Hydro leadership team that has
 19 people who have direct responsibility for
 20 things that are happening in Hydro. There's
 21 people on the a leadership team that aren't
 22 there who are have nothing, you know -
 23 MR. O'BRIEN:
 24 Q. Nothing to do with Hydro.
 25 MR. HENDERSON:

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1 A. - to do with Hydro.
 2 MR. O'BRIEN:
 3 Q. Yes, okay. So, the Vice President of
 4 Corporate Relations would have some duties and
 5 some oversight with respect to some of Hydro
 6 activities, whereas someone, a VP in oil and
 7 gas wouldn't.
 8 MR. HENDERSON:
 9 A. That's correct and the Vice President of
 10 Corporate Relations actually is on the Hydro
 11 Leadership team as well.
 12 MR. O'BRIEN:
 13 Q. Yes, I think you mentioned that. So, each one
 14 of these individuals have direct reports into
 15 the CEO and President. Is there any--when it
 16 comes to the single point of accountability,
 17 being you, and Hydro's organization
 18 activities, is there any reporting obligations
 19 for these other VPs of Nalcor into you?
 20 MR. HENDERSON:
 21 A. These other VPs will, I'll say, on larger
 22 issues, will work with me and report to me on
 23 how they are progressing. And I think one
 24 which--for an example, with the Vice President
 25 of Project Execution and Technical Services

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<p>1 there'd probably be more interaction there 2 than others because of the large projects in 3 particular, like the combustion turbine which 4 went into service early this year. He would be 5 working with me on that particular one keeping 6 me apprised of how that project was moving 7 forward and anything that may be coming up, 8 any issues. So, I worked with all of these 9 people on those issues and their particular 10 items that they have people that are 11 delivering projects for Hydro.</p> <p>12 MR. O'BRIEN: 13 Q. Okay. And well, let's us that last example 14 then in terms of the Vice President of Project 15 Execution and in particular, I guess the CT. 16 Mr. Martin, had indicated that, I believe, he 17 said that you were responsible for making sure 18 the CT happened, but that Mr. MacIsaac led the 19 organization and execution of putting that in 20 place. Is that a fair assessment?</p> <p>21 MR. HENDERSON: 22 A. That's correct.</p> <p>23 MR. O'BRIEN: 24 Q. Okay. And in the event there were scheduling 25 issues, say, that arose with respect to</p>	<p>1 required Hydro attention, Mr. MacIsaac in his 2 role would respond to me to get those things 3 done.</p> <p>4 MR. O'BRIEN: 5 Q. Okay, so that then--and I agree, I guess, 6 that's a bit of a different case, it's a 7 larger sort of a project, but let's say there 8 was a smaller project and maybe someone, not 9 necessarily at Mr. MacIsaac's level, but 10 someone, even Mr. Gardiner's level in terms of 11 a project being executed, if Mr. Gardiner's 12 focus is elsewhere on other lines of business 13 and you want him to be focused on a project 14 for Hydro, is it within your purview to direct 15 him differently than, say, Mr. MacIsaac would?</p> <p>16 MR. HENDERSON: 17 A. Yes, I would and Mr. Gardiner would ensure 18 that those things are done.</p> <p>19 MR. O'BRIEN: 20 Q. And Mr. MacIsaac understands that as well?</p> <p>21 MR. HENDERSON: 22 A. He certainly does.</p> <p>23 MR. O'BRIEN: 24 Q. How about in terms of the other lines, I guess 25 the other functional lines, like Human</p>
<p>Page 30</p> <p>1 putting that in place, Mr. MacIsaac's role, 2 and there was some crossover with other lines 3 of businesses, would he be reportable to you 4 and would you be able to direct him on what to 5 do on that CT?</p> <p>6 MR. HENDERSON: 7 A. I would be able to, but Mr. MacIsaac was quite 8 focused and clear as to what had to be done 9 there and that was not necessary, there was a 10 very large amount of attention, it was a high 11 priority item for us and for that reason, Mr. 12 MacIsaac was engaged in that on a daily basis.</p> <p>13 MR. O'BRIEN: 14 Q. Don't get me wrong, I'm not suggesting that he 15 wasn't. I guess the question is more if he 16 wasn't, is he accountable to you and are you 17 able to direct him, if he decides to focus his 18 attention elsewhere on other projects, is that 19 within your purview?</p> <p>20 MR. HENDERSON: 21 A. Well my normal for, I'll say 99 percent of the 22 activities, it's through the people in the 23 Hydro leadership team that I would be 24 addressing. The combustion turbine was a 25 special case, but if there was anything that</p>	<p>Page 32</p> <p>1 Resources? Mr. McDonald suggested that Human 2 Resources would be involved early on, say in a 3 budgetary process of providing some advice, I 4 guess, he used the terms "Riverbank documents" 5 and that kind of thing and even described 6 himself as more of an internal consultant to 7 Hydro than anything. Does he have any direct 8 responsibility to you? Is he accountable to 9 you on human resources issues for Hydro?</p> <p>10 MR. HENDERSON: 11 A. If there are any human resources issues and 12 they aren't addressed at the leadership team 13 level, which we just went through, then I can 14 go to Mr. McDonald or Mr. Roberts, primarily 15 right now, who would ensure that those things 16 are given the proper attention.</p> <p>17 MR. O'BRIEN: 18 Q. And you can give them direction in that 19 regard, can you?</p> <p>20 MR. HENDERSON: 21 A. Yes, they are aware that they have to meet the 22 requirements of Hydro.</p> <p>23 MR. O'BRIEN: 24 Q. Can I ask if we can just go back to the job 25 description, PUB-229? So again, under the</p>

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1 summary "Job Function", the vice-president is
 2 accountable to the president and CEO for
 3 providing executive leadership and direction
 4 for Newfoundland and Labrador Hydro in all
 5 areas of regulated operation activity. I
 6 don't think there's any question in that
 7 regard. I'm wondering in terms of your job
 8 function, what would your role be with respect
 9 to Nalcor's leadership team and your
 10 involvement with other lines of business in
 11 Nalcor, other than Hydro?
 12 MR. HENDERSON:
 13 A. At the Nalcor leadership team, there's monthly
 14 meetings of the Nalcor leadership team which I
 15 attend and I present the Hydro monthly report,
 16 I'll say, which is basically giving an
 17 overview of how Hydro is doing in a number of
 18 key strategic areas that are part of the Hydro
 19 plan for the current year, and so I'll present
 20 that and discussions with that. At the Nalcor
 21 leadership team, there would be and there
 22 often is other items that come up which are
 23 related to other lines of business which I am
 24 aware of, I can become engaged in a discussion
 25 on the issues of those other lines of

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1 business, also hearing how the other lines of
 2 business may be dealing with particular
 3 challenges that they have which are perhaps
 4 useful in Hydro that will help enable Hydro to
 5 deal with those similar issues if they were to
 6 arise. And so at that team, that meeting,
 7 those types of things can be discussed.
 8 MR. O'BRIEN:
 9 Q. Now, I guess my question is more along the
 10 lines, I understand how, say, Mr. MacIsaac
 11 would have a role across the lines of business
 12 for project execution, I'm just trying to get
 13 a sense of how your role would cross over from
 14 the regulated to the other lines of business
 15 and it appears it's more of a consulting role,
 16 is that a fair assessment in terms of those
 17 leadership meetings?
 18 MR. HENDERSON:
 19 A. It would be more of a consulting role, I do
 20 not have a direct responsibility for those
 21 other lines of business and I'm not part of a
 22 functional, I'm a line of business, so the
 23 functional areas obviously have more
 24 involvement with those, so my involvement
 25 really is limited to those leadership team

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1 meetings. Unless there was something out of
 2 the ordinary that I may get called to discuss,
 3 I'll say perhaps the Lower Churchill Project
 4 would be one area where I would have more
 5 regular updates and engagement on particular
 6 items, but the other lines of business, Bull
 7 Arm, Oil and Gas, there's--and even Churchill
 8 Falls is very limited.
 9 MR. O'BRIEN:
 10 Q. Very limited and for the Lower Churchill
 11 Project, why would you have a little bit more
 12 engagement in that regard?
 13 MR. HENDERSON:
 14 A. In my area, I do have the manager who is
 15 responsible for building the, what we call the
 16 production organization, which is basically
 17 the operating team that will be looking after
 18 the assets when they go into service, so in
 19 terms of the manner in which the facilities
 20 will be operated, the different roles that are
 21 required, I would be more involved with those
 22 kind of discussions. That would be the
 23 primary areas that I would be involved in, in
 24 terms of the Lower Churchill. It's getting
 25 ready for taking on that operations.

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1 MR. O'BRIEN:
 2 Q. Okay, and so you would, at some point Hydro
 3 would take on those operations, is that an
 4 integration-type role then?
 5 MR. HENDERSON:
 6 A. So Hydro right now has the lion's share of
 7 responsibility for operating the power system
 8 with that experience, so that experience is
 9 being used to develop the operations' team.
 10 MR. O'BRIEN:
 11 Q. Your reporting relationship with Mr. Martin,
 12 is that a day-to-day reporting relationship,
 13 month to month, how does that work?
 14 MR. HENDERSON:
 15 A. Mr. Martin and I have offices that are almost
 16 adjacent to each other. Both of us have very
 17 busy schedules, so we don't see each other
 18 every day, but I'd say weekly and it depends
 19 on the level of issues or concern. I mean, I
 20 generally work pretty independent, but there
 21 are certainly there's the monthly updates, but
 22 there's also in between any other issues that
 23 may be occurring, I would be in regular
 24 contact with Mr. Martin and we discuss those
 25 items and discuss approaches and so on.

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1 MR. O'BRIEN:
 2 Q. And is that type of a reporting relationship
 3 been the same since 2013, since you started?
 4 MR. HENDERSON:
 5 A. Since I've been involved in the position, it's
 6 been that, that type of engagement at
 7 different times. Now, certainly after the
 8 large power outages that occurred in January
 9 2014, there was a significant amount of
 10 engagement at that time and I think there's
 11 been discussion already before the Board in
 12 this proceeding regarding time charged and
 13 that sort of thing which was an indication
 14 that Mr. Martin and I were much more day to
 15 day addressing things, we were working
 16 together on the internal report that we were
 17 doing, the investigation we did, leading,
 18 ensuring the work was done to get a complete
 19 and thorough investigation, so during that
 20 period of time in 2014, there was a lot of one
 21 and one and meetings that we would have
 22 regarding those issues. So there was
 23 certainly a very intense period of time that
 24 it was more.
 25 MR. O'BRIEN:

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1 Q. And that would have, I guess to be fair, have
 2 been related to the 2013, 2014 outages at that
 3 time and sort of what happened after that, in
 4 terms of investigation and that kind of thing.
 5 Do you expect that level of increased
 6 involvement or--sorry, discussion level
 7 between yourself and Mr. Martin to continue
 8 into the future?
 9 MR. HENDERSON:
 10 A. I would expect there would be ebbs and flows
 11 of that type of discussion into the future.
 12 The other area which is, I'll say picking up,
 13 really was in 2014 it began to pick up and
 14 that would be the Lower Churchill and the
 15 operations' area there. We, in 2014, put in
 16 place the organizational positions within
 17 Hydro and Nalcor related to getting ready to
 18 operate the Lower Churchill Projects, ensure
 19 that we have the right organization in place.
 20 So there was more, I'll say meetings and
 21 discussion with regard to that. The future
 22 organization that will be in place for that is
 23 one of the things that Mr. Martin is involved
 24 with, working through that at this point, and
 25 I have discussions with him on that, plus

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1 there is the group and I think it's--Mr.
 2 Martin explained this, but there is a group
 3 that we have which is, we call it transition
 4 to operations, which is getting the Lower
 5 Churchill Project activities, the Labrador
 6 Island Link, the Muskrat Falls, the
 7 transmission lines into Churchill Falls, the
 8 Maritime Link, all of those things that we
 9 will be seeing come in service in 2017 or '18.
 10 We have a team that's leading that and so
 11 there's been a lot of discussion and meetings
 12 and engagement there around that, so that's
 13 something that I would expect to be continuing
 14 into the future and perhaps growing in terms
 15 of those types of things.
 16 (9:45 a.m.)
 17 MR. O'BRIEN:
 18 Q. Thank you, Mr. Henderson. If we go down the
 19 key responsibility areas here, we've got a
 20 number of bullets here and I'm wondering if I
 21 could take, from reviewing all of this, and
 22 I'm trying to, I guess, to summarize this,
 23 just to make sure that I've got this right, in
 24 terms of your responsibility, are you
 25 satisfied you're responsible for Hydro's

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1 financial integrity?
 2 MR. HENDERSON:
 3 A. That's right.
 4 MR. O'BRIEN:
 5 Q. And for the operations and planning on a day-
 6 to-day basis.
 7 MR. HENDERSON:
 8 A. Correct.
 9 MR. O'BRIEN:
 10 Q. And that would include the operations at
 11 Holyrood, I take it?
 12 MR. HENDERSON:
 13 A. That's correct.
 14 MR. O'BRIEN:
 15 Q. And you are responsible for Hydro's operating
 16 budget?
 17 MR. HENDERSON:
 18 A. That's right.
 19 MR. O'BRIEN:
 20 Q. And project execution, that comes to you?
 21 MR. HENDERSON:
 22 A. That's right, the Hydro or as Terry mentioned,
 23 the regulated projects.
 24 MR. O'BRIEN:
 25 Q. Yes, the regulated project execution, I'll be

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1 fair to you there, yes. And any of Hydro's
 2 human resources requirements, that comes to
 3 you finally?
 4 MR. HENDERSON:
 5 A. That's right.
 6 MR. O'BRIEN:
 7 Q. And how about customer service communications?
 8 MR. HENDERSON:
 9 A. It would be the same.
 10 MR O'BRIEN:
 11 Q. Okay. If we can go from there and let's go
 12 back sort of to where we left off yesterday.
 13 We talked about the interest, balancing the
 14 interests of Hydro with the other lines of
 15 business. In terms of management decisions, I
 16 believe you indicated that you would do that
 17 balancing by way of discussion with the Hydro
 18 leadership team, is that right?
 19 MR. HENDERSON:
 20 A. That's correct.
 21 MR. O'BRIEN:
 22 Q. If there are potential conflicts or there are
 23 something that looks like there might be
 24 adverse interests between Hydro and other
 25 lines of business of Nalcor that you may see

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1 on the horizon, how do you deal with that?
 2 MR. HENDERSON:
 3 A. If there was anything like that, then it would
 4 be brought to my attention and we would
 5 discuss how--what that issue is and then would
 6 resolve it to ensure that what's required for
 7 Hydro is indeed there in place, as required.
 8 MR. O'BRIEN:
 9 Q. And I guess I'm more interested in rather than
 10 having a reactive approach and here's a
 11 conflict, now let's deal with it, does Hydro
 12 have any processes in place to look at, well
 13 here's the potential areas we may have
 14 concerns with, maybe resourcing, scheduling,
 15 that kind of thing, how are we going to deal
 16 with that if there's a conflict when it
 17 arises, do you have any sort of processes in
 18 place like that?
 19 MR. HENDERSON:
 20 A. There is no, well I shouldn't say there's no
 21 process in particular, but we do go through a
 22 multi-year planning process each year when we
 23 develop our corporate plan, which identifies
 24 future years activities and in those instances
 25 it becomes clear to the functional areas where

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1 Hydro is heading, the things that are on the
 2 horizon, so they can be planned and ensure
 3 that things are in place. If there was
 4 anything there that indicated there is a
 5 greater need for a functional support, that
 6 would be identified there and it would be
 7 considered in the budgeting process.
 8 MR. O'BRIEN:
 9 Q. So you would essentially deal with this in
 10 terms of the budgeting process?
 11 MR. HENDERSON:
 12 A. There's a, I'll say two different activities
 13 that are tightly related, but in the budgeting
 14 process it's, generally speaking, we're
 15 looking at the next year's budget.
 16 MR. O'BRIEN:
 17 Q. Right.
 18 MR. HENDERSON:
 19 A. In the five-year plan, we're looking out five
 20 years in terms of the things that are
 21 happening or will be on the future horizon for
 22 Hydro. So that five-year plan will--is the
 23 avenue for identifying those future needs and
 24 so it's through that process. There's also
 25 the, from an asset management perspective we

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1 have a 20 year asset management plan which
 2 identifies the capital program requirements
 3 and then there's a more--the 20 year plan I'll
 4 say is a high level and then as you come down
 5 to a five-year plan, it's a little bit more--
 6 well it is more detailed and at the five-year
 7 plan again, you can get an idea of what's
 8 happening in terms of the requirements from a
 9 capital program, so it's in view of the
 10 project execution and the operations' people
 11 as to what's coming. So those types of things
 12 can be identified and the appropriate
 13 resources identified.
 14 MR. O'BRIEN:
 15 Q. And are those types of plans done for all
 16 lines of business at Hydro? Not out of Hydro,
 17 sorry, of Nalcor, sorry.
 18 MR. HENDERSON:
 19 A. Okay, Within Nalcor each line of business
 20 would have a multi-year, a five-year plan that
 21 they present to their, to the CEO, as well as
 22 to their board of directors and that sort of
 23 thing, like Hydro.
 24 MR. O'BRIEN:
 25 Q. And do you compare those plans in terms of,

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1 well, if we have to have so many resources out
 2 three years from now and we need a certain
 3 project scheduled for three years from now, do
 4 we have the resources internally, can we go
 5 elsewhere, do they have the resources in the
 6 Lower Churchill Project that we can use, how
 7 do you look at that sort of thing?
 8 MR. HENDERSON:
 9 A. So that's a functional area of responsibility,
 10 so, like, Mr. McDonald would be able to
 11 discuss how he manages that. From a Hydro
 12 perspective, it's clear to him what Hydro's
 13 requirements are and that he would provide
 14 those requirements that are required. I can't
 15 say or speak for Mr. McDonald or the other
 16 areas, the example you used in terms of
 17 people, that would be Mr. McDonald's
 18 responsibility as to how he manages that and
 19 the different lines of businesses may address
 20 that through different mechanisms, such as
 21 contract resources or, I'll say additional
 22 people. There's a number of ways that they
 23 could address that, but I don't have the
 24 detail and I don't get involved with what's
 25 happening in those lines of business.

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1 MR. O'BRIEN:
 2 Q. Okay. I wonder if we could pull up NP-058 and
 3 page 3 of that document, lines 6 to 12. So
 4 we're talking about potential negative
 5 impacts, I guess, on regulated activities
 6 here, so if we start with line 6, the
 7 company's experience is that, and this has to
 8 do with the background is the transfer of the
 9 24 employees from Hydro to Nalcor in around
 10 2008 and if we start at line 6, "The company's
 11 experience is that the impact of such
 12 transfers has been a beneficial one from a
 13 cost and productivity/resource optimization
 14 standpoint; however, any potential for a
 15 negative impact on regulated activities is
 16 monitored by the appropriate supervisors and
 17 managers and addressed, if necessary, through
 18 a workload or job scope adjustment, process
 19 change, the hiring of additional resources or
 20 some other appropriate action." In terms of
 21 monitoring, are supervisors and managers in
 22 Hydro given any guidelines on what to monitor
 23 for?
 24 MR. HENDERSON:
 25 A. Well what they would be monitoring is their

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1 work plan and the execution of their work plan
 2 that they are required to deliver, so as they
 3 progress through that, if they foresee
 4 something, then they would go--if it's a
 5 functional area that requires support for that
 6 particular work activity, they would address
 7 that with the functional area to ensure that
 8 they get what they needed. If there is an
 9 issue that may get raised up to the functional
 10 lead at the Hydro leadership team, who would
 11 be engaged on that issue to address any
 12 activities or any issues to ensure that the
 13 appropriate priority is put on getting the
 14 activities completed as required, or there
 15 certainly can be, through that discussion,
 16 adjustments in terms of priority, if Hydro's
 17 particular activity, it is not a priority
 18 activity, there may be adjustments, but for
 19 the most part whatever Hydro has to do, it
 20 gets done.
 21 MR. O'BRIEN:
 22 Q. Are you able to give me an example there of
 23 what you said at the end there about Hydro's
 24 priorities maybe not being as high a priority
 25 as somewhere else?

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1 MR. HENDERSON:
 2 A. Well in terms of a particular time you can
 3 adjust the timing of when something gets done,
 4 so you may say, well, let's, you know, get
 5 that done next week. The important thing that
 6 it is, is that it gets done. So there can be
 7 adjustments at a particular time that would
 8 say let's do that next week, let that happen,
 9 but it's the important--as I said, the
 10 important thing is that the item that's
 11 required by Hydro is done.
 12 MR. O'BRIEN:
 13 Q. Could it be a situation where, okay, we're
 14 supposed to do this this week, but some of our
 15 resources are seconded elsewhere, so let's
 16 wait until next week to do it?
 17 MR. HENDERSON:
 18 A. That could happen, again, they haven't been
 19 raised to me as an issue, so I'm being
 20 theoretical in a sense that there could be
 21 adjustments. Where my focus is is that the
 22 team deliver what's required, as per the
 23 requirements for Hydro and ensuring that that
 24 happens.
 25 MR. O'BRIEN:

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1 Q. No, I understand that, I guess, Mr. Henderson,
 2 my concern is more that when I asked the
 3 question of what processes are in place in
 4 terms of dealing with conflicts, when I asked
 5 Mr. Martin and I asked Mr. McDonald, the idea
 6 I got is we don't have any conflicts and we'll
 7 deal with them when they come up. I just want
 8 to get a sense of is there a process in place
 9 if we--to tell the managers and to tell the
 10 supervisors, here's the types of things you've
 11 got to look for as being a concern, so you
 12 look out and be proactive, rather than
 13 reactive?
 14 MR. HENDERSON:
 15 A. So that what is done again is there is an
 16 annual work plan that we execute that's
 17 provided to the functional areas. They know
 18 what has to be done in terms of the annual
 19 plan, so at that time it's clear to the
 20 functional areas what they have to provide and
 21 they agree to the provision of that and they
 22 undertake whatever is required to do that. If
 23 a manager sees something or in that discussion
 24 finds that that's not happening, then they
 25 have the ability to speak to me or I would

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1 expect that they would probably be talking to
 2 the functional area leads to say, listen, it
 3 looks to me that there is a--we're going to
 4 have a problem here in getting this completed
 5 on time. They'll talk that and they'll
 6 resolve it and I may never hear of it, if
 7 there's any of that kind of thing. But
 8 everybody is aware that they have that ability
 9 to talk to and address that to the functional
 10 area leads.
 11 MR. O'BRIEN:
 12 Q. I want to talk about just a couple of examples
 13 about decision making and I want to just get
 14 your thoughts on that, Mr. Henderson. I
 15 wonder if we could bring up, and this is the
 16 capital budget, Appendix B to the 2016 Capital
 17 Budget for the TL267 Project, it's one of the
 18 cross-examination documents I had submitted.
 19 Okay, that's the document.
 20 MS. GLYNN:
 21 Q. Mr. O'Brien, if you could just wait until we
 22 could distribute those documents.
 23 MR. O'BRIEN;
 24 Q. Sure, not a problem.
 25 MS. GLYNN:

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1 Q. My apologies, I think that one was already
 2 distributed, Mr. O'Brien.
 3 MR. O'BRIEN;
 4 Q. Yes, I think I did have it for an earlier
 5 witness.
 6 MS. GLYNN:
 7 Q. It would be Information No. 6.
 8 MR. O'BRIEN:
 9 Q. Information No. 6, thank you.
 10 MS. GLYNN:
 11 Q. Sorry about that.
 12 MR. O'BRIEN:
 13 Q. If I could first ask you, Mr. Henderson, it
 14 appears from this capital plan, 2016, 2020
 15 capital plan, that the project management, the
 16 engineering and construction management for
 17 the TL-267 project and that's the 230 kV
 18 transmission line between Bay D'Espoir and the
 19 Western Avalon Terminal, will be provided by
 20 the Lower Churchill Management Corporation, is
 21 that right?
 22 MR. HENDERSON:
 23 A. That's correct.
 24 MR. O'BRIEN:
 25 Q. Now this is one of the largest regulated

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1 projects approved by the Board, is that right?
 2 MR. HENDERSON:
 3 A. Yes, to my knowledge it would be probably the
 4 largest.
 5 MR. O'BRIEN:
 6 Q. Okay, and this is the type of work that would
 7 be within the core business of Hydro, is it
 8 not?
 9 MR. HENDERSON:
 10 A. This line is a very critical important line
 11 for Hydro and for the future supply of
 12 customers.
 13 MR. O'BRIEN:
 14 Q. Were you involved in making the determination
 15 as to who was going to provide those services,
 16 the project management, engineering
 17 construction management services?
 18 MR. HENDERSON:
 19 A. I was.
 20 (10:00 a.m.)
 21 MR. O'BRIEN:
 22 Q. And what was the reasoning behind this? Was
 23 there a cost-benefit analysis done?
 24 MR. HENDERSON:
 25 A. When we looked at this, this is, as you said,

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1 it's a very large project and for this type of
 2 project we would be using a mixture--obviously
 3 there would be a number of large contracts
 4 involved with this, there's a mixture of Hydro
 5 engineering, as well as consulting engineering
 6 that would be involved in this project. So
 7 when we looked at that, we looked at how to
 8 most efficient and effectively execute it, so
 9 first of all, it would have been a project
 10 that was put onto the Project Execution and
 11 Technical Service's team plate to deliver and
 12 once that happened, I got into a discussion
 13 with Mr. MacIsaac on the, I guess how we would
 14 execute this project and in that discussion it
 15 became apparent that there was some synergies,
 16 I'll say that, with respect to the work that
 17 was going on with the Lower Churchill Project.
 18 In the Lower Churchill Project there are a
 19 number of people who were with Hydro who were,
 20 I'll say seconded into the Lower Churchill
 21 Project with experience in transmission line
 22 construction and they were overseeing the
 23 construction aspects of the Labrador Island
 24 Link and the large 35 kV transmission lines in
 25 Labrador, so there was a level of expertise

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1 and recent knowledge that these people who are
 2 right now Nalcor employees, but were Hydro for
 3 many years, had that experience. There is
 4 also synergies in the sense that this project
 5 is tied closely to the Labrador Island Link
 6 for it coming in, so there's a, I'll say
 7 construction coordination and working in the
 8 same corridor, the transmission line coming
 9 from the Labrador Island Link comes into the
 10 Avalon Peninsula near the Western Avalon
 11 Station, as well as the new line from Bay
 12 D'Espoir, it goes into that station. So
 13 there's coordination benefits. There was also
 14 the, in terms of the recent knowledge in tower
 15 design and construction that these people had
 16 who were working with local contractors,
 17 working with consultants, so again, all of
 18 those areas, there was a lot of synergies and
 19 experience that we could leverage there to be
 20 able to execute this through the time period
 21 that we want, given that there's a lot of
 22 transmission construction working going on.
 23 So doing it that way would certainly mitigate
 24 a lot of schedule risks because you have
 25 building up and gearing up a team within Hydro

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1 to do this. At the same time, would perhaps
 2 introduce some scheduling challenges while the
 3 people in the Lower Churchill, once we spoke
 4 to them, we could see that it could work into
 5 their work plan, where they were, it fit
 6 nicely and they also--they were coming in
 7 together. So the people who are in the Lower
 8 Churchill Project that, you know, people I've
 9 worked for for many, many years, were Hydro
 10 employees. They are now in Nalcor, but they
 11 are very well versed in the regulatory
 12 reporting, Hydro's requirements for public
 13 tendering, meeting all of those things, so
 14 these are people that have been dealing with
 15 this through their career. So there seemed to
 16 be--it was a good opportunity to leverage
 17 that, so that was the reason we went that.
 18 Now this is being overseen very closely by the
 19 Project Execution team, so Terry is really my
 20 point person, if you like, with respect to
 21 this project and working very closely with the
 22 project manager who is somebody that Terry
 23 worked with for a lot of his career. That
 24 person is reporting and is reporting to me
 25 regularly on the progress of that project and

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1 ensuring all of the regulatory reporting
 2 requirements and ensuring the least cost,
 3 contracts are put in place, so it was--it's
 4 that expertise that we felt was a good
 5 opportunity.
 6 MR. O'BRIEN:
 7 Q. And one of the reasons I brought the document
 8 is more, I wanted to know what was meant by
 9 "synergies" because it's referenced in the
 10 document, perhaps you can tell me that, what
 11 do you mean by "synergies"?
 12 MR. HENDERSON:
 13 A. Okay, well synergies means that the type of
 14 activities that they are doing are, as part of
 15 the Lower Churchill Project and they have just
 16 completed many aspects of it, they have a lot
 17 of that knowledge base that they developed
 18 recently through that project. They have a
 19 lot of the, I'll say relationships developed
 20 with local contractors. They know where the
 21 challenges that are currently occurring in
 22 that area, so having all of those pieces of
 23 knowledge is what I would consider, you know,
 24 all of those things together, makes it work

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1 together more cohesively than doing a separate
 2 project with a separate infrastructure.
 3 Everything is in place for the Lower
 4 Churchill, so we can leverage that and we feel
 5 confident that that will help to bring this
 6 project into service on schedule and certainly
 7 within budget, that was where we went. So I'm
 8 not sure if I fully described synergies, but
 9 that's what we're talking about.
 10 MR. O'BRIEN:
 11 Q. I'll probably pick at a couple of the comments
 12 that you made just to get you to give me a
 13 little bit more information. One of the
 14 things I wanted to ask about is the
 15 individuals that were seconded out of Hydro in
 16 the first place, was there an analysis done as
 17 to whether that was in the best interest to
 18 Hydro to second those individuals out, whether
 19 there would be any resourcing issues as a
 20 result of that?
 21 MR. HENDERSON:
 22 A. When that occurred, that was several years
 23 ago, I wasn't party to any discussions, so I
 24 can't really say what was done or what
 25 considerations were taken at that time.

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1 MR. O'BRIEN:
 2 Q. Okay. And in terms of one of the questions I
 3 had as to how this is going to occur now, is
 4 this a matter of the Lower Churchill Project
 5 providing the services by contract, verses
 6 having those individuals who are providing the
 7 services bill back into Hydro under the shared
 8 services, how is that going to work?
 9 MR. HENDERSON:
 10 A. The cost will all be done consistent with the
 11 shared services.
 12 MR. O'BRIEN:
 13 Q. Okay, so it's not, the way I read it at first,
 14 it looked as though it may be a separate
 15 contract with the Lower Churchill Management
 16 Project.
 17 MR. HENDERSON:
 18 A. It's not a, I'll say that there's clear
 19 documentation on expectations and that sort of
 20 thing to ensure that it's fully understood who
 21 is delivering what, what the requirements are.
 22 In terms of a formal contractual relationship,
 23 the discussion on this was totally about the
 24 charges through are to follow the inter-
 25 company guidelines. It's in the same manner

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1 as if it was done by a Nalcor employees and
 2 PETS type of thing.
 3 MR. O'BRIEN:
 4 Q. And in terms of the availability of these
 5 individuals now to complete that project, if
 6 there was a resourcing issue, would they have
 7 any situation where the Lower Churchill
 8 Management Corporation might require those
 9 individuals down the road, such, I mean if
 10 your project is not done, there'd be a
 11 resourcing issue for Hydro?
 12 MR. HENDERSON:
 13 A. The priority here is for this to be delivered
 14 for Hydro and that's what is being signed up
 15 to do and so the expectation is that that will
 16 be done.
 17 MR. O'BRIEN:
 18 Q. Okay, and so I guess just to follow up on your
 19 previous point, I presume there will be a
 20 contract in place, but the contract itself
 21 will have--the compensation will be by way of
 22 shared services model, something to that
 23 effect?
 24 MR. HENDERSON:
 25 A. That's right.

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1 MR. O'BRIEN:
 2 Q. And so has that contract been worked through
 3 yet, or is that just the sort of intent at
 4 this point?
 5 MR. HENDERSON:
 6 A. The work has begun and those charges are
 7 occurring, I can defer to Terry because Terry
 8 is working more closely on that. So the way
 9 that the charges and costs are coming through
 10 and how that relationship -
 11 MR. O'BRIEN:
 12 Q. Has there been a contract put in place now
 13 that shows that the compensation will be by
 14 way of the shared services' model and that
 15 there's been a least-cost analysis done to
 16 ensure that takes place?
 17 MR. GARDINER:
 18 A. I know that it's being worked on. I haven't
 19 seen it at this particular time.
 20 MR. O'BRIEN:
 21 Q. Okay. I wonder if we could move to another
 22 topic then, Mr. Henderson. I wanted to ask
 23 you about--I had asked Mr. Martin about this,
 24 the debt guarantee fee. In the revenue
 25 requirements there's included a debt guarantee

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1 fee paid by Hydro for 2014, 2015 and Mr.
 2 Martin indicated you might be the one to speak
 3 to on this. I'm wondering whether or not
 4 there was a decision made or even
 5 consideration given to whether or not Hydro
 6 was obligated to pay that debt guarantee fee?
 7 MR. HENDERSON:
 8 A. What I'll say about--the Finance Panel are
 9 prepared to discuss this, so I'll preface by
 10 saying that detail, so I wouldn't be able to
 11 talk detail, but in terms of the requirement
 12 for it, I think what we've done is evaluated
 13 the amount of the fee and that fee is
 14 appropriate for the service, if you like the
 15 debt guarantee fee that we were paying is
 16 appropriate to provide a guarantee. So
 17 there's been market evaluation to assist in
 18 determining what the appropriate fee is and it
 19 is a fee that is appropriate in bringing good
 20 value to Hydro and its customers.
 21 MR. O'BRIEN:
 22 Q. And I'm not necessarily disputing that that
 23 type of analysis was done because I can see
 24 that sort of from the RFIs and what I'm
 25 wondering is whether any consideration was

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1 given to the fact that legislation had changed
 2 and it may be that the order-in-council given
 3 to pay that debt fee was ultra vires or
 4 outside of the power of cabinet to give by
 5 virtue of the change in the legislation. Did
 6 anybody ever discuss that?
 7 MR. HENDERSON:
 8 A. I'm not sure, I feel like I'm getting into a
 9 legal -
 10 MR. O'BRIEN:
 11 Q. I'm not asking for your legal opinion, I'm
 12 wondering if it was discussed, that's all.
 13 MR. HENDERSON:
 14 A. Okay, my discussion that I had was that there
 15 was a direction that we pay this, but we also
 16 evaluated and said, yes, it is an appropriate
 17 level to pay for the debt service guarantee
 18 that we are undertaking, so that's where the
 19 conversation, as far as it went, was that it
 20 is an appropriate level and it is bringing
 21 value, so it's an appropriate thing to be
 22 included in our test year costs.
 23 MR. O'BRIEN:
 24 Q. So that's as far as it went in terms of debt
 25 analysis, okay.

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1 MR. HENDERSON:
 2 A. Yes.
 3 MR. O'BRIEN:
 4 Q. Perhaps we can turn to--and we talked briefly
 5 about this earlier about budgeting, but I want
 6 to get sort of into a bit more detail now
 7 about the budget process and how you're
 8 involved with that. So you've indicated it's
 9 your responsibility, Mr. Henderson, for the
 10 operating budget and I presume for the capital
 11 budget of Hydro on an annual basis?
 12 MR. HENDERSON:
 13 A. That's correct.
 14 MR. O'BRIEN:
 15 Q. So with respect to setting that budget, just
 16 take me through what your role is in that, how
 17 it gets to you and where it goes from there?
 18 MR. HENDERSON:
 19 A. The budget timeline is generally set by the
 20 Finance Department each year, and I think
 21 there's evidence there on the timeline.
 22 MR. O'BRIEN:
 23 Q. Yeah.
 24 MR. HENDERSON:
 25 A. And within that budget process there's a

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1 requirement for the budget documents to be
 2 brought to me for review. Now before they
 3 come to me, they would be going through a
 4 level of review within each of the
 5 departments. Each department manager would be
 6 reviewing those with their staff to ensure
 7 that it's been given a good thorough review
 8 before it comes to me, and then when it comes
 9 to me, we will hold a series of meetings,
 10 reviewing each division/department's
 11 functional areas estimates of what their
 12 requirements are, and we will review those,
 13 challenge those. In particular, the focus is
 14 on anything that is exceptional to inflation
 15 would be a point of significant discussion.
 16 MR. O'BRIEN:
 17 Q. Okay.
 18 MR. HENDERSON:
 19 A. So we would review that and the responsible
 20 managers or departments would get a response
 21 from me in those meetings as to what's
 22 required and they would then go back and make
 23 adjustments as necessary, provide additional
 24 justification of explanation of costs, if it
 25 was insufficient, and that would go through a

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1 bit of an iterative process to ensure that
 2 there is a robust review of the cost to ensure
 3 that they are appropriate, and then once it
 4 goes through that process, I would then
 5 present the budget to the CEO for further
 6 discussion, at which point there could be some
 7 additional adjustments before it then gets
 8 presented to the Hydro Board of Directors for
 9 approval.
 10 MR. O'BRIEN:
 11 Q. Does it go through the CFO at any point?
 12 (10:15 a.m.)
 13 MR. HENDERSON:
 14 A. The CFO would be involved generally at the -
 15 when it's all, I'll say, assembled and gone
 16 through with my review. The CFO would see it.
 17 The CFO, I would expect, is informed
 18 throughout the whole process as to how well
 19 it's going, whether we're sticking to
 20 schedule, is there any anomalies or concerns.
 21 The General Manager of Finance, Ms. Russell,
 22 she's involved with all of those meetings and
 23 her team is responsible for compiling the
 24 information to present to me.
 25 MR. O'BRIEN:

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1 Q. Okay.
 2 MR. HENDERSON:
 3 A. So it's a Finance function to manage that
 4 process and they're involved all the way
 5 through.
 6 MR. O'BRIEN:
 7 Q. Okay, and then at some point when I looked at
 8 one of the RFIs here in terms of the
 9 timelines, it looked as though once it was
 10 gone through all these iterations and gone
 11 through you, I guess, in terms of your being
 12 satisfied with it, and the CEO and CFO had to
 13 both sign off on it, is that right?
 14 MR. HENDERSON:
 15 A. That would be right, yes.
 16 MR. O'BRIEN:
 17 Q. And in terms of the CFO's role at that point,
 18 I presume, based on your testimony, he would
 19 have been involved if there were issues along
 20 the way potentially, and Ms. Russell may go to
 21 him with those issues, but in the end, would
 22 the CFO have, say, any say in workforce
 23 requirements and that kind of thing?
 24 MR. HENDERSON:
 25 A. The CFO, in terms of workforce requirements

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1 within the Finance Division.
 2 MR. O'BRIEN:
 3 Q. Within the Finance Division, just like Mr.
 4 McDonald or Mr. Roberts would -
 5 MR. HENDERSON:
 6 A. Right, and they - with respect to the Finance
 7 Division, the General Manager of Finance for
 8 Hydro would be presenting that to me as to
 9 what their requirements are.
 10 MR. O'BRIEN:
 11 Q. Okay, all right. So in terms of the - let's
 12 say, the operating and maintenance budget,
 13 once you have your budget, you're responsible
 14 then for managing that, are you?
 15 MR. HENDERSON:
 16 A. That's correct.
 17 MR. O'BRIEN:
 18 Q. And, in fact, I mean, we'll get into this a
 19 bit later, but part of your incentive package
 20 involves sort of where you are on budget in
 21 terms of the end of the year, is that right?
 22 MR. HENDERSON:
 23 A. That's right.
 24 MR. O'BRIEN:
 25 Q. So are you responsible, say, in this

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1 particular situation where we're involved in a
 2 rate case, you're responsible for the figures
 3 then that are presented as the operating
 4 expenses on the rate case?
 5 MR. HENDERSON:
 6 A. That's right.
 7 MR. O'BRIEN:
 8 Q. Okay. I'm going to ask you - you've already
 9 mentioned this a little bit in terms of
 10 inflation, but I'm going to ask you if we can
 11 turn to and pull up Undertaking 4, and the
 12 budget guidelines for 2013. This is the first
 13 page of those guidelines, and under the
 14 highlights, it looks as though here that the
 15 2013 O & M budgets will be completed using
 16 Clarity. I guess, that's a program, and based
 17 on escalation from 2012. So Finance would
 18 bring you a base budget at the beginning, is
 19 that how that works, base figures?
 20 MR. HENDERSON:
 21 A. That would be correct.
 22 MR. O'BRIEN:
 23 Q. And based on an escalation from 2012, can you
 24 tell me what that means?
 25 MR. HENDERSON:

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1 A. There would have been a percentage escalation
 2 that would have been established as sort of an
 3 upper expectation that you might have those
 4 kind of increases.
 5 MR. O'BRIEN:
 6 Q. Okay, maybe if we went to the 2014
 7 instructions, maybe that'll clarify that, the
 8 first page. Okay, so the second paragraph
 9 under "Introduction", that wasn't in the 2013
 10 document, but talks about costs above 2. 2
 11 percent escalation over the August 2013
 12 forecast will be specifically highlighted
 13 during the review process. Is this the type
 14 of escalation we're talking about?
 15 MR. HENDERSON:
 16 A. That's correct.
 17 MR. O'BRIEN:
 18 Q. And are you able to tell us sort of does that
 19 relate to inflation then?
 20 MR. HENDERSON:
 21 A. That would be around what inflation would be
 22 expected, yeah.
 23 MR. O'BRIEN:
 24 Q. So that's the idea there, and I saw in a
 25 number of - and heard from some witnesses,

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1 that Hydro would with their operating budget,
 2 operating and maintenance budget, seek to or
 3 strive to keep it at inflationary levels,
 4 that's the plan, is that correct?
 5 MR. HENDERSON:
 6 A. That's the plan, yes.
 7 MR. O'BRIEN:
 8 Q. So if we go back to 2013, and we've got a
 9 summary of key dates there, okay, if we can
 10 scan down. All right, so there's the budget
 11 time table and that's the type of thing that
 12 we saw in the RFI, I think, in terms of a time
 13 table, and I wonder in terms of the timing for
 14 your budget, if you scroll down a bit more
 15 there, the budget package comes out November
 16 of 2014, is that right? When does it come out
 17 for Hydro, is it earlier than that?
 18 MR. HENDERSON:
 19 A. I don't see Hydro there.
 20 MR. O'BRIEN:
 21 Q. I couldn't see it there, so I'm wondering when
 22 it comes out for Hydro?
 23 MR. HENDERSON:
 24 A. We could find out.
 25 MR. O'BRIEN:

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1 Q. Could you undertake just to provide that? Is
 2 it around the same time, would you figure,
 3 because you've got budget reviews with the CEO
 4 proposed on October 29th. Would yours happen
 5 prior to that?
 6 MR. HENDERSON:
 7 A. I'd have to check on that for you. Knowing
 8 that we are preparing a rate application, it
 9 may have had some effect on the scheduling of
 10 it.
 11 MR. O'BRIEN:
 12 Q. For this particular one?
 13 MR. HENDERSON:
 14 A. Yeah.
 15 MR. O'BRIEN:
 16 Q. Okay, well, let's go back - we don't have the
 17 2012 guidelines, but even from your own
 18 recollection, is it normal that you would get
 19 the final approval on budget late in the year?
 20 MR. HENDERSON:
 21 A. The final approval by the Board of Directors
 22 is generally late in the year.
 23 MR. O'BRIEN:
 24 Q. Okay, and if you're responsible for managing
 25 the budget then going forward, do you find

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1 that final approval coming late in the year
 2 makes it difficult to manage the budget at
 3 all? You've got to start right in then in
 4 January, make sure you got the right things
 5 put in place to manage for a budget that you
 6 haven't seen until late in the year really.
 7 MR. HENDERSON:
 8 A. In essence, earlier in the year before the
 9 Board of Directors gets it, we have a good - I
 10 was going to say "feel", but we have an
 11 understanding what it's going to be, so that
 12 enables preparation, although until the final
 13 approval is given, you can't be certain, but
 14 you can certainly be preparing in the same way
 15 our annual plan is being developed also
 16 through the fall time period, with a good view
 17 of what work is required for the year, so it's
 18 all happening concurrently. The work planning
 19 process for the - I'll say our operations work
 20 plan is also being developed in the fall, the
 21 outages required for our generation, outages
 22 for transmission, all of that is being worked
 23 through and developed through the fall. So we
 24 have a very good handle on it in terms of
 25 what's coming, but the final approval will

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1 affect, if there is significant shift in that,
 2 on our ability, and we'd have to adjust after
 3 that.
 4 MS. GLYNN:
 5 Q. Mr. O'Brien, can we confirm the undertaking if
 6 that's still required?
 7 MR. O'BRIEN:
 8 Q. No, I don't think so. I think I'm okay with
 9 that.
 10 MS. GLYNN:
 11 Q. Thank you.
 12 MR. O'BRIEN:
 13 Q. So in terms of the budget on an annual basis,
 14 you would get the requirements from each one
 15 of the departments in terms of workforce
 16 requirements and that sort of thing, is that
 17 correct?
 18 MR. HENDERSON:
 19 A. That's correct.
 20 MR. O'BRIEN:
 21 Q. And salaries, what information would you be
 22 given by Human Resources in terms of salaries
 23 for each department?
 24 MR. HENDERSON:
 25 A. The salaries are determined, I guess, by

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1 basically the HR, Human Resources Department,
 2 would establish what the salaries are for all
 3 of the positions there affected by collective
 4 agreements and our salary administration
 5 activities, so they have the best view on all
 6 of that, so that they would provide that and
 7 they would be applied to whatever positions we
 8 require.
 9 MR. O'BRIEN:
 10 Q. So apart from, say, collective agreement
 11 situations, unionized employees, for non-
 12 unionized staff, and I'm going to keep
 13 executive out of that as well, but for non-
 14 union staff, would you have any say yourself
 15 in their salaries and benefits?
 16 MR. HENDERSON:
 17 A. I would be involved in any discussion on what
 18 the annual adjustments are and that type of
 19 thing that the - Mr. Roberts and Mr. Martin,
 20 we would all be involved with that kind of
 21 discussion as to what adjustments there are.
 22 The administration of the salary system is
 23 pretty well established in terms of the manner
 24 in which compensation is provided, the way
 25 people's salaries progress through salary

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1 scales and that sort of thing, but if there's
 2 general adjustments happening to the salary
 3 scales, then that would be an item that would
 4 come up for discussion.
 5 MR. O'BRIEN:
 6 Q. Okay, and if we look back and just in terms of
 7 the evidence, there's an indication that
 8 there's been some changes in how non-union
 9 salaries - in the non-union salary scales over
 10 the years, and did you have any involvement in
 11 that process?
 12 MR. HENDERSON:
 13 A. I was not in this role at that time, so I
 14 wasn't involved with that kind of - I was
 15 aware after the decision was made.
 16 MR. O'BRIEN:
 17 Q. It had an effect on you, but you didn't have
 18 an involvement in it?
 19 MR. HENDERSON:
 20 A. No, I didn't, not at that time.
 21 MR. O'BRIEN:
 22 Q. All right. Let me ask you then, in terms of -
 23 if we can go back to the first page of the
 24 budget for 2014, and we'll use this one, I
 25 guess, as a guideline. We talked about

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1 paragraph 2 there about escalation, 2.2
 2 percent, so "support for all costs should be
 3 available". How does that work, what type of
 4 support do you look for from the various
 5 departments for costs?
 6 MR. HENDERSON:
 7 A. What we generally see would be - there's
 8 certain areas that we provided some particular
 9 attention, and that would be anything that was
 10 coming above the 2.2 percent, we would ask
 11 people to provide an explanation, which could
 12 be in the form of bullets in a presentation
 13 that they would speak to in the meeting, some
 14 of it may be supported by some analysis.
 15 There's different types of - each manager
 16 would have a little bit of a different
 17 approach, but generally speaking, there would
 18 be at least a presentation with a few bullets
 19 that they would speak to.
 20 MR. O'BRIEN:
 21 Q. Okay, and so that - I guess, that's the
 22 support and in terms of costs above
 23 escalation, in terms of highlighting them,
 24 would there be options discussed about
 25 avoiding going above escalation, that sort of

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1 thing, how does that work?
 2 MR. HENDERSON:
 3 A. That would be precisely what we would talk
 4 about. We would talk about why is that
 5 necessary, and what options, is there work
 6 here that we can defer to another year,
 7 depending on - in particular, operating
 8 projects in the operations area, there's work
 9 for operations we can be doing condition
 10 assessment reports or analysis which involves
 11 consultants, or those types of things that we
 12 would evaluate and say is that absolutely
 13 necessary this year, can we wait until another
 14 year. Those types of things would be part of
 15 the discussion.
 16 MR. O'BRIEN:
 17 Q. So that could be part of your asset management
 18 project. There may be certain parts of that
 19 that could be deferred?
 20 (10:30 a.m.)
 21 MR. HENDERSON:
 22 A. There could be. You know, we would look at
 23 the priority and the impact that they have,
 24 what could happen with respect to the capital
 25 program, so there may be some puts and takes

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1 there and that kind of discussion, but
 2 generally when that comes forward, that
 3 discussion has been had and so, you know, for
 4 me it's really testing how solid the
 5 requirement is before we would move it
 6 forward.
 7 MR. O'BRIEN:
 8 Q. All right, and I wonder if we could move to
 9 the first page of the 2015 instructions. You
 10 see the second paragraph, "The escalation at
 11 205". Are you aware of why that increased
 12 then from 2.2 to 2.5?
 13 MR. HENDERSON:
 14 A. I don't recall the details on that.
 15 MR. O'BRIEN:
 16 Q. Okay, is that something better brought up with
 17 Finance?
 18 MR. HENDERSON:
 19 A. Finance would be the best ones to know.
 20 MR. O'BRIEN:
 21 Q. Okay. When you talk about having support for
 22 cost, would that apply to all costs under
 23 operating and maintenance?
 24 MR. HENDERSON:
 25 A. That's right.

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1 MR. O'BRIEN:
 2 Q. And would that include salaries?
 3 MR. HENDERSON:
 4 A. The salaries, as we talked about, are already
 5 - they've already, I'll say, been established
 6 through by HR for the roles. So the
 7 discussion is primarily on the, I'll say,
 8 other line items than salaries, except when it
 9 comes to the requirement for additional
 10 positions.
 11 MR. O'BRIEN:
 12 Q. Well, in terms of salaries then, are you
 13 saying that there's no real discussion about
 14 trying to keep salaries within the 2.5
 15 percent, they are what they are, or -
 16 MR. HENDERSON:
 17 A. The discussion on the appropriate escalation
 18 for salary scales, that would be a discussion
 19 held, but with respect to how that falls out
 20 into the salaries then, HR would do that
 21 calculation and flow it through.
 22 MR. O'BRIEN:
 23 Q. You're responsible for managing the budget and
 24 you're responsible for setting the budget.
 25 Would you be also responsible for trying to

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1 maintain those types of costs within the
 2 escalation shown, the 2.5 here, the 2.2 in the
 3 year before?
 4 MR. HENDERSON:
 5 A. That would be a discussion and it really comes
 6 down to the discussion with respect to
 7 requirements for new positions or adjustment
 8 in the positions that we have.
 9 MR. O'BRIEN:
 10 Q. Okay, so if new positions are required, which
 11 as a result of those positions and their
 12 salaries show an increase in salaries above
 13 and beyond 2.2 percent on a year over year
 14 basis, you'd have that discussion to make sure
 15 it's related to the new positions and not
 16 related to increase in salary?
 17 MR. HENDERSON:
 18 A. The increase in salary is, I'll say, a
 19 separate discussion.
 20 MR. O'BRIEN:
 21 Q. Okay. So what are the - are you able to speak
 22 to sort of what the key drivers for the
 23 operating and maintenance budget are on a year
 24 to year basis?
 25 MR. HENDERSON:

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1 A. Yes.

2 MR. O'BRIEN:

3 Q. Can you tell us what they are?

4 MR. HENDERSON:

5 A. The key drivers are, I'll say, tied closely to

6 our asset management program and the

7 conditions of our assets, and also customer

8 demand and the requirements from our customers

9 for electricity. So there's - what we look at

10 each year is what is required to properly

11 maintain the facilities that we operate for

12 customers. So a lot of the theme or areas, it

13 would be driven by the asset maintenance

14 requirements, the capital program which also

15 affects the resource requirements, and

16 customer expectations, what our customers are

17 requiring in terms of their energy consumption

18 growth, their demand growth, and general

19 customer service requirements.

20 MR. O'BRIEN:

21 Q. Okay, and can you expand on that last point

22 just a little bit, sort of how that would

23 drive your operating budget?

24 MR. HENDERSON:

25 A. Well, we would look at in terms of customer

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1 service, if we were seeing a change in the

2 number of new services that we're required to

3 meet, there would be a review of that. There

4 would also be in terms of customer

5 communications information that we provide

6 through our web service, those types of

7 things. They all may drive particular items

8 in the budget that we would do to try to

9 improve our customer experience, if you like.

10 So there could be items related to that in

11 trying to improve processes where customers

12 interface with us in our rural areas,

13 primarily, where they're looking for new

14 services or connections, and disconnections,

15 all of those types of things, we would be

16 looking at that to see if there are items that

17 we need to do to improve to meet what

18 customers require.

19 MR. O'BRIEN:

20 Q. And on an annual basis, does that take up a

21 very large portion of increases or escalation

22 in your budget?

23 MR. HENDERSON:

24 A. They have not for many years, but I'll say in

25 the last two or three years in Labrador

Page 83

1 there's been a significant growth in customers

2 in Labrador West and Labrador East, and the

3 Happy Valley area. So there has been

4 significant demand for connections, expansion

5 of a system in those areas, so that, in

6 particular, would be an area that did provide

7 certain pressure on our costs with respect to

8 those areas to be able to manage that

9 requirement, that growing requirement.

10 MR. O'BRIEN:

11 Q. Okay, in terms of the asset management plan, I

12 guess, I understand the point that the budget

13 process would be driven by sort of what types

14 of work you need to do on your assets on an

15 annual basis, and, I guess, that would carry

16 over into how many additional resources you

17 may need in that regard, is that right?

18 MR. HENDERSON:

19 A. That's correct.

20 MR. O'BRIEN:

21 Q. Okay.

22 MR. HENDERSON:

23 A. Yeah.

24 MR. O'BRIEN:

25 Q. And you've already mentioned you got your

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1 annual plans for that, your five year plan,

2 there's a 20 year plan all in place for asset

3 management?

4 MR. HENDERSON:

5 A. That's right, and that's with a primary focus

6 on the capital requirements for sustaining the

7 assets in a reliable state so that we can

8 deliver safe reliable power to our customers.

9 MR. O'BRIEN:

10 Q. Okay. Maybe we can look at - you've indicated

11 you're responsible for managing the O & M

12 costs on an annual basis. Can you tell us

13 sort of how you do that, what process do you

14 go through? Once your budget is set, what

15 process are you involved in or processes are

16 you involved to manage that going forward?

17 MR. HENDERSON:

18 A. I guess, the primary process is - the primary

19 structured process would be the monthly review

20 of operating expenses and outlook for year end

21 with respect to operating expenses. So

22 there's - every month one of our key measures

23 that we look at every month is the operating

24 costs, and the projection for the operation

25 and maintenance cost which we generally refer

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<p>1 to as our controllable costs and how that 2 outlook is for year end, what's the variances 3 that have occurred up to this point in time, 4 the explanations, and adjustments - that 5 people who have budget accountability, what 6 adjustments they may need to make for the 7 remainder of the year to make sure that we're 8 working towards getting to where our 9 expectation is on budget.</p> <p>10 MR. O'BRIEN: 11 Q. I wonder if we can bring up Table 1.1 in 12 Volume 1 of the evidence, page 1.5. You got 13 1.6. 1.5R, 1.5.</p> <p>14 MS. GRAY: 15 Q. 1.5.</p> <p>16 MR. O'BRIEN: 17 Q. No, go forward. You're in the reconciliation 18 section, so 1.5 is the introduction, next 19 section. You're going the wrong way.</p> <p>20 MS. GRAY: 21 Q. Wrong way. Table 1.1 -</p> <p>22 MR. HENDERSON: 23 A. It's Table 1.1 on page 1.5.</p> <p>24 MR. O'BRIEN: 25 Q. 1.5, you got it.</p>	<p>1 frame, and I think the evidence shows that a 2 large part of that was the salary scale 3 adjustments that occurred over that time.</p> <p>4 MR. O'BRIEN: 5 Q. Salary scale adjustments, okay, because we're 6 looking at a 4 percent a year really beyond 7 inflation over that time frame, and we talked 8 about when you budget, trying to maintain 9 within inflation and we're looking at, if you 10 average out at 4 percent over that time, is 11 that right -</p> <p>12 MR. HENDERSON: 13 A. Again subject to check -</p> <p>14 MR. O'BRIEN: 15 Q. On a simple math, yeah.</p> <p>16 MR. HENDERSON: 17 A. I think that sounds about right.</p> <p>18 MR. O'BRIEN: 19 Q. Okay. Is it your opinion that Hydro has 20 efficiently managed those costs over that time 21 frame?</p> <p>22 MR. HENDERSON: 23 A. Hydro has reviewed all of its costs to ensure 24 that they are the least cost required, and, 25 yes, Hydro has managed them over that time.</p>
<p style="text-align: right;">Page 86</p> <p>1 MS. GRAY: 2 Q. Okay.</p> <p>3 MR. O'BRIEN: 4 Q. Here we go.</p> <p>5 MS. GRAY: 6 Q. Apologies.</p> <p>7 MR. O'BRIEN: 8 Q. All right, so that's a 2015 revenue 9 requirement. We see year over year, I guess, 10 the difference between the 2007 test year and 11 2015. We look at operating and maintenance, 12 and there's an increase of 44.8 million over 13 that time frame from 2007, 2008, and we 14 understand from the evidence - from the 15 response to RFIs filed, that that's a 33.2 16 percent increase above and beyond inflation, 17 is that correct?</p> <p>18 MR. HENDERSON: 19 A. I'll accept that.</p> <p>20 MR. O'BRIEN: 21 Q. Okay. Subject to check, and it's one of the 22 replies to RFI. Would you agree with me that's 23 a substantial increase over that time frame?</p> <p>24 MR. HENDERSON: 25 A. It is a substantial increase over that time</p>	<p style="text-align: right;">Page 88</p> <p>1 MR. O'BRIEN: 2 Q. So for all the operating costs, you're 3 satisfied Hydro has reviewed them and they're 4 all the least cost?</p> <p>5 MR. HENDERSON: 6 A. Yes, that's correct.</p> <p>7 MR. O'BRIEN: 8 Q. Okay, well, let me ask you about productivity. 9 With respect to O & M costs, you're aware that 10 the Board imposed a 2 million dollar 11 productivity allowance in 2003 on Hydro's 12 other costs, are you?</p> <p>13 MR. HENDERSON: 14 A. I am aware of it.</p> <p>15 MR. O'BRIEN: 16 Q. Okay, and I asked Mr. Martin and Mr. McDonald 17 about some specific measures that might be 18 built into Hydro's operations to ensure that 19 service is provided at the lowest cost 20 consistent with safe reliable service, and 21 we're talking about productivity, are you able 22 to tell us about any specific programs that 23 are put in place to show productivity, to do 24 more with what you've got?</p> <p>25 MR. HENDERSON:</p>

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1 A. Every year we review how we - as we establish
 2 how budget, how we can do better, and so
 3 that's - I'll say in the two years that I've
 4 been involved at this point the review is
 5 talking about how we can do things - do more
 6 with less, if you like, and a lot of that
 7 focuses in our operations areas and looking at
 8 - one of the areas that we've put attention to
 9 is work scheduling and improving efficiency in
 10 the way that we dispatch our workers into the
 11 field to complete work. The idea behind that
 12 is to ensure that we maximize the amount of
 13 work when workers are travelling to a site, to
 14 make sure that they have right materials there
 15 that they require, that the equipment is, I'll
 16 say, in the right state for them to go to work
 17 safely, and ensuring that - well, the
 18 materials and people are all there as required
 19 to get the work done in the most efficient,
 20 cost effective manner. That's been an area
 21 that we've focused on to gain improvements and
 22 efficiency in terms of the crews and the way
 23 that crews are dispatched.
 24 MR. O'BRIEN:
 25 Q. Were there issues with that before that you

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1 were finding?
 2 MR. HENDERSON:
 3 A. From my experience, there were items that were
 4 brought to my attention that we could do
 5 better, particularly the coordination of the
 6 capital program execution and the annual
 7 operating plan, so we put considerable effort
 8 in the last couple of years to do a more
 9 consolidated, coordinated planning scheduling
 10 activity prior to the year, so that the
 11 capital requirements and the operating
 12 requirements were well integrated into one
 13 integrated plan. This is to ensure that again
 14 everything will work as efficiently and
 15 effectively as possible. There's a lot of
 16 moving parts with respect to this. There's
 17 equipment outages that have to be coordinated.
 18 There's hydro electric resources that have to
 19 be scheduled to ensure that we utilize the
 20 water and the fuel efficiently. There's a
 21 number of things that all come together. So
 22 we identified the need to do an improvement in
 23 terms of those things because we were finding
 24 there was capital projects, for instance, that
 25 got deferred because we couldn't take an

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1 outage at a particular point in time because
 2 of the water situation at a particular hydro
 3 plant, or that type of thing. So there was a
 4 lot of work put in to ensure that we got all
 5 of that working well. That's been a
 6 particular focus over the last couple of
 7 years.
 8 (10:45 a.m.)
 9 MR. O'BRIEN:
 10 Q. And are you able to point to any area of
 11 operating costs where that has - where's
 12 there's been a reduction in costs?
 13 MR. HENDERSON:
 14 A. I can't point to a specific number or
 15 anything. Because of the capital program
 16 changing - growing capital program, there is,
 17 I'll say, a growth in that area, so it's
 18 difficult to isolate out the improvements, but
 19 those improvements are beginning to take hold
 20 and the expectation is that we will see
 21 ongoing benefits in that. For the test year,
 22 in particular, what we did is we put in a
 23 requirement of less overtime to really drive
 24 that out, to put that into the budget - that's
 25 one area where we expect to see gains is the

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1 overtime, and we did put into the test year a
 2 reduction in overtime to basically commit to
 3 that benefit.
 4 MR. O'BRIEN:
 5 Q. Let me ask you about that point, the overtime.
 6 Can we look at Section 2, Page 2.3.5 of the
 7 evidence. So we've got overtime here. Let's
 8 go to lines 24 to 27. Start at 22 here, the
 9 2015 test year consists of 10.1 million - cost
 10 of 10.1 million are 3.9 million higher than
 11 the 2007 actual. In addition, the 2015 test
 12 year includes 5.2 million of capitalized
 13 overtime, an increase of 3.5 over the 2007
 14 actual. The net impact of these variances is
 15 an increase in overtime costs of .4 million.
 16 Overtime of 10.1 in the 2015 test year is 2. 1
 17 million less than the 2014 test year of 12. 2
 18 million. So this is the reduction you're
 19 talking about, is that correct?
 20 MR. HENDERSON:
 21 A. That's correct.
 22 MR. O'BRIEN:
 23 Q. And this reduction in overtime is primarily a
 24 result of the additional FTEs, additional
 25 information by functional areas presented in

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1 Section 2.4.2. I'm going to ask, this
 2 particular - the overtime in 2014, wasn't
 3 there a significant portion of that related to
 4 the 2014 outages?
 5 MR. HENDERSON:
 6 A. There would have been an amount there for
 7 that, yes.
 8 MR. O'BRIEN:
 9 Q. And I understood that Liberty has considered
 10 or indicated it's their opinion that it's
 11 about 3.5 million in overtime that should be
 12 reduced due to prudence issues.
 13 MR. HENDERSON:
 14 A. Is there a -
 15 MR. O'BRIEN:
 16 Q. My point is not necessarily the prudence
 17 issue. I guess, my point is that the overtime
 18 - if there's 3.5 million dollars worth of
 19 overtime related to outages over the year
 20 incremental overtime, that's something that
 21 happened as a result of a rare event in 2014.
 22 So here you indicated that you're going to
 23 reduce your overtime from 12.2 to 10.1 as a
 24 productivity measure, when really it's going
 25 to go down anyway, you don't expect that to

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1 happen in 2015, do you not?
 2 MR. HENDERSON:
 3 A. The -
 4 MR. O'BRIEN:
 5 Q. The outages -
 6 MR. HENDERSON:
 7 A. No.
 8 MR. O'BRIEN:
 9 Q. So you don't expect that rare event.
 10 MR. HENDERSON:
 11 A. No.
 12 MR. O'BRIEN:
 13 Q. And if 3.5 million of the test year of 12. 2
 14 million shouldn't occur, why is your 10. 1
 15 million in the 2015 test year a reduction
 16 related to productivity?
 17 MR. HENDERSON:
 18 A. There's a reduction related to productivity as
 19 well as the, I'll say - that's a reduction
 20 from the 2014 test year.
 21 MR. O'BRIEN:
 22 Q. Right.
 23 MR. HENDERSON:
 24 A. It's a significant reduction in 2014 test
 25 year. The other thing that the operating

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1 overtime, if you look from the 2007 period out
 2 to the 2014 period, the operating overtime is
 3 being held flat despite, I'll say, increases
 4 in wages that have occurred over that time
 5 that would drive operating costs, so that's a
 6 reduction in overtime hours.
 7 MR. O'BRIEN:
 8 Q. So it's not the reduction - perhaps I can show
 9 you an RFI. If we looked at CA-NLH-328, and I
 10 just wanted to make sure I'm certain on what
 11 we're looking at. I got the impression that
 12 what was being proposed was by reducing the
 13 overtime from 2014 to 2015, that there was
 14 some sort of productivity related to that, and
 15 if we could turn to page 2, lines 11 to 17,
 16 "Hydro continues to target productivity
 17 improvements in the future. The 2015 test
 18 year includes a vacancy allowance of 40 FTEs,
 19 or 3.336 million, and the challenging
 20 reduction in overtime expenses from historic
 21 levels. Management is targeting to reduce
 22 higher overtime costs through deployment of
 23 staff and recruitment initiatives outlined in
 24 Hydro's response to NP-NLH-85", but when it
 25 says challenging reduction in overtime

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1 expenses from historic levels, there's a
 2 footnote there, Footnote 4, if we go down
 3 here, and it says here, "Overtime costs in
 4 2013 were 12.3, and in 2014, 12.2, and its
 5 budgeted to 10.1". I got the impression that
 6 this was going to be challenging reduction
 7 showing productivity by showing 10.1 in 2015
 8 versus 12.2 in 2014, but if you don't expect
 9 to have an outage with 3.5 million in overtime
 10 associated with it in 2015, why is that a
 11 challenging reduction showing productivity?
 12 MR. HENDERSON:
 13 A. I know that we're not to get into the prudence
 14 review, but I'll say that Hydro, in that
 15 evidence, indicated that the 3.4 million that
 16 Liberty had put forward was an incorrect
 17 number.
 18 MR. O'BRIEN:
 19 Q. Okay, and are you able to give me an idea as
 20 to what the correct number - what would your
 21 position be?
 22 MR. HENDERSON:
 23 A. I'm sorry, I didn't prepare with that in my
 24 head right now, but it is significantly less.
 25 MR. O'BRIEN:

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<p>1 Q. Maybe I'll ask you to undertake to get that.</p> <p>2 MR. HENDERSON:</p> <p>3 A. I think we could provide that.</p> <p>4 MR. O'BRIEN:</p> <p>5 Q. Maybe I'll ask you to give an undertaking to</p> <p>6 provide that.</p> <p>7 MR. HENDERSON:</p> <p>8 A. I also would point out that the 2013 actual</p> <p>9 overtime was 12.3, and we are putting in the</p> <p>10 test year, 10.1 in 2015. 2013 did not have</p> <p>11 the major outage that occurred in 2014.</p> <p>12 MR. O'BRIEN:</p> <p>13 Q. Okay.</p> <p>14 MR. HENDERSON:</p> <p>15 A. Which was what Liberty was commenting on as</p> <p>16 well.</p> <p>17 MR. O'BRIEN:</p> <p>18 Q. And are you able to tell me at this point in</p> <p>19 the year in 2015 what your projected overtime</p> <p>20 would be?</p> <p>21 MR. HENDERSON:</p> <p>22 A. I can't tell you that off the cuff right now.</p> <p>23 MR. O'BRIEN:</p> <p>24 Q. Okay, and maybe I'll take that up with -</p> <p>25 Finance might have a better idea.</p>	<p>1 2014 to 7.2 and in 2015 to 5.6. Is it safe to</p> <p>2 say that this is as a result of the consultant</p> <p>3 cost related to power outages and the</p> <p>4 subsequent reviews?</p> <p>5 MR. HENDERSON:</p> <p>6 A. There is an element of that there, yes.</p> <p>7 MR. O'BRIEN:</p> <p>8 Q. What else would be included in those costs?</p> <p>9 MR. HENDERSON:</p> <p>10 A. There would be, I'll say, other consultant</p> <p>11 costs - I'm not clear on the - there's Board</p> <p>12 related costs here, and there's a number of</p> <p>13 consulting areas that we are engaged with with</p> <p>14 respect to regulatory proceedings. I'm not</p> <p>15 sure whether the consultant costs are in that</p> <p>16 process. I think they are in the 2014 test</p> <p>17 year and the 2015 test year as well, and there</p> <p>18 would be elements of the ongoing reviews that</p> <p>19 are also in there. The other items which have</p> <p>20 an impact on our consulting costs are</p> <p>21 condition assessments that we are doing on our</p> <p>22 assets to, I guess, verify that what we have</p> <p>23 in our long term asset plans are the timing</p> <p>24 with respect to when the assets should be</p> <p>25 replaced, and also in terms of informing us on</p>
<p style="text-align: right;">Page 98</p> <p>1 MS. GLYNN:</p> <p>2 Q. Mr. O'Brien, again I'm sorry to interrupt, but</p> <p>3 the undertaking request?</p> <p>4 MR. O'BRIEN:</p> <p>5 Q. The undertaking request -</p> <p>6 MS. GLYNN:</p> <p>7 Q. Can you confirm that that's accepted?</p> <p>8 MR. CASS:</p> <p>9 Q. Yes.</p> <p>10 MS. GLYNN:</p> <p>11 Q. Thank you.</p> <p>12 MR. O'BRIEN:</p> <p>13 Q. Thank you. I'm going to ask that we bring up</p> <p>14 NP-NLH-005, Revision 3, and there's an</p> <p>15 attachment table, I think, at - we'll have to</p> <p>16 bring those up. It's Table 2.7, Professional</p> <p>17 Services. I just wanted to ask, Mr.</p> <p>18 Henderson, if we look at those figures from</p> <p>19 2007, the total professional services going</p> <p>20 across - actually, I'm more looking at</p> <p>21 consultants, to be honest. From 2007, 2. 2</p> <p>22 million, and we go across to 2013, 3. 2</p> <p>23 million, and we see a relatively stable figure</p> <p>24 there somewhere between 2 and 3, and with the</p> <p>25 high of 3.9, I guess, but we see a jump in</p>	<p style="text-align: right;">Page 100</p> <p>1 how we may adjust our operating and</p> <p>2 maintenance activities relative to the</p> <p>3 condition of assets. So that's another</p> <p>4 element that's going on in that.</p> <p>5 MR. O'BRIEN:</p> <p>6 Q. Okay, the costs that might be associated with</p> <p>7 the power outages and the subsequent reviews,</p> <p>8 those are costs that Hydro has included in</p> <p>9 their test year?</p> <p>10 MR. HENDERSON:</p> <p>11 A. There are some of those, yes, would be part of</p> <p>12 our forecast for 2014 costs, yes.</p> <p>13 MR. O'BRIEN:</p> <p>14 Q. I guess, my question in terms of going</p> <p>15 forward, do you expect those costs to be</p> <p>16 continued into the 2016/2017, those types of</p> <p>17 costs, or are they just those consultant costs</p> <p>18 for the power outages?</p> <p>19 MR. HENDERSON:</p> <p>20 A. I would suggest 2014 shows the -</p> <p>21 MR. O'BRIEN:</p> <p>22 Q. The bulk of that?</p> <p>23 MR. HENDERSON:</p> <p>24 A. The bulk of some of that.</p> <p>25 MR. O'BRIEN:</p>

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1 Q. Okay.

2 MR. HENDERSON:

3 A. 2015 would be more reflective of an ongoing

4 expectation.

5 MR. O'BRIEN:

6 Q. And that's what I wanted to make sure, that

7 that's why we see the reduction there since

8 then?

9 MR. HENDERSON:

10 A. That's correct.

11 MR. O'BRIEN:

12 Q. All right. I'm going to go on to another line

13 of there, Mr. Chair. Perhaps this is a good

14 time to break.

15 CHAIRMAN:

16 Q. Okay.

17 (10:59 a.m.)

18 (OFF RECORD)

19 (11:34 a.m.)

20 CHAIRMAN:

21 Q. I understand we have another undertaking that

22 you wish to enter into the record officially.

23 MS. PENNELL:

24 Q. Yes, Mr. Chair. We have Undertaking 17, which

25 is an update to Attachment 1 to CA-NLH 358,

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1 and we would also indicate that for

2 Undertaking 14, we believe that our response

3 to PUB-NLH-029 actually does respond to this

4 Undertaking, so we would ask counsel for

5 Newfoundland Power to just have a look at that

6 RFI response to confirm.

7 CHAIRMAN:

8 Q. All right. Mr. O'Brien, we are back to you.

9 MR. O'BRIEN:

10 Q. Back to me, thank you very much, Mr. Chair.

11 I'd like to turn to - I'm going to have some

12 questions for you in terms of labour costs in

13 general in a few minutes, but I wanted to talk

14 about capital labour first. I wonder if we

15 could put up NP-NLH-307. I think it's the

16 latest revision. This is a comparison of

17 actuals of 2014 for forecast and there's an

18 attachment there. Can we go to page 9 of that

19 attachment. Looking at the capitalized

20 salaries there, and in comparison, I'm

21 wondering sort of in terms of budgeting for

22 capital labour on an annual basis, how you go

23 through that process?

24 MR. HENDERSON:

25 A. I'm not sure of the details of that. Finance

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1 would be the best ones to talk about in terms

2 of that. I can comment that it is indicative

3 of our financial plan for the upcoming year.

4 MR. O'BRIEN:

5 Q. Okay.

6 MR. HENDERSON:

7 A. But the mechanics, the details, I wouldn't be

8 able to -

9 MR. O'BRIEN:

10 Q. Okay, and the mechanics, I guess, I see

11 salaries and benefits up top at line 2, and

12 then I see capitalized salaries at line 6, and

13 it appears from my own calculations, anyway,

14 going across for the latest - it appears to be

15 about a 21 percent difference all the way

16 across in terms of capitalized salaries being

17 about 21 percent of the overall salaries, but

18 that drops down to 20 percent in the 2014 -

19 sorry, 2015 test year, and I didn't know if

20 that's how they were budgeted, on a percentage

21 basis or if there was an actual different

22 process for that. Is that something I should

23 take up with Finance?

24 MR. HENDERSON:

25 A. Yes.

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1 MR. O'BRIEN:

2 Q. Okay. If we keep this same RFI up, for system

3 equipment maintenance, if we look at line 12,

4 we see kind of a stable trend there from 2007

5 on to 2013 of system equipment maintenance

6 being at 21 at the high sort of, and 19

7 million in a number of years there, but I see

8 a jump in 2014. Can you tell me why there

9 was a jump in 2014 in system equipment

10 maintenance from 22 to 28?

11 MR. HENDERSON:

12 A. In the actual figures there, there would - I'm

13 just trying to recall. I might ask Darren to

14 help with respect to the TRO, transmission

15 rural operations aspect of it, but I do know

16 that there was an increase related to some

17 work that was going on at Holyrood in that

18 year. In particular, at the end of the year

19 when we were bringing both Unit 2 and Unit 1

20 back into service prior to the winter, there

21 was an increase required in maintenance and

22 contract work around taking care of some of

23 the vibration issues that we had on Unit 1 and

24 the balancing work that's coming off from the

25 overhauls, that would have been beyond what

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<p>1 our original projections were for that year.</p> <p>2 MR. O'BRIEN:</p> <p>3 Q. Okay.</p> <p>4 MR. HENDERSON:</p> <p>5 A. That would be - at least I can say that that's</p> <p>6 an aspect of it.</p> <p>7 MR. O'BRIEN:</p> <p>8 Q. And I didn't see an RFI sort of dealing with</p> <p>9 that in particular. I wonder if you could</p> <p>10 give us an undertaking just to break down the</p> <p>11 reason for the increase from the 2014 forecast</p> <p>12 to the actual on that figure.</p> <p>13 MR. CASS:</p> <p>14 Q. Yes, Mr. Chair.</p> <p>15 MS. GLYNN:</p> <p>16 QQ. Duly noted.</p> <p>17 MR. O'BRIEN:</p> <p>18 Q. Thank you very much. If we stay on -</p> <p>19 actually, if we could go to IC-NLH-024.</p> <p>20 MS. GRAY:</p> <p>21 Q. Revision 1?</p> <p>22 MR. O'BRIEN:</p> <p>23 Q. Yes, please, and Attachment 1 of that one,</p> <p>24 page 2. Here we see some of the year over</p> <p>25 year changes with some of the operations</p>	<p>1 Q. Okay, and let me follow up on that one just to</p> <p>2 ask, these individuals would have, and finance</p> <p>3 function would have been largely transferred</p> <p>4 out in 2008 to Nalcor, is that right, from</p> <p>5 Hydro?</p> <p>6 MR. HENDERSON:</p> <p>7 A. I'm not sure if that was the year, but it was</p> <p>8 probably around that time.</p> <p>9 MR. O'BRIEN:</p> <p>10 Q. Around that time.</p> <p>11 MR. HENDERSON:</p> <p>12 A. And in 2014 there was an adjustment there</p> <p>13 related to where people were actually spending</p> <p>14 their time and the appropriate business unit,</p> <p>15 you know, that they were charging - they were</p> <p>16 basically in Nalcor doing a lot of Hydro work.</p> <p>17 MR. O'BRIEN:</p> <p>18 Q. Okay.</p> <p>19 MR. HENDERSON:</p> <p>20 A. So it seemed to be more appropriate for them</p> <p>21 to be in Hydro. That would be a portion of it,</p> <p>22 and there was also other considerations in the</p> <p>23 Finance Department for requirement for</p> <p>24 additional people.</p> <p>25 MR. O'BRIEN:</p>
<p>Page 106</p> <p>1 costs, and we see percentages changes for each</p> <p>2 year, and we see the test year over here. I'm</p> <p>3 looking under Corporate Services on the left</p> <p>4 hand side, and the finance costs. If we look</p> <p>5 down in the 2014 and 2013 percentage change,</p> <p>6 there seems to be a 49 percent increase in</p> <p>7 finance costs from 2013 to 2014. Are you able</p> <p>8 to give me any detail on the reason for that,</p> <p>9 and we can check the note - I think, Note 5</p> <p>10 might help us with that. So the increase in</p> <p>11 salaries, is that due to a restructuring in</p> <p>12 2014 in Finance, or was that 2015?</p> <p>13 MR. HENDERSON:</p> <p>14 A. It would be in both years because 2014 would</p> <p>15 have had a transition period and the complete</p> <p>16 impact would be visible in the 2015 test year</p> <p>17 because it changed part way through 2014.</p> <p>18 MR. O'BRIEN:</p> <p>19 Q. Okay, and, I guess, first I'll ask you, the .9</p> <p>20 million in salaries and benefits, is that</p> <p>21 associated with that change in 2014, a change</p> <p>22 of employees going from Nalcor back to Hydro?</p> <p>23 MR. HENDERSON:</p> <p>24 A. That would be the primary cause, yes.</p> <p>25 MR. O'BRIEN:</p>	<p>Page 108</p> <p>1 Q. Okay, and I was wondering about the philosophy</p> <p>2 behind it, whether or not strategy had</p> <p>3 changed, but, I guess, as a result of this</p> <p>4 time frame from 2008 forward, you're seeing</p> <p>5 that those individuals were spending more time</p> <p>6 on Hydro than on other lines of businesses, so</p> <p>7 as a result you made that particular change to</p> <p>8 transfer them back into Hydro?</p> <p>9 MR. HENDERSON:</p> <p>10 A. That's right, and so as a result of the less</p> <p>11 Nalcor salaries transferred in.</p> <p>12 MR. O'BRIEN:</p> <p>13 Q. And would you see those individuals still</p> <p>14 performing work for Nalcor lines of businesses</p> <p>15 apart from Hydro, though?</p> <p>16 MR. HENDERSON:</p> <p>17 A. There may be some element, but I don't expect</p> <p>18 there would be very much.</p> <p>19 MR. O'BRIEN:</p> <p>20 Q. Okay, and we're still at Note 5 here, there's</p> <p>21 an increase of 4.4 million in professional</p> <p>22 services primarily related to increases of 2.4</p> <p>23 in regulatory activities. What activities</p> <p>24 were they, is that related to the GRA?</p> <p>25 MR. HENDERSON:</p>

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<p>1 A. That's right, it would be the GRA and, I'll</p> <p>2 say, other regulatory activities that may be</p> <p>3 happening - I know perhaps not in 2014, but in</p> <p>4 2015 there are other activities besides the</p> <p>5 GRA.</p> <p>6 MR. O'BRIEN:</p> <p>7 Q. And 2014, we know certainly there would have</p> <p>8 been some work done in terms of the Amended</p> <p>9 GRA that Finance would have been involved in</p> <p>10 as well as work preparing for, I guess, the</p> <p>11 originally planned hearing, is that right?</p> <p>12 MR. HENDERSON:</p> <p>13 A. It would be all of the costs associated with</p> <p>14 the regulatory process, yes.</p> <p>15 MR. O'BRIEN:</p> <p>16 Q. And the 2 million associated with outage</p> <p>17 inquiry, is that something that Hydro has</p> <p>18 built into their revenue requirement, such</p> <p>19 that they expect rate payers to pay for those</p> <p>20 services?</p> <p>21 MR. HENDERSON:</p> <p>22 A. The 2 million dollars was part of the cost</p> <p>23 that we had incurred in 2014. I think we're</p> <p>24 talking about actuals here versus -</p> <p>25 MR. O'BRIEN:</p>	<p>1 MR. HENDERSON:</p> <p>2 A. It would be - whatever is in the test year for</p> <p>3 that cost would be in that element.</p> <p>4 (11:45 a.m.)</p> <p>5 MR. O'BRIEN:</p> <p>6 Q. And if we go back to finance line again, so if</p> <p>7 we take out that 2 million for the outage</p> <p>8 inquiry, and whatever is related to the GRA</p> <p>9 itself in 2014, we don't see a large drop in</p> <p>10 2015. We see a 3.9 percent change in 2015.</p> <p>11 Can you explain that, why it goes down only</p> <p>12 3.9 percent if we take out those items?</p> <p>13 MR. HENDERSON:</p> <p>14 A. I will defer the answer to that to the Finance</p> <p>15 Panel, who would have the detail.</p> <p>16 MR. O'BRIEN:</p> <p>17 Q. Okay. I'm going to ask if we could pull up</p> <p>18 NP-228, Revision 1, Page 3, lines 15 to 16.</p> <p>19 I'm looking at the Corporate Relations</p> <p>20 increases since 2007, and I understand from</p> <p>21 one of the other RFIs that there was a 35</p> <p>22 percent over inflation increase from 2007 to</p> <p>23 2015 test year in that area.</p> <p>24 MR. HENDERSON:</p> <p>25 A. Uh-hm.</p>
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<p>1 Q. Yeah.</p> <p>2 MR. HENDERSON:</p> <p>3 A. What I want to say is that there is a variance</p> <p>4 here with respect to actual and test year, and</p> <p>5 I'm not sure of the -</p> <p>6 MR. O'BRIEN:</p> <p>7 Q. Of whether the table is -</p> <p>8 MR. HENDERSON:</p> <p>9 A. Of the full 2 million, but I'll say that with</p> <p>10 respect to the test year there would be an</p> <p>11 element in it related to the outage inquiry,</p> <p>12 which, you know, of course, we were required</p> <p>13 to participate in and provide clarity and</p> <p>14 information for everybody to see.</p> <p>15 MR. O'BRIEN:</p> <p>16 Q. And is that an ongoing expectation then</p> <p>17 following the test year that you'd have to</p> <p>18 participate in those types of activities?</p> <p>19 MR. HENDERSON:</p> <p>20 A. There is no anticipation or forecast in the</p> <p>21 2015 test year for those type of costs.</p> <p>22 MR. O'BRIEN:</p> <p>23 Q. So this is strictly due to the - this is</p> <p>24 strictly related to the 2014 revenue</p> <p>25 deficiency recovery?</p>	<p>1 MR. O'BRIEN:</p> <p>2 Q. And it appears in 2015, if we look at lines 15</p> <p>3 and 16, that there is an anticipated increase</p> <p>4 of 5.5 FTEs in Corporate Relations. Did that</p> <p>5 occur, was there a 5.5 FTE increase in</p> <p>6 Corporate Relations for 2015? Are you able to</p> <p>7 answer that or is it best to put that to</p> <p>8 someone else?</p> <p>9 MR. HENDERSON:</p> <p>10 A. There is a Corporate Relations Panel that</p> <p>11 would be able to provide the detail. I'm just</p> <p>12 - is this an increase relative to when?</p> <p>13 MR. O'BRIEN:</p> <p>14 Q. Relative to the year before is what I</p> <p>15 understand.</p> <p>16 MR. HENDERSON:</p> <p>17 A. Okay. I think you'll have to refer that one</p> <p>18 to the Corporate Relations Panel to give you</p> <p>19 the detail there.</p> <p>20 MR. O'BRIEN:</p> <p>21 Q. Okay. I understood in terms of project</p> <p>22 execution and technical services, there was an</p> <p>23 increase in 2015 as well of FTEs. Is that</p> <p>24 something that came to fruition, was there</p> <p>25 more services required?</p>

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1 MR. HENDERSON:
 2 A. Relative to -
 3 MR. O'BRIEN:
 4 Q. The year before.
 5 MR. GARDINER:
 6 A. Yes, there were two additional FTEs added from
 7 2014 to 2015.
 8 MR. O'BRIEN:
 9 Q. And if we scroll up, I know in this particular
 10 one there's an indication to 2014/2015. If
 11 you look at lines 11 to 14, there's an
 12 indication here that there was an increase of
 13 4 FTEs in project execution. Are you saying
 14 there was only two?
 15 MR. GARDINER:
 16 A. In home based FTEs, we show that we increased
 17 from 2014 to 2015 by two.
 18 MR. O'BRIEN:
 19 Q. By two, and this talks about four related to
 20 the capital program. Is that different than
 21 home based?
 22 MR. GARDINER:
 23 A. Well, home base includes capital.
 24 MR. O'BRIEN:
 25 Q. Includes capital, that's what I thought.

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1 MR. GARDINER:
 2 A. That's all the FTEs that we have in project
 3 and execution, that's correct.
 4 MR. HENDERSON:
 5 A. May I just -
 6 MR. O'BRIEN:
 7 Q. Sure.
 8 MR. HENDERSON:
 9 A. Is this a comparison -
 10 MR. O'BRIEN:
 11 Q. If you want to scroll through it.
 12 MR. O'BRIEN:
 13 Q. I'd like to scroll up to the top so I
 14 understand.
 15 MR. O'BRIEN:
 16 Q. Not a problem.
 17 MS. GLYNN:
 18 Q. There is paper copies of the RFIs behind you
 19 as well.
 20 MR. HENDERSON:
 21 A. Okay. Can you scroll down, please. That's
 22 fine. I just wanted to verify it was test
 23 year comparisons and not actual comparisons.
 24 MR. O'BRIEN:
 25 Q. Yeah, okay. Let's talk about labour costs in

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1 general. I wonder can be bring up the Grant
 2 Thornton Report, the June 12th, 2015 report.
 3 I think it's attached to a letter, and page 68
 4 of that report. Okay, we've got two tables
 5 there of average salaries, and 46 and 47, I
 6 guess, they run together, showing the average
 7 salaries from 2007 to 2015, and it shows the
 8 actual salary costs as well as FTEs from that
 9 period. We understand from responses given to
 10 RFIs, that there was a percentage increase in
 11 salaries above and beyond inflation from that
 12 time frame of 2007 to 2015 of 43.3 percent
 13 above inflation over that time frame. We can
 14 see a year to year increase on the bottom, the
 15 last line, percentage increase. We see the
 16 actuals in Table 46. So the 2008 actual is a
 17 2.42 percent increase above 2007, and as we go
 18 along we see these increases. Look at 2011.
 19 Can you tell us why the increase in 2011 was
 20 8.49 percent?
 21 MR. HENDERSON:
 22 A. I couldn't say other than it's an adjustment
 23 in salaries.
 24 MR. O'BRIEN:
 25 Q. Okay. We talked earlier about escalations in

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1 the budgetary process of trying to keep within
 2 inflation and 2.2 percent and 2.5 percent were
 3 some of the figures used in the budget
 4 guidelines, and apart from 2008, I don't see -
 5 if we scroll up a little bit, I don't see too
 6 many years here where the percentage increase
 7 would have been within those guidelines. Are
 8 you able to tell me why?
 9 MR. HENDERSON:
 10 A. During that time period there was adjustments
 11 to base salaries related to, I'll say, market
 12 adjustments for salaries in general, and I
 13 think Mr. Roberts and Mr. McDonald would have
 14 covered this off, but that is related to
 15 bringing the salaries during that period and
 16 maintaining the salaries during that period
 17 within, I'll say, the comparative group of
 18 employers who we would be recruiting
 19 employees.
 20 MR. O'BRIEN:
 21 Q. Would you have made any attempts during that
 22 time frame to still - even though the salaries
 23 are increasing to try to manage the labour
 24 FTEs and the number of FTEs you need in order
 25 to fit the figures within inflation?

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1 MR. HENDERSON:
 2 A. Well, I wasn't part of the decision making
 3 going on at that time, but I can say in
 4 general that the work which we were
 5 undertaking was growing with respect to the
 6 capital program, and our asset management or
 7 asset requirements in terms of maintenance was
 8 not declining, so there was other pressures to
 9 keep much of the operations staff at the level
 10 that we had.
 11 MR. O'BRIEN:
 12 Q. In terms of asset maintenance, we saw system
 13 equipment maintenance figures sort of at a
 14 line, not really increasing until the test
 15 year increase. So is it a matter of - where
 16 would the increases have been, in capital
 17 projects versus maintenance?
 18 MR. HENDERSON:
 19 A. There would be - capital would be certainly
 20 one aspect of it. There is also - it would be
 21 coming out in other areas in terms of the
 22 hours of work that the employees are required
 23 to undertake for equipment issues,
 24 troubleshooting, that sort of thing, that may
 25 not necessarily reflect in the system

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1 equipment maintenance.
 2 MR. O'BRIEN:
 3 Q. Where would they be?
 4 MR. HENDERSON:
 5 A. They would be in the salaries, the day to day
 6 hours worked.
 7 MR. O'BRIEN:
 8 Q. Overtime type of thing?
 9 MR. HENDERSON:
 10 A. And overtime would also be a factor there.
 11 MR. O'BRIEN:
 12 Q. Okay. So you're satisfied yourself, and Mr.
 13 Martin answered this question as well, you're
 14 satisfied that over this time frame that at
 15 least labour costs were managed efficiently by
 16 Hydro?
 17 MR. HENDERSON:
 18 A. Yes.
 19 MR. O'BRIEN:
 20 Q. Despite the increase of 43 percent over those
 21 years?
 22 MR. HENDERSON:
 23 A. I think - just may be repeating here a little
 24 bit, but there was adjustments made to
 25 salaries during that period of time, which I

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1 think Mr. Roberts and Mr. McDonald explained
 2 why those salary adjustments were required and
 3 we managed those as best we could to stay
 4 competitive.
 5 MR. O'BRIEN:
 6 Q. Let me ask you about workforce requirements.
 7 Can we bring up CA-NLH-104, Revision 1. It's
 8 page 1, line 16, I think. I just want to get
 9 you to expand a bit on this. There's a
 10 comment here in the answer that in its annual
 11 budgeting process, the company consults with
 12 personnel in its various areas to determine
 13 the workforce requirements for the upcoming
 14 year. So can you provide just a little bit
 15 more background on that? We're talking about
 16 FTEs and what each area would require, that
 17 kind of thing, is that right?
 18 MR. HENDERSON:
 19 A. That's correct. So each area, as noted there,
 20 the different departments within the
 21 operations group, hydro generation, thermal
 22 generation, TRO, and the executive
 23 administration, which would be the functional
 24 areas, project execution, they would all look
 25 at their required level of work that they have

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1 in the upcoming year, and part of the budget
 2 process they would be bringing forward their
 3 requirements that they expect that they will
 4 require in order to execute that annual work
 5 plan. So in the budget, they would be
 6 indicating these are the things that we have
 7 identified that we require to do to maintain
 8 our assets, and - over the course of that
 9 period and would provide some analysis to
 10 indicate why they need it, and that would be
 11 done by each one of these groups and that
 12 would be represented in the budget process.
 13 MR. O'BRIEN:
 14 Q. So the level of detail that you get, I take
 15 it, each area would come forward with, or each
 16 division would come forward with this is the
 17 work we need to get done this year, these are
 18 the FTEs we need to get that work done, is
 19 that how - and this is what the cost is going
 20 to be to get that -
 21 MR. HENDERSON:
 22 A. It would be - in essence, that would be the
 23 case. The focus would be on the drivers for
 24 any change in the number of people that were
 25 required and why would you need or why do you

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<p>1 need additional resources, what's driving that</p> <p>2 to occur.</p> <p>3 (12:00 p.m.)</p> <p>4 MR. O'BRIEN:</p> <p>5 Q. Would there be any focus on, well, maybe we</p> <p>6 don't need as much resources this year, we</p> <p>7 don't need as many FTEs, maybe we can look at</p> <p>8 certain areas where certain individuals may be</p> <p>9 able to do work on another line of business in</p> <p>10 accordance with the shared services? Is there</p> <p>11 any years where there's less work for any</p> <p>12 divisions?</p> <p>13 MR. HENDERSON:</p> <p>14 A. Those questions would be asked during that</p> <p>15 process. Again it's to challenge the managers</p> <p>16 as to whether they can find other ways of</p> <p>17 accomplishing the work without the addition of</p> <p>18 additional resources and how they might be</p> <p>19 able to do it more effectively.</p> <p>20 MR. O'BRIEN:</p> <p>21 Q. I guess, that's what I'm getting at, okay. So</p> <p>22 it's not just here is the budget for last</p> <p>23 year, what areas do you need additional</p> <p>24 resources. There could also be what areas do</p> <p>25 you no longer require resources in and how do</p>	<p>1 MR. HENDERSON:</p> <p>2 A. And it would also include charges in.</p> <p>3 MR. O'BRIEN:</p> <p>4 Q. And charges in, yes, sure. So that's the net</p> <p>5 FTEs for each year?</p> <p>6 MR. HENDERSON:</p> <p>7 A. Right, and that would be reflecting the</p> <p>8 requirement for both our operating and</p> <p>9 capital.</p> <p>10 MR. O'BRIEN:</p> <p>11 Q. Okay, that was my next question, so that's for</p> <p>12 both. So we see from 2007 up to 2013, there's</p> <p>13 some ups and downs there, but for the most</p> <p>14 part we've got a difference between 2007 and</p> <p>15 2013 of about 5 net FTEs, is that right?</p> <p>16 MR. HENDERSON:</p> <p>17 A. That's correct.</p> <p>18 MR. O'BRIEN:</p> <p>19 Q. And the 2008 one went down to 797, and we</p> <p>20 understand that's a reflection of individuals</p> <p>21 that would have been moved from Hydro into</p> <p>22 Nalcor, is that right?</p> <p>23 MR. HENDERSON:</p> <p>24 A. That's right.</p> <p>25 MR. O'BRIEN:</p>
<p>Page 122</p> <p>1 we focus that budget. Is that part of it as</p> <p>2 well?</p> <p>3 MR. HENDERSON:</p> <p>4 A. That would be absolutely part of it. We would</p> <p>5 be looking at how the work requirements each</p> <p>6 year may change year over year, and within the</p> <p>7 operations group with the facilities that we</p> <p>8 have and looking at the capital program that</p> <p>9 we have, and the condition of our assets, the</p> <p>10 age of our assets, they're the main focus, so</p> <p>11 it's implementing our preventative maintenance</p> <p>12 program, ensuring we have sufficient resources</p> <p>13 to respond and deal with any corrective</p> <p>14 maintenance requirements. All of those things</p> <p>15 would be a large driver of what's in the</p> <p>16 operations group and the project execution and</p> <p>17 technical service groups.</p> <p>18 MR. O'BRIEN:</p> <p>19 Q. Can we bring up Volume 1 of the evidence,</p> <p>20 Chart 3.5. It's on page 3.40. This is the</p> <p>21 net FTEs, and I presume net FTEs means the</p> <p>22 FTEs that are home based Hydro, and then you</p> <p>23 account for whatever those FTEs might have</p> <p>24 charged out to other lines of services, is</p> <p>25 that right?</p>	<p>Page 124</p> <p>1 Q. And then whatever they charge back gets</p> <p>2 reflected in as well. So there's a fairly</p> <p>3 steady net FTE level from 2007 to 2013, and</p> <p>4 then we see a jump in 2014 to 860. So we got</p> <p>5 a 52 FTE jump to 980. Now during that time</p> <p>6 frame of 2007 - well, I'll say 2009 to 2013,</p> <p>7 you had your 20 year plan in place by then,</p> <p>8 2009, is that right?</p> <p>9 MR. HENDERSON:</p> <p>10 A. The 20 year capital, yeah.</p> <p>11 MR. O'BRIEN:</p> <p>12 Q. And you had your five year asset management</p> <p>13 plan in place at that time when that was put</p> <p>14 in, and you have your annual plans each year.</p> <p>15 So if your FTE requirements are driven largely</p> <p>16 by asset management, why is there a jump in</p> <p>17 2013 to 2014, and we don't see a gradual</p> <p>18 change from 2009 forward?</p> <p>19 MR. HENDERSON:</p> <p>20 A. So the - I think throughout the evidence, it's</p> <p>21 probably a demonstration of where the</p> <p>22 requirement has come from, and there is - in</p> <p>23 this was review of how well we are executing</p> <p>24 our operating requirements for our asset</p> <p>25 management. We are looking at the age of the</p>

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1 assets and the capital program and the demands
 2 on our staff for the capital program. So when
 3 we went through that review in 2013 for 2014,
 4 and continued to review in 2014, we identified
 5 that there are areas that we needed to address
 6 in order to meet the required maintenance
 7 requirements, to respond to concerns or issues
 8 with our asset base in terms of all of our
 9 electrical service assets. So there's - we did
 10 a close review of that, and it drove the need
 11 for additional staff in the area of, I'll say,
 12 right on the frontline maintenance people in a
 13 number of different areas. As well, there was
 14 the need, which I had previously discussed,
 15 about the improved coordination and scheduling
 16 and planning of all of our work, so there was
 17 additional resources that we identified there
 18 to assist because it would help to improve the
 19 execution of the program, given what we were
 20 observing and we were adjusting to what we
 21 were observing in terms of equipment
 22 requirements for maintenance. So those were
 23 the primary drivers. As well, you know, the
 24 capital program I mentioned as well in terms
 25 of ensuring that we had the right resources to

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1 be successful in completing the capital
 2 program.
 3 MR. O'BRIEN:
 4 Q. When your GRA was filed initially, your
 5 application was filed initially in 2013, you
 6 had, and if I got the figure right, I believe
 7 it is, you had forecast for the end of 2013,
 8 813 FTEs, and, I guess, the net result is
 9 ultimately 808. The difference between 2013
 10 and 2014, there's a catastrophic event that
 11 occurred in between, wasn't there? Did that
 12 power outage event, is that what turned you to
 13 looking at do we need more FTEs, do we need to
 14 drive our asset management a little bit more?
 15 MR. HENDERSON:
 16 A. I would have to say that part of our review of
 17 that incident was to look at what resources we
 18 had and we asked each of the areas to look at
 19 how well they're executing. We had been
 20 tracking that over a number of years on the
 21 execution, and we were finding that we were
 22 not maintaining at a level that we expected,
 23 and so looking at that in the context of the
 24 growing capital program that we had and the
 25 requirements that it had, there was a need to

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1 adjust.
 2 MR. O'BRIEN:
 3 Q. Okay. Can we have a look at NP-NLH-310. This
 4 is a question where Hydro is asked to provide
 5 vacancies, the budgets, and actual vacancies
 6 for FTEs from 2007 to 2015, and if we scroll
 7 down, we see a table here. So we see, for
 8 example, in 2011, there was an actual vacancy
 9 of 40, there was a budget of 864, and actuals
 10 of 824. So those actuals in that table, those
 11 are not nets, are they, they're actual home
 12 base FTEs, because they don't correspond with
 13 the net ones that we just saw on the other
 14 table?
 15 MR. HENDERSON:
 16 A. I'm actually not sure whether it's home based
 17 or whether it's operating FTEs, or net FTEs.
 18 Can we look at the - scroll up.
 19 MR. O'BRIEN:
 20 Q. Yes let's bring up the previous table, you
 21 mean, or just scroll up -
 22 MR. HENDERSON:
 23 A. Just scroll up to the question. I'd have to
 24 ask - I can't tell right now whether they're
 25 home based or not, based on the way the

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1 response was made.
 2 MR. O'BRIEN:
 3 Q. I'm not sure this would help, like, we talked
 4 about the 2008 where there was transfers of
 5 employees from Hydro to Nalcor, and there was
 6 a net of 797. Do you recall that figure, and
 7 there's actual there of 807, so is it more
 8 likely these are the home based?
 9 MR. HENDERSON:
 10 A. These are home based, yes. I'm familiar with
 11 the 2015 forecast numbers, yes.
 12 MR. O'BRIEN:
 13 Q. So that's what I just wanted to make sure
 14 here. So we show our vacancies and we show our
 15 home based. So in 2011, the budget was for
 16 864, but you come in at 824, there's a vacancy
 17 of 40. The reason for - I'd like to ask about
 18 the reason for going up from in 2013, the
 19 budget of 864 to 2014, the budget of 885, and
 20 similarly, to 943 sort of in the following
 21 year. What are the reasons for the increase
 22 in the FTE? Is it just the capital program?
 23 MR. HENDERSON:
 24 A. No, there are a number of drivers for the
 25 change in FTEs. The capital program, I'll

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1 say, our aging assets in terms of what's
 2 required to look after those assets in terms
 3 of responding to corrective maintenance for
 4 things that may be coming up during the course
 5 of the year, as well as completion of the
 6 preventative maintenance program. Those are
 7 all elements. There are additional items that
 8 were in this related to the new combustion
 9 turbine. There were additional people that we
 10 brought in that would be looking after that
 11 combustion turbine. I believe it's five
 12 positions that we have that are directly
 13 related to the ongoing operation and
 14 maintenance of that new 123 megawatt facility.
 15 We had - in light of our review of our
 16 experience with the combustion turbines,
 17 existing combustion turbines, we made some
 18 adjustments to bring in a greater focus on
 19 looking after the combustion turbines, so we
 20 put in place a person who is in charge of
 21 looking after the combustion turbines as a
 22 singular focus. Prior to that, it was part of
 23 the terminal's maintenance and long term asset
 24 planning group, and so we felt that there was
 25 a need for that additional attention to that

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1 area, so there was - I believe we put three
 2 positions there related to the - to looking
 3 after the combustion turbines in a general
 4 sense. We expect that the combustion turbines
 5 are going to be required more and more
 6 intensely over the next several years until
 7 the Labrador-Island Link and Muskrat Falls
 8 comes into play. So having those facilities
 9 operating well is going to be critical for
 10 reliable service, and so we've put forward and
 11 put in place a team that's focused on the
 12 combustion turbines. There were additional
 13 changes there related to the finance group as
 14 well, which were related ongoing strong
 15 regulatory focus and ensuring that we are in a
 16 strong position going forward for meeting all
 17 regulatory reporting requirements in those
 18 areas, as well as general finance. So there
 19 was adjustments there that the Finance Panel
 20 will be able to give you additional
 21 information on that.
 22 MR. O'BRIEN:
 23 Q. And that's those individuals we talked about
 24 coming from Hydro into Nalcor, there would be
 25 a home base change there.

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1 MR. HENDERSON:
 2 A. Yes.
 3 MR. O'BRIEN:
 4 Q. I noted as well, Mr. McDonald talked to us as
 5 well about some apprentice positions. There
 6 were ten apprentice positions worked into one
 7 of those years. Can you give me a little bit
 8 more background on that and whether or not
 9 that has come to fruition or it will come to
 10 fruition?
 11 (12:15 p.m.)
 12 MR. HENDERSON:
 13 A. In 2013 and 2014, over that period of time
 14 there was a program offered by the Provincial
 15 Government where they provided some additional
 16 funding for apprentices. So, we took
 17 advantage of that and put forward some
 18 additional FTEs into the apprentice program
 19 that we ran through into 2014. But that
 20 program and the funding for it was ended, so
 21 it doesn't exist in the 2015 and we made
 22 adjustments regarding that.
 23 MR. O'BRIEN:
 24 Q. Okay. So, that program ended and you don't
 25 anticipate that those FTEs will be required in

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1 the future?
 2 MR. HENDERSON:
 3 A. We will be continuing to review our
 4 requirements for apprentices and I know that
 5 as we move forward into the interconnection of
 6 the Labrador Island Link and the Muskrat Falls
 7 facilities, there's going to be a greater draw
 8 on certain trades and that sort of thing. So,
 9 I would expect that over the course of the
 10 next period of time, there will be a
 11 requirement for additional apprentices to
 12 ensure that there is a--that we have the
 13 people in with the required skills when that
 14 facility comes into operation. And also
 15 recognizing the age of our workforce and that
 16 there are people who will retiring over that
 17 period of time. So, there's a whole workforce
 18 planning process that we have to consider
 19 which, you know, I've had discussions with Mr.
 20 McDonald on those types of things that we can
 21 expect over the next period of time.
 22 MR. O'BRIEN:
 23 Q. Okay. I understand that and going forward
 24 that's going to be part of your annual
 25 budgetary process any, but in terms of what's

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1 in the test year and the changes in FTEs from
 2 year to year, I understood from one of the
 3 RFIs that there was ten FTEs included for the
 4 2015 year for those apprentices that will no
 5 longer be needed, is that right?
 6 MR. HENDERSON:
 7 A. I believe there was an adjustment there for
 8 that, yes.
 9 MR. O'BRIEN:
 10 Q. You believe there was an adjustment -
 11 MR. HENDERSON:
 12 A. Well, there was an adjustment to reflect that
 13 change, but I'd have to verify that, but I
 14 know that the program ended and there was an
 15 adjustment done in our budget to reflect that
 16 change.
 17 MR. O'BRIEN:
 18 Q. Was there an adjustment in the revenue
 19 requirement for 2015?
 20 MR. HENDERSON:
 21 A. Yes, that's what I believe there was. I'll
 22 have to say that's subject to confirmation.
 23 MR. O'BRIEN:
 24 Q. And can you undertake to provide that
 25 confirmation?

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1 MS. GLYNN:
 2 Q. Noted on record.
 3 MR. O'BRIEN:
 4 Q. I want to have a look and just follow up on
 5 some of your answers with respect to the
 6 reasons for the FTE increase and perhaps we
 7 can look at the idea, the capital program and
 8 PUB NLH 409. And I think this might capture
 9 alot of what you've indicated. The question
 10 is to explain why the net FTEs for engineering
 11 and operations attributed to regulated Hydro,
 12 relative to 2013 is scheduled to increase by
 13 45 and 67 people during the test year of
 14 2014/2015. And we come down and I want to
 15 stop at line 8 there and the explanation there
 16 is that the changes are predominantly due to
 17 hiring more internal resources for maintenance
 18 and capital work programs resulting in less
 19 contract work. Also, there was an increase in
 20 labour hours associated with incremental work
 21 required to remediate the interruption of
 22 power supply in January of 2014. So, I think
 23 you had mentioned a couple of those points in
 24 your synopsis, but I do want to touch on those
 25 a little bit. So, there's a few points there

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1 that--there's the increases in engineering and
 2 operations, those are fairly large increases,
 3 are they not, on a year to year basis?
 4 MR. HENDERSON:
 5 A. They are.
 6 MR. O'BRIEN:
 7 Q. Okay. And that they're due to hiring--appears
 8 to be due to hiring more internal resources.
 9 MR. HENDERSON:
 10 A. They are internal FTEs.
 11 MR. O'BRIEN:
 12 Q. Yes, so it's due to that and for maintenance
 13 and capital work programs for these
 14 individuals to be performing.
 15 MR. HENDERSON:
 16 A. That would be correct and I'll say support
 17 people as well, for supporting the -
 18 MR. O'BRIEN:
 19 Q. And support people as well, okay.
 20 MR. HENDERSON:
 21 A. Yes, in terms of the, as I mentioned, the work
 22 scheduling and planning -
 23 MR. O'BRIEN:
 24 Q. Okay, that still fall under Engineering and
 25 Operations, the support people -

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1 MR. HENDERSON:
 2 A. Yes.
 3 MR. O'BRIEN:
 4 Q. And resulting in less contract work. And I
 5 just wanted to--there's a couple of RFIs that
 6 I'd like you to, sort of, take me through just
 7 so that I have a sense of how that worked out.
 8 But before I do it, I want to ask you whether
 9 or not up until this point in time in 2014 in
 10 the context of this rate case, before that was
 11 there a philosophy within Hydro to try to have
 12 stable FTEs and if you're going to go above
 13 and beyond that, to use contract work? Was
 14 there any sort of philosophy like that?
 15 MR. HENDERSON:
 16 A. I'm wasn't part of any discussion with regard
 17 to that kind of philosophy. The only thing I
 18 can say in terms of that would be in the
 19 engineering group there is a mixture of
 20 contact workers, or engineers primarily,
 21 temporary engineers and that's to manage the
 22 workforce there as the capital program varies.
 23 So, in the engineering area there is an
 24 element of that there.
 25 MR. O'BRIEN:

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1 Q. Yes.

2 MR. HENDERSON:

3 A. In the operations area that is not the case.

4 We use our own internal forces for doing the

5 maintenance on our facilities unless it's a

6 specialized area which would be something that

7 would be not be undertaking on a regular

8 basis. You know sort of as an example, we

9 wouldn't have people doing elevator

10 maintenance; we would use a contractor to do

11 elevator maintenance. Those type of things,

12 but our core business, we use our own trained

13 employees to do that.

14 MR. O'BRIEN:

15 Q. So, for operations, I guess, you would agree

16 that, sort of, that would be the process. You

17 have a stable core of FTEs and if you have to

18 go outside of what that stable core is able to

19 do, you hire contract work to do that, from

20 the operations perspective.

21 MR. HENDERSON:

22 A. From an operations perspective there would be

23 elements of that which are, I'll say, outside

24 of our core area of business.

25 MR. O'BRIEN:

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1 Q. Okay. And the reason I ask is more where i

2 see the stable FTEs from 2007 up to around

3 2013 and I see that jump, I'm wondering if

4 there was a change in philosophy as to how to

5 deal with engineering and operations work to

6 now go to hiring more internal resources

7 versus contract work.

8 MR. HENDERSON:

9 A. No, there isn't--the only element there in the

10 operations side is in 2014 there was an

11 element that we had brought in, contract

12 resources to support to our resources to do

13 certain aspects of our maintenance program

14 that we had enhanced, I'll say, after the

15 review of 2014. And what we--so, there were

16 some additional contract resources that we

17 used at that time to bring, I'll say, to do

18 some of the critical maintenance that we need

19 to do in 2014.

20 MR. O'BRIEN:

21 Q. So, on top of, I guess, what you've indicated

22 here, some of the additional FTEs were for

23 incremental work required to remediate the

24 interruption of power supply, you also got

25 contract work as well, to assist in that

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1 regard.

2 MR. HENDERSON:

3 A. So, what we did in 2014 is it wasn't the

4 remedial work. We had made changes and I

5 think--well, what I'll say is we made changes

6 to our manner in which we were doing our

7 breaker maintenance. We put in additional

8 testing activities and in addition to--there

9 were some additional work in the protection

10 relays, that type of thing that we had done

11 that came out of the review that we did in

12 2014 and we will be continuing to do those

13 type of things on a go forward basis. But in

14 2014 we did use some contractors to be able

15 to--that came in and assisted our in-house

16 crews in completing that additional work that

17 wasn't originally part of the 2014 work plan.

18 MR. O'BRIEN:

19 Q. I see. So, if you did that, is that

20 inconsistent with you hiring more, plan to

21 increase the FTEs so that you can have

22 internal labour doing that type of work.

23 MR. HENDERSON:

24 A. So, in 2015 we put in place some additional

25 maintenance people, electrical maintenance and

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1 protection and control technologists that we

2 will have in-house doing that work on a go

3 forward basis.

4 MR. O'BRIEN:

5 Q. Okay. Well, one of the comments there, if we

6 go back to 409, is lines 8, 9 and 10. If we

7 could scroll up just a little bit here. Also,

8 there was, sorry--"the changes are

9 predominantly due to hiring more internal

10 resources for maintenance and capital work

11 programs resulting in less contract work".

12 So, for 2014, was there actually less contract

13 work as a result of hiring more FTEs?

14 MR. HENDERSON:

15 A. In 2014 that was a transition year, I'll say,

16 in terms of increasing the maintenance

17 interventions that we were doing on certain

18 aspects of our terminal station maintenance.

19 So, that was a year that we did have that

20 increment in the contract labour for that year

21 only. And then on a go forward basis, the

22 intention is to have our own resources be able

23 to continue with that element. So, there was

24 not large program or decision to change from

25 using contractors to change to using in-house

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1 labour for our maintenance program.
 2 MR. O'BRIEN:
 3 Q. There was no large philosophy decision made to
 4 do that.
 5 MR. HENDERSON:
 6 A. No, there wasn't no.
 7 MR. O'BRIEN:
 8 Q. Okay. That's just the outcome as a result of
 9 hiring that, as you're able to do more
 10 internal labour, use more internal labour to
 11 do capital work.
 12 MR. HENDERSON:
 13 A. I think this here would be reflective of what
 14 was being--some of the changes that were
 15 happening in the project execution group,
 16 perhaps to bring in additional, our own in-
 17 house engineers for the ongoing capital
 18 program. The only aspect in the operations
 19 group was what I just described.
 20 MR. O'BRIEN:
 21 Q. I just wanted to pull NP-NLH-394 and just on
 22 the same line, Mr. Henderson, there was a
 23 request, I guess, on this line that we're
 24 talking about, the changes are predominantly
 25 due to hiring more internal resources and

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1 Hydro is asked to produce a table of
 2 maintenance and capital work programs and if
 3 we scroll down we can see that table. We
 4 might have to--okay. So, when we look at--I'm
 5 still focused on the less capital work, or
 6 less contract work side of things. And we
 7 look at operating, we see from 2013 to 2014
 8 there's an increase of 12.1 in the test year.
 9 Now, is that because for operating, as you've
 10 indicated, you would have in that transitional
 11 year, increased contract work?
 12 MR. HENDERSON:
 13 A. There would have been, yes.
 14 MR. O'BRIEN:
 15 Q. Is that what that's related--because of--okay.
 16 And then 2015, that contract work wouldn't be
 17 as necessary.
 18 MR. HENDERSON:
 19 A. That's correct.
 20 MR. O'BRIEN:
 21 Q. So, you dropped down--okay, I just wanted to
 22 get a sense of that. But the contract work
 23 under "Capital" as we've--you've talked about
 24 the capital program as well driving budgets.
 25 We see 2013 the capital contract work at 42

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1 million and there's certainly a drop down at
 2 31 million. Now, is that as a result of the
 3 new internal forces doing more of that capital
 4 work or is it just a drop in, or a deferral of
 5 work? Do you see what I'm driving at?
 6 Because when I look underneath, I don't see an
 7 increase in internal labour. I actually see a
 8 decrease in internal labour.
 9 (12:30 p.m)
 10 MR. HENDERSON:
 11 A. So, the change would be related to the
 12 requirement for contract work for the capital.
 13 I can't say--there was no major change in
 14 philosophy other than what I talked about
 15 before with respect to the project execution
 16 group which there would be maybe some
 17 adjustments. So, the contract work here is
 18 driven by the nature of the work that was in
 19 the capital program for that year.
 20 MR. O'BRIEN:
 21 Q. Okay. And I guess I'm wondering then and I'm
 22 trying to tie it to that line as to the
 23 changes were predominantly due to, and one of
 24 the things was to, I guess, to avoid some
 25 contract work because it's cheaper to do

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1 internal work than contract work. You'd
 2 agree with me to have internal forces do it
 3 than external forces.
 4 MR. HENDERSON:
 5 A. It depends on the nature of the work whether
 6 that's correct or not.
 7 MR. O'BRIEN:
 8 Q. Okay.
 9 MR. HENDERSON:
 10 A. Certain work is because of specialization and
 11 the training requirement, that you contract it
 12 rather than do it with internal forces, but in
 13 your base work and I'll say protection and
 14 control work or electrical/maintenance work in
 15 one of our plants, that work that being
 16 internally would be more efficient because
 17 you're doing it year over year, your own
 18 people.
 19 MR. O'BRIEN:
 20 Q. Okay, and I get that and I understand that in
 21 terms of the dichotomy between what's
 22 specialized and what's not. I would have
 23 thought, though, if one of the predominant
 24 reasons for the additional FTEs is to avoid
 25 some contract work, we're not talking about

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1 specialized stuff, we're talking about
 2 engineering and operations type of work that's
 3 not specialized, is that right?
 4 MR. HENDERSON:
 5 A. That would be the thinking there, yes.
 6 MR. O'BRIEN:
 7 Q. Okay, and what I'm wondering is if that's the
 8 case, why does the internal labour go down
 9 from 2013 to 2014? I would have thought that
 10 that would go up if you got more FTEs doing
 11 more internal labour.
 12 MR. HENDERSON:
 13 A. To be frank, I'm not sure that the statement
 14 that's in the RFI, what the basis is, other
 15 than what I just explained, so I don't think
 16 it was as dramatic a driver as maybe the RFI
 17 responses indicate.
 18 MR. O'BRIEN:
 19 Q. Okay, and that's a fair response. Perhaps we
 20 could next turn to, I'd like to talk to you a
 21 bit about the vacancy adjustment and we talked
 22 to Mr. McDonald about that and we reviewed
 23 some RFIs. I'm going to ask that we look at
 24 CANLH-104 again--or sorry, not that, NPNLH-
 25 310, I apologize. To go back to the idea of

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1 vacancies and I understand that there's an
 2 adjustment built into the revenue requirements
 3 for 2014, 2015, it's a line adjustment for, as
 4 a vacancy adjustment amount, it's a figure, is
 5 that right?
 6 MR. HENDERSON:
 7 A. That's right.
 8 MR. O'BRIEN:
 9 Q. And based on the number of vacancies that you
 10 would budget for those two years, at the time
 11 you made the file?
 12 MR. HENDERSON:
 13 A. That's correct.
 14 MR. O'BRIEN:
 15 Q. And that 2014 we have a vacancy, that's an
 16 actual vacancy of 52, is that right?
 17 MR. HENDERSON:
 18 A. Yes.
 19 MR. O'BRIEN:
 20 Q. And what was built into the 2014 test year was
 21 actually 40, is that right?
 22 MR. HENDERSON:
 23 A. That's my understanding, yes.
 24 MR. O'BRIEN:
 25 Q. Okay, so we're 12 vacancies off on that and

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1 we've heard evidence that that's approximately
 2 83,000 dollars in FTE, do you agree with me?
 3 MR. HENDERSON:
 4 A. That would be correct.
 5 MR. O'BRIEN:
 6 Q. Okay, so for that 2014 year, there's
 7 approximately 984,000 dollars included in that
 8 revenue requirement above and beyond what
 9 ought to be based on your vacancy experience,
 10 is that right?
 11 MR. HENDERSON:
 12 A. If you look at that single line on the
 13 vacancies, I would suggest that there are
 14 other items here that you'd have to consider
 15 in the full context of this, is that in 2014
 16 we were recruiting additional people and there
 17 is some aspect of the amount of people that
 18 were in place full year verses as they came in
 19 through the year and that process, that
 20 influenced it, but the other aspect of it is
 21 that due to the challenges in recruiting and
 22 getting the positions in, there was an element
 23 here of the overtime in 2014 actuals would
 24 have been higher because in order to
 25 accomplish the work, in order to get the work

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1 completed there would have been additional
 2 overtime, so you can't look at it as a single-
 3 line item and say, take the salaries out and
 4 not reflect on how that impacted the rest of
 5 the salary component of the revenue
 6 requirement.
 7 MR. O'BRIEN:
 8 Q. But you have that overtime built in, do you
 9 not, to the 2014 revenue -
 10 MR. HENDERSON:
 11 A. We did not build in overtime in 2014 to
 12 reflect a larger vacancy.
 13 MR. O'BRIEN:
 14 Q. So you have an overtime figure that reflects
 15 the difference between the 40 and 52
 16 vacancies?
 17 MR. HENDERSON:
 18 A. What I'm saying is that you're looking here at
 19 actuals instead of test year. So if you look
 20 at the test year, 40 FTEs and the vacancy and
 21 you look at what, the impact of the fact that
 22 the actual year turned out to be different
 23 than 40, what was the impact on our operations
 24 as a result of that, and part of the impact
 25 was additional overtime that had to be worked

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1 in order to accomplish the annual work plan
 2 that we had established that we needed to do.
 3 So there was a bit of a put and take here in
 4 the sense that the fact that there was some
 5 salaries less, there's also some overtime
 6 increase. I don't think you can look at them
 7 in isolation.
 8 MR. O'BRIEN:
 9 Q. I understand what you're saying. So are you
 10 saying then that the operating figures that
 11 you've got put forward in the 2014 test year
 12 in terms of this rate case need to be updated?
 13 MR. HENDERSON:
 14 A. No, I'm not suggesting that at all. I'm
 15 saying that the - you're bringing in here the
 16 actual FTE experience.
 17 MR. O'BRIEN:
 18 Q. Yeah.
 19 MR. HENDERSON:
 20 A. And what I'm saying is you're looking at that
 21 and in order to - you can't say, well, let's
 22 look at that line component and say let's make
 23 an adjustment to the test year, the fact that
 24 there was only 52, or there was 52 vacancies
 25 as opposed to the 40 that was assumed, and

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1 that's choosing one line item of the actuals
 2 and I would suggest to you that there are many
 3 things that happened in the actuals that vary
 4 the cost in that year. So what we are putting
 5 forward is the test year response, not putting
 6 forward our actual 2014. You are bringing out
 7 one element of the 2014 actual.
 8 MR. O'BRIEN:
 9 Q. I understand that, and, I guess, my previous
 10 question is more, do you feel that the figures
 11 put forth in the 2014 test year are
 12 representative of the costs of Hydro for 2014?
 13 MR. HENDERSON:
 14 A. That is representative of our forecast of the
 15 cost for Hydro for 2014 when we made our
 16 application.
 17 MR. O'BRIEN:
 18 Q. Do they need to be updated?
 19 MR. HENDERSON:
 20 A. No, they don't need to be updated. That's
 21 what we - that's the cost that we have put
 22 forward to recover in rates.
 23 MR. O'BRIEN:
 24 Q. And how about the 2015, because we heard from
 25 Mr. McDonald that the projected vacancy for

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1 2015 now is not 40, as is in the 2015 test
 2 year, but 65, does there need to be an
 3 adjustment for that?
 4 MR. HENDERSON:
 5 A. I would suggest to you, no, because the FTEs
 6 that we put forward is the required FTEs that
 7 we need for ongoing operation of the power
 8 system to meet customer needs, so what we put
 9 forward is what's required. The actual
 10 vacancies that we've experienced is relative
 11 to the challenges that we've had in 2015 in
 12 recruiting in certain areas, but the reality
 13 is that those are the people that we require
 14 to operate and maintain the power system on a
 15 go forward basis.
 16 MR. O'BRIEN:
 17 Q. And I just want to be certain on this, so are
 18 you saying that the difference between what
 19 the vacancy - the 40 vacancy adjustment that's
 20 in there and, say, the 65 in 2015 that is your
 21 projected actual vacancy, is captured
 22 somewhere else in the test figures, such as
 23 overtime or something like that?
 24 MR. HENDERSON:
 25 A. That would be correct, yes.

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1 MR. O'BRIEN:
 2 Q. That would be correct?
 3 MR. HENDERSON:
 4 A. It would be - there's a balancing that's going
 5 on here, but what we - we have a growth in the
 6 number of FTEs in 2015, so there's a
 7 recruiting process that's occurring in 2015
 8 that's affecting the vacancies, because the
 9 test year was putting forward those FTEs for
 10 the full year, but as 2015 actually unfolded,
 11 there was more challenges in certain areas, so
 12 as a result increasing or changing the
 13 workforce as we did, it is having that kind of
 14 effect, but that will be behind us, and on a
 15 go forward basis we will have a more
 16 appropriate level of FTEs required for the
 17 ongoing operation of the power system.
 18 MR. O'BRIEN:
 19 Q. So you're satisfied that the evidence put
 20 forward now establishes that Hydro will
 21 require, say, for 2015 and going forward at
 22 least those 943 budgeted FTEs and somehow 40
 23 vacancy - a factor of 40 vacancies would
 24 adequately be appropriate to use going
 25 forward?

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1 MR. HENDERSON:
 2 A. That's correct, and that would be reflective
 3 of the normal - our anticipation of normal
 4 attrition or turnover that's occurring through
 5 the company and the recruitment process for
 6 that at that level.
 7 MR. O'BRIEN:
 8 Q. How do you explain then if that's reflective
 9 of what's normal, the 2012 and 2013 vacancies
 10 of being 52 and 51?
 11 MR. HENDERSON:
 12 A. Those years, I'll say there was probably
 13 transitioning FTEs at that time as well in
 14 terms of new recruitment and that sort of
 15 thing that were going on. There may - and I
 16 don't know all the details of what was
 17 happening in those years. I'm sure Mr.
 18 McDonald and Mr. Roberts covered that, but
 19 there is the element of the number of retirees
 20 and that sort of thing that would be occurring
 21 in those years impacts it.
 22 MR. O'BRIEN:
 23 Q. Just the last question on that topic, Mr.
 24 Henderson. So if we maintain the vacancy
 25 factor for 2015 at 40, and Hydro's experience

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1 continues to be 65 going forward, it's a
 2 significant amount of money on an annual basis
 3 rate payers end up having to pay because of
 4 that, isn't that right?
 5 MR. HENDERSON:
 6 A. What we've put forward - I guess, what I'm
 7 saying is that what we put forward is the
 8 right level of FTEs to be able to continue to
 9 reliably operate the power system, and so our
 10 expectation and our intention is to maintain
 11 it at that level, not carrying 65 vacancies.
 12 MR. O'BRIEN:
 13 Q. Would you expect that as the number of FTEs
 14 increase annually, you would see more
 15 vacancies?
 16 MR. HENDERSON:
 17 A. I would say that the number of - when you're
 18 making a large shift, there may be some impact
 19 of that in a given year, but I would expect
 20 that that would stabilize, and there's also
 21 ensuring that we - again one of the things
 22 that we have been doing is talking about what
 23 we can do to improve the recruitment process
 24 because in order to operate the system, as I
 25 said, we require these number of people, so

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1 the longer a vacancy is there, it is impacting
 2 on our ability to continue to complete the
 3 work that we're required to complete. It
 4 drives overtime cost and results in some work
 5 not being done.
 6 MR. O'BRIEN:
 7 Q. And what types of steps are you looking at
 8 there in terms of improving the recruitment
 9 process?
 10 MR. HENDERSON:
 11 A. I can say is that that was with Mr. Roberts
 12 and Mr. McDonald to do, but in the operation
 13 side of things, all of the hiring managers,
 14 we've spoken to them to emphasize the need to
 15 get requisitions in and approved and move that
 16 process through quickly. So each one of the
 17 operations' managers have been challenged to
 18 ensure that they are doing that, so that would
 19 be the main driver that I am putting through,
 20 but in terms of Mr. McDonald and the
 21 functional area of HR, they would be looking
 22 at where they, in that functional area, can
 23 make improvements. From operations, it's
 24 getting people available to do interviews
 25 timely, as well as making sure that the

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1 initiation of the process happens properly.
 2 (12:45 p.m.)
 3 MR. O'BRIEN:
 4 Q. Okay, so in terms of the human resources
 5 function side of things, the retention and
 6 recruitment would focus on salaries and other
 7 opportunities, but you would focus on making
 8 sure people are available for the interview
 9 process and that kind of thing, is that what
 10 operations would focus on?
 11 MR. HENDERSON:
 12 A. The operations' people would be involved with
 13 the interview process and candidate selection,
 14 so it's critical that they get in and get that
 15 work happening quickly so we can move through
 16 and get the people in place, so that we can
 17 have the right qualified people in doing the
 18 job at the right level.
 19 MR. O'BRIEN:
 20 Q. And is there a step or are the steps you're
 21 taking now to try and fill any vacancies going
 22 forward? Are there significant steps taken on
 23 a regular basis, is that what you--how does
 24 that work?
 25 MR. HENDERSON:

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1 A. It's a regular conversation that's occurring
 2 between myself and others and in particular
 3 with the chief operating officer and with the
 4 other managers in operations, that they are
 5 getting those positions filled and getting
 6 them filled promptly.

7 MR. O'BRIEN:

8 Q. And I guess I--when I say "step", I mean a
 9 focused step at this point in time because I
 10 understand as part of the organization you
 11 would have a regular process whereby you'd
 12 fill vacancies as they occur, that sort of
 13 thing, but in terms of what you're talking
 14 about today where you say these particular
 15 number of FTEs, that's what we believe is
 16 required to run the system, and now you tell
 17 us and Mr. McDonald has told us we're 65
 18 people short, we've 65 FTEs short at the end
 19 of 2015 or expecting to, is there a focused
 20 effort now to make sure we're going to recover
 21 those FTEs?

22 MR. HENDERSON:

23 A. There is and the process through that year--
 24 you can't recover them all -

25 MR. O'BRIEN:

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1 Q. No, I understand.

2 MR. HENDERSON:

3 A. We've incurred the recruitment processes and
 4 the challenges and I know there's been a
 5 number of positions where we've had to go out
 6 multiple times to try to fill certain
 7 positions. Going through that process has
 8 happened, so we're not going to recover
 9 different than 65. 65 is our prediction with
 10 everybody putting in the effort to get all of
 11 the positions required going into 2016.

12 MR. O'BRIEN:

13 Q. So I take it that to the extent that there's
 14 work that's necessary going forward, it will
 15 have to be picked up by contract work or
 16 something like that?

17 MR. HENDERSON:

18 A. That is the type of adjustments that we've
 19 made in 2015 with where these vacancies
 20 occurred, is we have engaged contract workers
 21 and we've also incurred overtime.

22 MR. O'BRIEN:

23 Q. And incurred overtime. I'd like to just
 24 briefly touch on the shared services model,
 25 Mr. Henderson, in terms of the methodology for

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1 allocating costs and that sort of thing. Do
 2 you have any direct involvement with that in
 3 terms of looking at the costs that are
 4 allocated to Hydro on a regular basis and
 5 determining if they're acceptable in terms of
 6 a regulatory environment?

7 MR. HENDERSON:

8 A. The review that I would be involved with in
 9 that aspect would be looking at our operating
 10 budget and our costs and our ability and
 11 effectiveness in executing our annual work
 12 plan. So it would be looking at that and
 13 ensuring that we're managing to our budget and
 14 that we're also completing the work that we're
 15 required.

16 MR. O'BRIEN:

17 Q. I guess in terms of, I understand that in
 18 terms of whether or not you're within budget
 19 and whether or not there's too much services
 20 being charged to Hydro, that kind of thing.
 21 Do you go behind the actual numbers to see who
 22 is charging into Hydro and for what, and is
 23 this appropriately Hydro charged, that kind of
 24 thing?

25 MR. HENDERSON:

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1 A. That would be happening at the individual
 2 budget manager--a number of different managers
 3 in the company have their own individual
 4 budgets that they are monitoring and they
 5 would be seeing the charges coming into their
 6 budgets or into their accounts, I should say,
 7 and if there's things that are occurring in
 8 there, accounts that are different than
 9 expected, they would be expected to question
 10 those and ensure that they are valid.

11 MR. O'BRIEN:

12 Q. And do you have any regular discussions with
 13 managers about that?

14 MR. HENDERSON:

15 A. It's not a common discussion, which would lead
 16 me to believe it's not an issue, it's properly
 17 being addressed.

18 MR. O'BRIEN:

19 Q. So you would expect it to come to you before
 20 it would be a discussion.

21 MR. HENDERSON:

22 A. I would expect it would come to me if there
 23 was a problem.

24 MR. O'BRIEN:

25 Q. But it's not something that's on your radar

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<p>1 unless someone brings it to you to say, look, 2 here's the problem, I've got so and so 3 charging in money to Hydro which is properly 4 charged to Nalcor because it benefits all 5 lines, that kind of thing? 6 MR. HENDERSON: 7 A. That would be correct, I wouldn't expect that 8 I would hear anything in regard to that 9 because those types of things are collected 10 as, you know, because somebody could put in an 11 incorrect work order, for instance, and that 12 would be picked up and adjusted by the - 13 MR. O'BRIEN: 14 Q. Is it picked up at finance level or is it 15 usually picked up, like you say at the manager 16 level or - 17 MR. HENDERSON: 18 A. It would be picked up at the manager level who 19 is accountable for that budget. 20 MR. O'BRIEN: 21 Q. In terms of looking at, say you have resources 22 who are being charged in to Hydro outside of 23 Hydro, from one of Nalcor's lines of business, 24 do you have any involvement with looking at 25 billing rates for those individuals or</p>	<p>1 leadership team into Hydro, the Nalcor 2 leadership team into Hydro and we've heard 3 some evidence from Mr. McDonald and I think it 4 was confirmed that the actual hours charged in 5 for the test year on this version are the 6 accurate hours. Have you had a look at this 7 yourself to confirm that? 8 MR. HENDERSON: 9 A. I was told that that was correct. 10 MR. O'BRIEN: 11 Q. Okay, because we do have version 4 and the 12 hours are a little bit different, but in 13 version 1, this is something Finance has 14 decided. Did you have any involvement in it? 15 MR. HENDERSON: 16 A. The Finance folks were the ones that put 17 forward this forecast. 18 MR. O'BRIEN: 19 Q. Okay, and in terms of these hours that are 20 charged in, why don't we go to revision 4 just 21 to get a better reflection of it. Is this 22 something that you would see, yourself, to 23 monitor to see what the Nalcor leadership team 24 is charging into Hydro? Do you ever have a 25 look at that in your position?</p>
<p>Page 162</p> <p>1 salaries for those individuals to see that 2 it's appropriate in a regulatory context for 3 what they are working on? 4 MR. HENDERSON: 5 A. The rates are all established and supported in 6 accordance with our inter-company guidelines, 7 so that those are established and occur as per 8 those guidelines, so they are cost based 9 charge-outs, so the billing rate is a cost- 10 based billing rate. 11 MR. O'BRIEN: 12 Q. I understand that and in terms of, say an 13 engineer gets hired with one of the other 14 lines of business but is going to charge in to 15 Hydro, are they all hired on the same salary, 16 same benefits or is there any differences 17 among the - 18 MR. HENDERSON: 19 A. The benefits are the same among all of the 20 Nalcor employees, whether they're Hydro or 21 Nalcor. 22 MR. O'BRIEN: 23 Q. Thank you. I wonder if we could pull up just 24 for a moment the PUB-228, Revision 1, and 25 these are the hours charged in by the</p>	<p>Page 164</p> <p>1 MR. HENDERSON: 2 A. I would be alerted to any concerns on this, 3 the Finance Department is monitoring this and 4 they would alert me to any concerns or issues. 5 MR. O'BRIEN: 6 Q. Okay, and have you ever been alerted to any 7 concerns? 8 MR. HENDERSON: 9 A. No, I was aware certainly that in 2014 there 10 was an increase of the magnitude that there 11 was and I was certainly aware and 12 understanding of why that was necessary. 13 MR. O'BRIEN: 14 Q. And you were made aware of that by Finance, 15 were you or is it something you - 16 MR. HENDERSON: 17 A. I was aware of it through Finance, but I also 18 was aware of it because I knew that these 19 resources were being required to participate 20 in certain aspects. 21 MR. O'BRIEN: 22 Q. And your involvement anyway, I guess you would 23 have seen these people a bit more involved 24 with Hydro. 25 MR. HENDERSON:</p>

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1 A. That's right, exactly.
 2 MR. O'BRIEN:
 3 Q. Okay, and do you at any point consider whether
 4 or not that those are the appropriate figures
 5 or more hours should be charged or less, is
 6 that ever anything that's on your radar?
 7 MR. HENDERSON:
 8 A. That hasn't been a concern, you know, people,
 9 when they're involved with direct Hydro items,
 10 they would charge in their time to Hydro and I
 11 would be generally aware of the typical types
 12 of things that they would be involved with.
 13 MR. O'BRIEN:
 14 Q. Okay, I want to have a look at the priority of
 15 capital projects and execution at this point
 16 in time, if we could. We talked about costs
 17 from a capital perspective and the capital
 18 budget process itself, does that involve
 19 looking at priorities for each project on an
 20 annual basis, that kind of thing or for all
 21 projects for Hydro on an annual basis?
 22 MR. HENDERSON:
 23 A. There is a prioritization that is put--that we
 24 put the projects through, each year, prior to
 25 them being put through the process of detailed

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1 cost estimates, that sort of thing.
 2 MR. O'BRIEN:
 3 Q. Okay, and who is involved in that process of
 4 prioritization?
 5 MR. HENDERSON:
 6 A. All of the long-term asset planning managers
 7 would be involved with that, so in our
 8 organization and Darren spoke to this earlier
 9 when he reviewed the organization chart for
 10 transmission and rural operations, there are
 11 people there in his group that are responsible
 12 for long-term asset planning and they oversee
 13 a review and condition of equipment, looking
 14 at the requirements of all of the assets and
 15 they are the ones to put forward the projects
 16 that are required and they would write and put
 17 together the justifications. So they would be
 18 part of the group that would review the
 19 prioritization, as well as people from the
 20 Project Execution and Technical Services Group
 21 and as well the chief operating officer for
 22 Hydro is also in there stewarding that process
 23 as part of that discussion, so it's a group of
 24 people that have all put together the projects
 25 that have come from, that have been estimated

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1 by the technical services aspect of the
 2 Project Execution Group, but have been
 3 justified by the long-term asset planning
 4 managers.
 5 MR. O'BRIEN:
 6 Q. Okay, is that like a committee that meets near
 7 the end of the year in terms of budgeting for
 8 the following year? How does that work?
 9 MR. HENDERSON:
 10 A. I wouldn't say that we call it a committee,
 11 but it's a group of people that get together,
 12 there is an annual meeting that happens in the
 13 fall that does the prioritization, so that the
 14 capital estimates then are completed by the
 15 Technical Services Group throughout the late
 16 fall and into the next year, into the early
 17 part of the next year in preparation for the
 18 filing of the capital budget, which would
 19 occur in July.
 20 MR. O'BRIEN:
 21 Q. In July, okay, so both Mr. Gardiner and Mr.
 22 Moore, you would be involved in that process,
 23 would you?
 24 MR. GARDINER:
 25 A. Yes.

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1 MR. MOORE:
 2 A. Yes.
 3 MR. O'BRIEN:
 4 Q. Is that right? Okay, so that annual meeting
 5 then that happens in the fall, you'd both
 6 attend and you'd have, I guess, direct reports
 7 from each one of you attend as well, is that
 8 right?
 9 MR. GARDINER:
 10 A. Yes, that's correct.
 11 MR. MOORE:
 12 A. Like typically for a transmission rural
 13 operations, our long-term asset planning
 14 managers right now are looking at the 2017
 15 capital plan, so they're going through what
 16 was already in the five-year plan, any new
 17 projects that come up, as Rob described, you
 18 know, if there's a new condition found on an
 19 asset or a new requirement required, so our
 20 long-term asset planning people would be
 21 developing that capital plan and then they
 22 would meet with the other long-term asset
 23 planning managers throughout Hydro to look at,
 24 you know, prioritization of the entire plan
 25 for Hydro and they also work with our system

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<p>1 planning focus as well to ensure that, like if 2 we're looking at, say, sustaining capital for 3 diesel plant, for example, that that's in line 4 with any load growth requirement in that same 5 diesel community so that we're in line with 6 our capital planning approach. And then at 7 that point, once the long-term plan is 8 developed and prioritized, then it would be, 9 say presented to myself as general manager and 10 also the regional managers to ensure that, you 11 know, we're in agreement with what's in the 12 capital plan and that the priorities and 13 there's an opportunity for any adjustments, 14 and also to have a look at it from an 15 executability perspective as well to make sure 16 that we're building a plan that, you know, 17 we're confident we can execute in the 18 corporation, it's the right level of capital 19 work shall we say, right? So at that point, I 20 get involved and go through with the long-term 21 asset planning folks, who have met with the 22 other long-term asset planning folks in Hydro 23 and then at that point, then it would be a 24 meeting where the chief operating officer and 25 our Project Execution and Technical Services</p>	<p>1 Q. Okay, so your role at that point, in terms of 2 looking at how we go forward then with project 3 execution - 4 MR. GARDINER: 5 A. In terms of the preparation - 6 MR. O'BRIEN: 7 Q. Scheduling and preparation and planning, that 8 kind of thing, is that right? 9 MR. GARDINER: 10 A. That's correct. 11 MR. O'BRIEN: 12 Q. Okay, so at that time, are you also looking at 13 project execution for other lines of 14 businesses as well? 15 MR. GARDINER: 16 A. No, at that particular time we set ourselves 17 up so that we have the dedicated time, the 18 resources that would be assigned to the Hydro 19 capital plan would work solely and dedicate it 20 and be delivered in work for Hydro only and we 21 would schedule those people for that time and 22 that normally would be into the fall until 23 probably March of the next year. 24 MR. O'BRIEN: 25 Q. In terms of the prioritization then, when you</p>
<p>Page 170</p> <p>1 folks would get more involved and then to look 2 at the entire plan for Hydro to have that 3 discussion. 4 (1:00 p.m.) 5 MR. O'BRIEN: 6 Q. Okay, so your involvement, I guess, up until 7 that point when you talk about getting 8 involved with Project Execution, that's 9 largely a Hydro employee involvement, Hydro 10 asset managers are getting together, the ones 11 that are under your direct reports and that 12 sort of thing and you put together that plan 13 and what's necessary going forward from 14 Hydro's perspective, is that mostly Hydro 15 employees involved in that process? 16 MR. MOORE: 17 A. Yes, they are. 18 MR. O'BRIEN: 19 Q. Okay, and then when it comes to this meeting 20 then in the fall and talk about project 21 execution, I guess that's where you come in, 22 is it Mr. Gardiner in your role? 23 MR. GARDINER: 24 A. That's correct. 25 MR. O'BRIEN:</p>	<p>Page 172</p> <p>1 get together in the fall then, you start 2 looking at that. I notice, I wonder if we 3 could bring up the 2015 Capital Projects 4 Overview, it was one of the documents I asked 5 to have a look at here for cross-examination. 6 MS. GLYNN: 7 Q. We'll enter that as Information No. 7. 8 MR. O'BRIEN: 9 Q. Information No. 7, thank you. Okay, so this 10 is--and I had a look at this, as well as the 11 2015 Capital Plan, there's a lot of 12 similarities between those particular 13 documents. I wanted to look at the 14 prioritization, though, and Appendix A to this 15 document, if we could scroll that up once 16 everybody has a copy. Okay, so this is a type 17 of--if we scroll down, there's prioritization 18 explanations, so I guess does this document 19 come out of your meeting in the fall and any 20 subsequent discussions about sort of how to 21 prioritize what work is going to be done for 22 the following year, is that what this document 23 is? 24 MR. HENDERSON: 25 A. Yes, it is.</p>

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1 MR. O'BRIEN:
 2 Q. Okay. I think all three of you were thinking
 3 the same thing, waiting for an answer. Okay.
 4 So in terms of the ranking, we see cost in one
 5 column and then we see ranking and then we see
 6 all the number ones. Now, those are the top
 7 priority rankings for the next year, that's
 8 how that works, is that correct?
 9 MR. HENDERSON:
 10 A. That's right.
 11 MR. O'BRIEN:
 12 Q. Okay, so if we scroll down then a bit longer
 13 and we've got a load of projects here, keep
 14 scrolling, here we go. So this table here
 15 talks about prioritization criteria. So we
 16 see factors and then factor weights, so
 17 there's a bunch of criteria, we scroll down
 18 there's criteria one to twelve, there's twelve
 19 criteria you look at and each one of those
 20 criteria has a number of factors and there's a
 21 weight given to each factor, is that right?
 22 And in terms of the ultimate priority where we
 23 say number one and then number twos an that
 24 kind of thing, does that arise out of really
 25 applying the criteria, picking which factor is

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1 appropriate and then what weight to give that
 2 factor and then you add it all up and which
 3 ever has the most number, that's the priority
 4 number one? Is that how that works?
 5 MR. HENDERSON:
 6 A. That would be in essence the -
 7 MR. O'BRIEN:
 8 Q. That's the generality of it, I guess, in terms
 9 of -
 10 MR. HENDERSON:
 11 A. It would be, yes.
 12 MR. O'BRIEN:
 13 Q. So, I mean, I'm assuming that each factor,
 14 you'd break down and have discussions about
 15 sort of what weight to give each factor, but
 16 ultimately the generality is that you've got
 17 to pick a weight at some point for each
 18 factor. One of the ones there I wanted to
 19 talk about was No. 6, the schedule risk, so we
 20 see a number of factors there, external and
 21 internal conflicts, externals affecting
 22 completion, no external but internal
 23 conflicts, no conflicts. So if we scroll
 24 further along, there's some discussion on each
 25 one of those things. We get to No. 6 here,

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1 keep going, yes, schedule risks, so there's
 2 bullets on each one of them. The first
 3 bullet, the project has external to Hydro
 4 dependencies that affect the completion of the
 5 project on time and on budget and has major
 6 interfaces with other internal initiatives.
 7 So that's a combination of external and
 8 internal conflicts. The example of external
 9 dependencies given here is that they're non-
 10 Hydro projects that interfere with Hydro
 11 proceeding with its projects. Could that
 12 include other projects requiring resourcing
 13 within the Nalcor umbrella?
 14 MR. HENDERSON:
 15 A. I would not expect it would, no.
 16 MR. O'BRIEN:
 17 Q. Okay, so there's no situation where you could
 18 have a conflict where resourcing is required
 19 under another Nalcor umbrella that can't be
 20 provided to Hydro or at least there's a
 21 potential conflict that needs to be discussed
 22 and weighed?
 23 MR. HENDERSON:
 24 A. No.
 25 MR. O'BRIEN:

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1 Q. There's no such scenario that could take
 2 place?
 3 MR. HENDERSON:
 4 A. I haven't been party to a discussion in that
 5 regard. I know if the project is a priority
 6 within Hydro, it is resourced, as Mr. Gardiner
 7 said, that's a priority to put those resources
 8 to that and there's adjustments made to ensure
 9 that happens.
 10 MR. O'BRIEN:
 11 Q. And the reason I ask that is if you follow
 12 along, it says, "Non-Hydro projects that
 13 interfere with Hydro proceeding with its
 14 projects; unavailability of external
 15 contractors", is that the only situation where
 16 you'd have an external dependency when you
 17 can't get the external contractor? Is that
 18 the scheduling issue?
 19 MR. HENDERSON:
 20 A. I haven't been part of a discussion on that
 21 particular item to give you an example, but I
 22 would think that there's a lot of external
 23 things that could come into play here. It
 24 could be something that Newfoundland Power is
 25 undertaking, it could be one of our industrial

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1 customers is taking this--all of those types
 2 of things that can introduce risk in terms of
 3 external to Hydro that we have to take into
 4 consideration when you're putting together
 5 this risk. So if it requires co-ordination
 6 with Newfoundland Power, for instance to
 7 execute, then that would be an external risk.
 8 MR. O'BRIEN:
 9 Q. Okay, and I guess, Mr. Moore, Mr. Gardiner, in
 10 terms of your involvement with prioritizing
 11 these projects for either of you, are you
 12 aware of any situation where there's been
 13 scheduling issues with other projects inside
 14 Nalcor or resourcing issues with other
 15 projects inside Nalcor that could raise a
 16 conflict or a potential conflict?
 17 MR. MOORE:
 18 A. None that I have been involved with doing the
 19 prioritization have fallen in that category,
 20 not with our Hydro projects within TRO, other
 21 than the ones that Rob described, like, you
 22 know, just dependencies sometimes with some of
 23 our industrial customers and those type of
 24 things we need to take into account when we're
 25 scheduling projects, but not to the level that

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1 we're talking about there that could take away
 2 from resources from Hydro to get the work
 3 done.
 4 MR. O'BRIEN:
 5 Q. Okay, Mr. Gardiner?
 6 MR. GARDINER:
 7 A. No, I'm not aware of any.
 8 MR. O'BRIEN:
 9 Q. Well perhaps we can go back then to one of the
 10 areas I wanted to have a look at was forecast
 11 increases and capital expenditures. Can we
 12 bring up the Grant Thornton Report again,
 13 please Jennifer, the June 12, 2015 report?
 14 Page 110. And if we scroll down a little bit,
 15 we see graph 6 there, comparison of capital
 16 expenditures actual to budget from 2009 and
 17 the actual goes up to 2014. I wanted to
 18 highlight the comments there of Grant
 19 Thornton, the experts here, at line 8, if we
 20 could scroll down just a little bit, lines 8
 21 to 17. So "the above graph demonstrates from
 22 2009 to 2014 the company has been consistently
 23 under budget forecast on its capital
 24 expenditures. According to Capital Budget
 25 Application Guideline No. 1900.6 issued by the

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1 Board, should the overall variance in any two
 2 years exceed ten percent of the budgeted
 3 total, the report should address whether there
 4 should be changes in the forecasting or
 5 capital budgeting process which should be
 6 considered. The Board has had meetings with
 7 the company and has clarified that a ten
 8 percent variance in either direction should be
 9 addressed and discussed in the capital budget
 10 process. Hydro has provided an explanation as
 11 to why the recent variances have occurred in
 12 the 2014 capital expenditure and carry over
 13 report. Based on the information above, the
 14 company's actual expenditures have been under
 15 budget every year, ranging from 6.43 percent
 16 under budget in 2011 to 27.17 under budget in
 17 2013." Now as part of, I guess a large part
 18 of Hydro's position as to why there will be an
 19 increase in cost going forward is the capital
 20 plan, I think, is what was put forward, is
 21 that right?
 22 MR. HENDERSON:
 23 A. That's right.
 24 MR. O'BRIEN:
 25 Q. And we do see a large discrepancy there in

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1 2014 of 27 percent being under budget, but we
 2 also see a significant trend here where Hydro
 3 is always under budget from 2009 to 2014, you
 4 would agree with me there?
 5 MR. HENDERSON:
 6 A. It's consistently below.
 7 MR. O'BRIEN:
 8 Q. And if we go to Table 87 at page 115, that is
 9 a breakdown of the 2014 capital expenditures
 10 and if we look over the actual, compared to
 11 the expenditures in rate base, we see a
 12 difference of 148,000, so I'm right in saying
 13 that there's 148,000--sorry, 148 million, so
 14 Hydro is overstated by 148 million in that
 15 2014 test year, is that right?
 16 MR. HENDERSON:
 17 A. Yes.
 18 MR. O'BRIEN:
 19 Q. And I'm right in understanding that a large
 20 part of that is related to the CT not being in
 21 service by the end of that year?
 22 MR. HENDERSON:
 23 A. That's correct.
 24 MR. O'BRIEN:
 25 Q. That's correct, okay, but either way, this

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<p>1 work in progress here shows 85, is that 2 related to the CT, the difference of 85, that 3 114 under actual, that's related to the CT, is 4 that right? 5 MR. HENDERSON: 6 A. I think so. 7 MR. O'BRIEN: 8 Q. That sounds about the right figure, but we 9 still see a 63 million dollar difference, 10 putting aside the CT, in capital expenditures, 11 that's beyond the 10 percent, is that right? 12 MR. HENDERSON: 13 A. Yes. 14 MR. O'BRIEN: 15 Q. So is Hydro satisfied, going forward now, with 16 the figures you've got in your test year that 17 you're going to be within the 10 percent 18 variance going forward on 2015? 19 MR. HENDERSON: 20 A. Yes, we're satisfied. 21 MR. O'BRIEN: 22 Q. And the 63 million there that we see, is that 23 a result of deferrals into 2015 of capital 24 work? 25 MR. HENDERSON:</p>	<p>1 that deferral or if it's work that's not going 2 to be done, that kind of thing, can we get a 3 break-out on that? 4 MR. CASS: 5 Q. Thank you. 6 (1:15 p.m.) 7 MR. O'BRIEN: 8 Q. Now if I could turn, I think we've got about 9 five minutes left, we can probably cover this 10 off. Mr. Henderson, I'd like to ask you in 11 terms of, we've asked some earlier witnesses, 12 but one of the questions we have from 13 Newfoundland Power's perspective is whether or 14 not you're able to give us some background on 15 what your role at Newfoundland Hydro would be 16 in terms of discussions with government on 17 Hydro-related issues. Do you have direct 18 contact yourself on Hydro-related issues? Is 19 it something that Ms. Dalley generally 20 handles? 21 MR. HENDERSON: 22 A. Ms. Dalley may co-ordinate it. There are 23 occasions that I would meet with government 24 officials, but they're on an exceptional 25 basis.</p>
<p>Page 182</p> <p>1 A. I'd have to look at the detail, I don't have-- 2 I don't know that there's much there in 3 deferral, but I'd have to look at the - 4 MR. O'BRIEN: 5 Q. Can you undertake just to provide that--just 6 confirmation? 7 MR. HENDERSON: 8 A. Sure. 9 MS. GLYNN: 10 Q. Duly noted on the record. 11 MR. CASS: 12 Q. Mr. O'Brien, do you mind just clarifying 13 precisely what the question is. 14 MR. O'BRIEN: 15 Q. Sure. 16 MR. CASS: 17 Q. So we can be sure we get the right answer. 18 Thank you. 19 MR. O'BRIEN: 20 Q. I just wanted to make sure the difference in 21 the 63 million here, that's apart from the 22 CT, is what we understand and I want to make 23 sure if there's a break-out you can give us in 24 terms of how much is that a deferral into 2015 25 or even if there's any schedule in terms of</p>	<p>Page 184</p> <p>1 MR. O'BRIEN: 2 Q. Okay, and that's what I'm wondering in terms 3 of putting apart, say discussions maybe 4 surrounding the 2013, 2014 outage issue which 5 we could agree, I think, was an exceptional 6 situation. 7 MR. HENDERSON: 8 A. Yes. 9 MR. O'BRIEN: 10 Q. Would you have a line of contact with 11 government about Hydro's operations, Hydro's 12 costs, that kind of thing on any regular 13 basis? 14 MR. HENDERSON: 15 A. No, I don't do anything there on a regular 16 basis. Most of that regular contact would 17 come through the CEO and through--and co- 18 ordinated through the corporate relations 19 group. 20 MR. O'BRIEN: 21 Q. Okay, and have you had any discussions with 22 government yourself, I know this may have been 23 likely prior to your, even the role you're in 24 now, about the legislated guaranteed ROE, is 25 that something you've had any discussions</p>

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1 yourself?
 2 MR. HENDERSON:
 3 A. No, I have no involvement there.
 4 MR. O'BRIEN:
 5 Q. And how about the historical load variation,
 6 the RSP surplus and how the OCS got drafted in
 7 that regard, is that something you would have
 8 been involved in?
 9 MR. HENDERSON:
 10 A. No, I wasn't involved with that.
 11 MR. O'BRIEN:
 12 Q. Mr. Chair, I'm going to go on to another line
 13 of questioning there. I understand we were to
 14 finish at 20 after, if this is a good point.
 15 CHAIRMAN:
 16 Q. It would be appreciated.
 17 MR. O'BRIEN:
 18 Q. Okay.
 19 MS. GLYNN:
 20 Q. Mr. Chair, if I could just, for one second, we
 21 do have a counsel meeting scheduled for the
 22 parties that are participating in the prudence
 23 review. We are going to move that into the
 24 boardroom, so I would ask if the parties can
 25 go out through our foyer and come back around.

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1 I also wanted to talk to all the parties about
 2 a procedural issue, so if Ms. Dawson and Mr.
 3 Luk could hang around just for a second before
 4 we exit into the boardroom, thank you.
 5 CHAIRMAN:
 6 Q. Thank you, we'll adjourn.
 7 Upon conclusion at 1:19 p.m.

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1 CERTIFICATE
 2 I, Judy Moss, hereby certify that the foregoing is a true
 3 and correct transcript of a hearing in the matter of
 4 Newfoundland and Labrador Hydro's General Rate
 5 Application heard on the 22nd of September, A.D., 2015
 6 before the Commissioners of the Public Utilities Board,
 7 St. John's, Newfoundland and Labrador and was transcribed
 8 by me to the best of my ability by means of a sound
 9 apparatus.
 10 Dated at St. John's, Newfoundland and Labrador
 11 this 22nd day of September, A.D., 2015
 12 Judy Moss

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