

NEWFOUNDLAND AND LABRADOR
BOARD OF COMMISSIONERS OF PUBLIC UTILITIES

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

Hearing Transcript

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

July 26, 2018

The Board:

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

Board Counsel/Staff:

Jacqueline Glynn, Board Counsel
Maureen Greene, Q.C., Hearing Counsel
Sara Kean, Assistant Board Secretary

Newfoundland and Labrador Hydro:

Geoffrey Young, Counsel
Alex Templeton, Counsel

Witness/Witnesses:

Lisa Hutchens, Vice President,
Financial Services

Newfoundland Power Inc.:

Gerard Hayes, Counsel
Liam O'Brien, Counsel

Consumer Advocate:

Dennis Browne, Q.C.

Island Industrial Customers:

Paul Coxworthy, Counsel
Denis Fleming, Counsel

Labrador Interconnected Group*:

Senwung Luk, Counsel

Iron Ore Company of Canada*:

Benoit Pepin, Counsel

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

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1 (9:27 a.m.)
 2 CHAIR:
 3 Q. Good morning, everybody.
 4 MS. GLYNN:
 5 Q. Good morning, Madam Chair. Hydro is going
 6 to speak briefly. They have filed some
 7 undertakings here this morning.
 8 MR. YOUNG:
 9 Q. Good morning, Madam Chair. Hydro offered
 10 yesterday to try to file some undertakings
 11 overnight and this morning if possible. We
 12 might have slightly over promised because we
 13 had some logistical troubles getting this
 14 copied and available for people this
 15 morning, but it is done, and we appreciate
 16 the indulgence of the Board and the parties
 17 for the short delay this morning. The
 18 undertakings, two of them relate to the
 19 innovation productivity team. One is the
 20 execution plan, that's U-65. U-66 is the
 21 same subject matter, it's reports from that
 22 team. U-78 was an undertaking that Ms.
 23 Greene asked if we could provide while Ms.
 24 Hutchens was still on the stand, and it's a
 25 letter from the government with respect to

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1 the debt guarantee fee.
 2 CHAIR:
 3 Q. Thank you, Mr. Young. I guess, we're back
 4 to you, Mr. Browne.
 5 BROWNE, Q.C.:
 6 Q. Thank you, Chair, and the undertakings are
 7 acknowledged. Good morning, Ms. Hutchens.
 8 MS. HUTCHENS:
 9 A. Good morning, Mr. Browne.
 10 BROWNE, Q.C.:
 11 Q. Can you go to page 3 of the Supplemental
 12 Evidence and go to footnote 8, please, and
 13 that footnote, footnote 8, states, "The
 14 operating and maintenance costs associated
 15 with the LIL and the LTA in the 2018 and
 16 2019 test year revenue requirements are 8.4
 17 million and 51.4 million respectively.
 18 Hydro is required to pay these costs for the
 19 use of the LIL and LTA to provide savings,
 20 etc". Now that says Hydro is required to
 21 pay these costs. Required by whom?
 22 MS. HUTCHENS:
 23 A. I think it will be required by virtue of the
 24 contracts that we have yet to finalize that
 25 we referred to yesterday morning.

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1 BROWNE, Q.C.:
 2 Q. So there's no contract in place right now
 3 requiring you to do anything, is that the
 4 fact?
 5 MS. HUTCHENS:
 6 A. Yes, that is currently the case.
 7 BROWNE, Q.C.:
 8 Q. Well, why would you sign a contract
 9 requiring you to pay for these costs until
 10 you get Public Utility Board approval?
 11 MS. HUTCHENS:
 12 A. The execution of the contract is associated
 13 with the usage of the LIL and the LTA, and,
 14 you know, I think in return for the use of
 15 those assets, there's an expectation that we
 16 would pay the owner of those assets or the
 17 operator of those assets a fee for the use
 18 of those assets, and we believe that the use
 19 of those assets will provide a benefit to
 20 ratepayers that is incorporated in the
 21 expected supply scenario.
 22 BROWNE, Q.C.:
 23 Q. But that's not for you to decide. That's
 24 for the Public Utilities Board to decide
 25 because you are regulated, and these costs

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1 ultimately will be placed onto
 2 consumers. Isn't that the fact?
 3 MS. HUTCHENS:
 4 A. My interpretation, Mr. Browne, is that the
 5 Board's role is to determine whether those
 6 costs should be included in rates – of
 7 revenue requirement for the purposes of rate
 8 setting. That's my understanding.
 9 BROWNE, Q.C.:
 10 Q. I'm just saying if you signed that contract
 11 and bound Hydro in reference to that
 12 contract, and the Public Utilities Board
 13 refused to grant you permission to put these
 14 amounts into rates for a variety of reasons,
 15 some of which we've already discussed, and I
 16 won't go back there, who will pay in that
 17 instance?
 18 (9:30 a.m.)
 19 MS. HUTCHENS:
 20 A. I believe we'd have to go back then to the
 21 interpretation of the Order in Council, and
 22 our interpretation of it is that those costs
 23 will have to be paid at some point, it's
 24 just a question of when. So those costs
 25 would then roll into the Muskrat Falls costs

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1 that get recovered under the OC once Muskrat
 2 Falls is fully commissioned.
 3 BROWNE, Q.C.:
 4 Q. So we're talking about hypothetical
 5 situations that you have here before the
 6 Board because the parties haven't looked to
 7 the contract, you haven't signed the
 8 contract, and yet you're here before the
 9 Board asking the Board to give you sort of a
 10 blank cheque, is that the end result?
 11 MS. HUTCHENS:
 12 A. No, I wouldn't characterize it that way, Mr.
 13 Browne. I think what we said yesterday
 14 morning is we did want to get those
 15 agreements onto the record, and we've
 16 committed to do that prior to the end of the
 17 evidentiary component of the hearing.
 18 BROWNE, Q.C.:
 19 Q. On Table 2 above, you state the LIL and LTA
 20 operating and maintenance costs at 2018, 8
 21 million, and then 51 million. Just tell us
 22 again how you came up with the 8 million,
 23 where did that come from?
 24 MS. HUTCHENS:
 25 A. The 8 million is based on a budget provided

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1 to us, or a forecast provided to us by
 2 Nalcor's power supply division, which is
 3 contained in the undertaking that we spent a
 4 bit of time on yesterday – not with you, but
 5 with Mr. O'Brien, and those costs are a
 6 reflection of the expected cost of the
 7 operation of the LIL for the last couple of
 8 months of this year after the LIL and the
 9 LTA are commissioned to a point that we can
 10 bring power down to the capacity that we're
 11 able to bring down from technical
 12 perspective to displace fuel at Holyrood.
 13 BROWNE, Q.C.:
 14 Q. Because it's our understanding that the LIL
 15 cannot be brought to full capacity until the
 16 Muskrat Falls generating station is
 17 commissioned in and of itself, isn't that
 18 true?
 19 MS. HUTCHENS:
 20 A. My understanding is that the usage of the
 21 LIL from a full capacity perspective, yes,
 22 it's not possible until there's sufficient
 23 generation at the Muskrat Falls end, but I'm
 24 starting to get into engineering territory
 25 there, you know, technically, but from a

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1 layman's perspective –
 2 BROWNE, Q.C.:
 3 Q. Yeah, well, I'm not an engineer either, but
 4 I think we both heard -
 5 MS. HUTCHENS:
 6 A. But from a layman's perspective, yes.
 7 BROWNE, Q.C.:
 8 Q. We both heard that.
 9 MS. HUTCHENS:
 10 A. Yes.
 11 BROWNE, Q.C.:
 12 Q. So the LIL and operating maintenance cost
 13 that you are proposing the Board give you of
 14 \$8,365,000.00, is that for the total cost
 15 incurred by these entities in reference to
 16 the operating and maintenance costs for that
 17 period of time? Is that in its totality?
 18 MS. HUTCHENS:
 19 A. I believe it's the operating and maintenance
 20 cost associated with the LIL and the LTA,
 21 yes, all of the costs.
 22 BROWNE, Q.C.:
 23 Q. Because in fairness, even if the Board were
 24 to look at this and take these costs and
 25 scrutinize them, you would have to say that

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1 we're not getting very – consumers aren't
 2 getting very much energy in 2018 from the
 3 LIL and LTA operating and maintenance costs.
 4 If it's costing us totality, \$8,365,000.00,
 5 and we're only getting a portion of the
 6 electricity that was intended, shouldn't the
 7 cost be apportioned according to what we're
 8 getting?
 9 MS. HUTCHENS:
 10 A. I think by virtue of us using the LIL and
 11 the LTA to bring power down from Muskrat
 12 Falls, that triggers those costs. So to me,
 13 it – you know, Hydro's position is that the
 14 cost associated with the operation of the
 15 LIL and the LTA are being incurred in order
 16 to provide for the energy to come down
 17 through the LIL. So in terms of matching
 18 the cost with the benefits, I think there's
 19 an appropriate matching of the cost with the
 20 benefits here.
 21 BROWNE, Q.C.:
 22 Q. How do you know there's an appropriate cost
 23 of matching the cost to the benefit? Are we
 24 paying for these costs in their entirety, is
 25 that the entire cost for the LIL and LTA

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1 operating and maintenance for the 2018
 2 period for which we're getting electricity,
 3 or are they apportioned, or do you know?
 4 MS. HUTCHENS:
 5 A. The 8 million is the operating and
 6 maintenance costs only from the date of the
 7 point at which the LIL can bring down the
 8 capacity that we can utilize to the end of
 9 the year, which is forecast to be around the
 10 end of October, I believe, was in Mr.
 11 LeBlanc's testimony.
 12 BROWNE, Q.C.:
 13 Q. Yeah, and we don't know if that will happen
 14 or if it won't happen. We were told these
 15 facilities were going to be ready, I think,
 16 in July, and now we're told October and it's
 17 not inconceivable we might be told that they
 18 won't be ready until 2019 or after, is that
 19 just as possible?
 20 MS. HUTCHENS:
 21 A. I'm not aware of anything that would
 22 indicate that the LIL won't be available at
 23 the end of October. Certainly that's all
 24 the indications that I have heard and have
 25 received. In terms of the – you know, if

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1 that time does shift forwards or backwards,
 2 you know, if it goes early or later, I would
 3 expect that those operation and maintenance
 4 costs would start concurrent with us
 5 receiving sufficient power over the LIL. So
 6 the expectation is not to agree to pay for
 7 the costs starting in October. The
 8 expectation is to agree to start paying for
 9 the costs once we are getting value from the
 10 LIL, so again matching the cost to the
 11 benefit.
 12 BROWNE, Q.C.:
 13 Q. But that will require some apportionment,
 14 wouldn't it? If we're not getting the full
 15 value of the facility, why would we pay the
 16 full cost of the operating and maintenance
 17 for the facility, why would consumers pay
 18 for that when they're not getting the full
 19 value? I guess, it would be similar if
 20 you're building a hotel and all the rooms
 21 weren't ready, just a few of them weren't
 22 ready, you know, you wouldn't be expected to
 23 pay for all of the rooms, would you?
 24 MS. HUTCHENS:
 25 A. By virtue of having the LIL operational,

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1 those costs are incurred, and by virtue of
 2 us using the LIL to bring the power down,
 3 that requires the LIL to be operational, so
 4 I very much tie them together. You know, in
 5 terms of a hotel, your analogy with the
 6 hotel, the hotel still has to staff people
 7 when the first guest shows up, but by virtue
 8 of us using the LIL that is, you know,
 9 causing those costs to be incurred at this
 10 time. I believe that's a fair matching of
 11 the cost and the benefits of the utilization
 12 of that asset in the meantime.
 13 BROWNE, Q.C.:
 14 Q. But it seems to me on its face that you're
 15 asking ratepayers to pay for the
 16 construction cost of the LIL and LTA in this
 17 way indirectly. If the crews are still
 18 perfecting the system and building the
 19 system, why should we pay for that? It's
 20 not ready, is it?
 21 MS. HUTCHENS:
 22 A. The capital costs – so the cost of getting
 23 the assets ready for service, both, you
 24 know, that monopole and the bi-pole, are not
 25 included in those costs. Those costs are

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1 separate and are being carried by Nalcor's
 2 TTL group through their capital budget.
 3 BROWNE, Q.C.:
 4 Q. Okay, I won't belabour the point any
 5 further, but you do take my point somewhat
 6 here?
 7 MS. HUTCHENS:
 8 A. Yes, I do, sir.
 9 BROWNE, Q.C.:
 10 Q. In reference to Regulatory Affairs,
 11 Corporate Services and Regulatory Affairs
 12 that consumers are paying for here, and the
 13 people that are employed there, you can find
 14 that in Undertaking JH-016, Attachment 1.
 15 Regulatory Affairs for Hydro, how many
 16 people in total do we have in Regulatory
 17 Affairs here?
 18 MS. HUTCHENS:
 19 A. I'd have to count them up there.
 20 BROWNE, Q.C.:
 21 Q. Yeah, that's fair.
 22 MS. HUTCHENS:
 23 A. Twelve including the manager.
 24 BROWNE, Q.C.:
 25 Q. Twelve including the manager. How does that

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1 compare with Newfoundland Power?
 2 MS. HUTCHENS:
 3 A. I'm afraid I don't have that information.
 4 The Regulatory Affairs group is not within
 5 my span or control, Mr. Browne.
 6 BROWNE, Q.C.:
 7 Q. It seems to be quite a number there in
 8 Regulatory Affairs. What are their job,
 9 what work do they do, do you know?
 10 MS. HUTCHENS:
 11 A. In terms of the details of each specific
 12 job, I hesitate to comment because I don't
 13 have job descriptions and those sorts of
 14 things. Generally, what that group does is
 15 ensures that our regulatory compliance
 16 obligations in front of this Board are met,
 17 and that runs from ensuring reports are
 18 filed, gathering reports, preparing reports,
 19 putting together general rate applications,
 20 capital budget applications, you know. So I
 21 think it's an important part of being a
 22 business in a monopoly environment to have
 23 regulation, but that regulation requires us
 24 to ensure that we fulfill the obligations
 25 that the regulator expects of us.

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1 BROWNE, Q.C.:
 2 Q. And you have a lawyer there full time in
 3 Regulatory Affairs?
 4 MS. HUTCHENS:
 5 A. Yes.
 6 BROWNE, Q.C.:
 7 Q. And is that the only thing that lawyer does
 8 or do you know?
 9 MS. HUTCHENS:
 10 A. My understanding is that would be the bulk
 11 of what they do. Whether they do ancillary
 12 things, I'm not sure, but that certainly
 13 would be – it's a full-time job, Mr. Browne.
 14 BROWNE, Q.C.:
 15 Q. In reference to your labour costs and your
 16 operating costs, there are two components to
 17 your labour costs. Some is in operations
 18 and some is doing capital works, is that
 19 correct?
 20 MS. HUTCHENS:
 21 A. That is correct.
 22 BROWNE, Q.C.:
 23 Q. And what portion of the budget is allotted
 24 to capital works?
 25 MS. HUTCHENS:

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1 A. Of the labour budget?
 2 BROWNE, Q.C.:
 3 Q. Yes, of the – what number of employees are
 4 apportioned to that.
 5 MS. HUTCHENS:
 6 A. I'm not sure of the number of employees
 7 because we don't track it that way. What I
 8 can say is that, subject to check, roughly
 9 about a quarter of our workforce would be
 10 engaged in capital projects or charged their
 11 time to capital projects.
 12 BROWNE, Q.C.:
 13 Q. Now you can't be doing capital projects all
 14 the time out there, can you? Is that
 15 constant, doing capital projects?
 16 MS. HUTCHENS:
 17 A. Yes, it is. I think it's by virtue of the
 18 nature of the assets that we have. You
 19 know, they're assets that require continual
 20 upgrading, and if a pole is rotting, you
 21 need to replace the pole and that is a
 22 capital project, so, yes.
 23 BROWNE, Q.C.:
 24 Q. So are they doing these capital projects
 25 during the winter seasons or during the

Page 16

1 summer, or when are they doing them?
 2 MS. HUTCHENS:
 3 A. Year around.
 4 BROWNE, Q.C.:
 5 Q. From a practical perspective, that probably
 6 is not possible to do capital projects year
 7 around in this province, is it?
 8 MS. HUTCHENS:
 9 A. I think it depends on the type of capital
 10 project and, you know, where it is. Some of
 11 the capital work is indoors, some of it is
 12 outdoors. You know, if a pole is found to
 13 be rotting and we need to replace it, we
 14 going to replace it regardless of whether
 15 it's a wonderful sunny day like it is today,
 16 or whether it's in the dearth of winter and
 17 in the middle of a snow storm.
 18 BROWNE, Q.C.:
 19 Q. So when the employees are not doing capital
 20 projects, what are they doing?
 21 MS. HUTCHENS:
 22 A. There's also operating and maintenance
 23 projects, you know, preventative
 24 maintenance, corrective maintenance, those
 25 sorts of things.

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1 BROWNE, Q.C.:

2 Q. But that would fall to your operations and

3 maintenance crew who are not doing capital

4 projects, would it not?

5 MS. HUTCHENS:

6 A. No, I believe the resources move back and

7 forth between both.

8 BROWNE, Q.C.:

9 Q. Is this something that the Innovation and

10 Productivity Team is looking at, how work is

11 work divvied up in the labour component

12 between operations, maintenance, and capital

13 projects?

14 (9:45 a.m.)

15 MS. HUTCHENS:

16 A. I think the split between operating and

17 capital is defined more by accounting

18 requirements in terms of the type of work

19 and where it gets charged. In terms of the

20 work execution, I think which is probably

21 more what you're getting at, the work

22 execution, yes, will be a function of the

23 Innovation and Productivity Team. That is

24 an area that they will be looking at, but it

25 is also a very large and complex area. You

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1 know, we have an integrated annual work plan

2 that basically looks at the entire year and

3 schedules all of the preventative

4 maintenance, corrective maintenance, capital

5 work, that sort of thing, and will the team

6 be looking at opportunities to improve how

7 work is executed; yes, absolutely.

8 BROWNE, Q.C.:

9 Q. In terms of that particular budget and the

10 labour cost, most of those employees would

11 be within the bargaining unit, would they

12 not? Is it one bargaining unit you have or

13 more than one?

14 MS. HUTCHENS:

15 A. It's the IBEW, and I wouldn't suggest that

16 all of the capital work is completed by

17 bargaining unit employees. I believe there

18 are bargaining and non-bargaining unit

19 employees that would be involved in that

20 work.

21 BROWNE, Q.C.:

22 Q. In terms of the bargaining unit itself,

23 Hydro is subject to the terms of the

24 collective agreement?

25 MS. HUTCHENS:

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1 A. Yes.

2 BROWNE, Q.C.:

3 Q. And where is that now, are you into a

4 negotiating period with your collective

5 agreement, or can you tell us?

6 MS. HUTCHENS:

7 A. No, we are not currently in a negotiating

8 period with our collective agreement. The

9 agreement expired, I believe, in March, but

10 Ms. Dalley would be obviously closer to

11 that, I'm just pulling it out of memory,

12 and, yes, that agreement has expired, we

13 have not started any collective bargaining

14 at this point.

15 BROWNE, Q.C.:

16 Q. And in the public sector, in the government

17 sect, it's my understanding that there's a

18 wage freeze that has been agreed upon

19 between the unions and the public sector and

20 the government. Is that policy going to

21 factor into negotiations with your

22 bargaining unit, the wage freeze?

23 MS. HUTCHENS:

24 A. I think that's a matter for the subject of

25 collective bargaining, Mr. Browne, and would

Page 20

1 have to be worked out in the collective

2 bargaining process.

3 BROWNE, Q.C.:

4 Q. Yeah, perhaps would have, but is it on the

5 table, or do you know?

6 MS. HUTCHENS:

7 A. I don't know that we've talked about

8 strategies for that, for collective

9 bargaining, no. I'm not aware that it is or

10 isn't on the table. I have not been

11 involved with the HR group in terms of any

12 collective bargaining planning or anything

13 like that.

14 BROWNE, Q.C.:

15 Q. Now your salaries and benefits on the

16 executive level and the managerial level, do

17 they compare with other utilities to the

18 best of your knowledge elsewhere?

19 MS. HUTCHENS:

20 A. So we periodically have reviews done of our

21 compensation that compares us to a

22 comparator group. Exactly what the

23 comparator group is, Ms. Dalley would be the

24 one to speak in detail on that. So, yes,

25 there is a comparison done of our salaries

Page 21

1 to other organizations to determine where
 2 the market lies for those salaries.
 3 BROWNE, Q.C.:
 4 Q. Who does that comparison, do you bring in
 5 outside consultants to do that?
 6 MS. HUTCHENS:
 7 A. I believe, yes, it's typically done by an
 8 outside consultant, yes.
 9 BROWNE, Q.C.:
 10 Q. So outside consultants like the Hay Group or
 11 similar?
 12 MS. HUTCHENS:
 13 A. Similar ones to that, yes.
 14 BROWNE, Q.C.:
 15 Q. And what happens then, can you take us
 16 through that process, or do you know it?
 17 MS. HUTCHENS:
 18 A. I don't know the process in detail, Mr.
 19 Browne. That's Ms. Dalley's territory.
 20 BROWNE, Q.C.:
 21 Q. And you don't know if the comparators are
 22 with government owned utilities or with the
 23 private sector, are they intermingling
 24 comparators? You don't know?
 25 MS. HUTCHENS:

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1 A. I don't know who's in the comparator group,
 2 Mr. Browne.
 3 BROWNE, Q.C.:
 4 Q. So you don't know if they compare with – are
 5 they using comparators with the private
 6 sector, with Newfoundland Power, or any of
 7 these?
 8 MS. HUTCHENS:
 9 A. I'm not sure what the comparator group is,
 10 Mr. Browne.
 11 BROWNE, Q.C.:
 12 Q. Why was it appropriate to bring in outside
 13 consultants to do the salaries?
 14 MS. HUTCHENS:
 15 A. I think because – again Ms. Dalley's
 16 expertise here would be good, but I think
 17 when you're looking at salaries and
 18 compensation, it's very helpful to bring in
 19 outside third parties to ensure that there's
 20 an independent opinion that's brought to
 21 bear there.
 22 BROWNE, Q.C.:
 23 Q. Wouldn't the same hold true if you were
 24 doing a study of innovation and productivity
 25 in order to ensure the same level of

Page 23

1 objectivity? Wouldn't it have been wiser to
 2 bring in someone from the outside to look at
 3 that as opposed to your own subjective
 4 evaluation of yourselves?
 5 MS. HUTCHENS:
 6 A. I think I had a little bit of discussion
 7 around this yesterday, and the decision to
 8 do it in-house was based upon what we felt
 9 would be the most effective method, given
 10 where we are as an organization in terms of
 11 our financial management, our cost
 12 management, and our operational management,
 13 that sort of thing. Organizations change as
 14 times change, and the job of management is
 15 to make some judgments around what is the
 16 best course of action for an organization,
 17 and that was our judgment. I don't see it
 18 as being necessarily comparative to a
 19 compensation survey. I think there's
 20 different expectations around compensation
 21 surveys, particularly for organizations like
 22 ourselves, and it's important from a public
 23 perspective that the compensation reflect
 24 what's in the market. I view innovation and
 25 productivity differently because it's about

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1 how we do our work, and, you know, what
 2 drives our costs and how we do our work. I
 3 just don't view them in the same light, Mr.
 4 Browne.
 5 BROWNE, Q.C.:
 6 Q. But if you wanted an objective analysis,
 7 wouldn't you go to objective authority as
 8 opposed to the subjective one that has been
 9 adopted inside Hydro?
 10 MS. HUTCHENS:
 11 A. I don't think our objective was to go for an
 12 objective analysis. I think our objective
 13 was to examine ourselves and challenge
 14 ourselves to see how we could be innovative
 15 and more productive to reduce the cost of
 16 running the business. So, I don't view that
 17 as objective. I view that as, you know, an
 18 objective evaluation. I view that as, you
 19 know, a process of self-criticality.
 20 BROWNE, Q.C.:
 21 Q. It seems, just on its surface, to be quite
 22 bureaucratic when we see the paper that's
 23 flowing in here today and the various pieces
 24 that have to be put together before anything
 25 is realized. I can't imagine in private

Page 25

1 industry that there would be any comparator
 2 as to what you've undertaken here.
 3 MS. HUTCHENS:
 4 A. I don't view it was particularly
 5 bureaucratic, Mr. Browne. I don't think the
 6 team spends a lot of time on bureaucracy.
 7 What we wanted to make sure that we did with
 8 the team though is that we documented what
 9 we did, and we were very systematic about
 10 it. In P.U. 49(2016), the Board did send
 11 some very strong messages to us surrounding,
 12 you know, cost control and being very
 13 systematic and thoughtful about it and I
 14 think bringing a project management approach
 15 to bear to that does that. It also makes
 16 the team more effective. You know, when you
 17 adopt a professional management or a project
 18 management process, you know, a standard
 19 project management process, I think what it
 20 does is it brings more rigour to your
 21 process and you are more efficient as a
 22 result in going through that process.
 23 BROWNE, Q.C.:
 24 Q. And you found these employees, these four
 25

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1 employees, from within your core of
 2 employees that you have and brought them
 3 into this team and you stated yesterday that
 4 it's probably going to last two years. What
 5 happens to those employees then that you
 6 seconded to this Hydro innovation and
 7 productivity team?
 8 MS. HUTCHENS:
 9 A. So, the term of the team was for an initial
 10 two-year period. We have not indicated that
 11 it would end after two-year periods. What
 12 we did is we've pulled it together for an
 13 initial two-year period and you know, we'll
 14 go from there. But, and I see it – you
 15 know, if we do an effective job at, you
 16 know, identifying the opportunities, I think
 17 that there's going to be – you know, it's
 18 going to take us longer than two years to
 19 get all the savings that we believe are
 20 possible there. You know, it's a continuous
 21 process. It's a continuous improvement
 22 process. So, you know, we haven't put our
 23 minds to that, you know, what will happen in
 24 two years. What we've done is we've
 25

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1 committed to look at it in two years and see
 2 what's needed or not.
 3 BROWNE, Q.C.:
 4 Q. So, the jobs from which they came, you told
 5 us yesterday, have not been filled. So, are
 6 they going to go back to do those jobs which
 7 haven't been filled in the meantime?
 8 MS. HUTCHENS:
 9 A. None of those decisions have been made, Mr.
 10 Browne. You know, the jobs may have not
 11 been backfilled; that doesn't mean the work
 12 has gone away. What we've done is we've
 13 shifted the work around, moved it to other
 14 individuals, moved responsibilities around,
 15 and in that way, you know, I think we are
 16 demonstrating efficiency and effectiveness
 17 which I think I've said earlier is, I think,
 18 and important tenet of the team. You know,
 19 the whole premise is that, you know, we're
 20 going to be more efficient in how we do
 21 things and I think it sends a strong message
 22 to everybody when we take that approach.
 23 BROWNE, Q.C.:
 24 Q. Yes, and then you were able to do that, to
 25

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1 eliminate these jobs and give the jobs to
 2 others and you stated yesterday that this
 3 did not necessarily involve overtime, you
 4 are too commended, but it begs the question
 5 were the jobs required there to begin with.
 6 MS. HUTCHENS:
 7 A. I take your point, Mr. Browne, and I think
 8 the answer to that is, you know, the jobs
 9 were very valuable and the work that these
 10 individuals did is very valuable. The work
 11 hasn't gone away. It may be being done in a
 12 different place and it may be done – being
 13 done more efficiently and, you know, when
 14 you're working through an organization and,
 15 you know, part of the discussions that we
 16 have, for example, in our FTE gating
 17 sessions surround, you know, do we – if
 18 we're going to a gate a position through,
 19 you know, do we really need it? Can the job
 20 be done elsewhere? Is it more efficient to
 21 be done elsewhere? And through those
 22 discussions, we identify opportunities, for
 23 example, for attrition. You know, so if
 24 someone is retiring, you know, that's a very
 25

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1 conscious discussion that we will have
 2 about, you know, can we change how that
 3 function is delivered or managed or the work
 4 is done, so that, you know, we can reduce
 5 the overall cost, be it a full FTE or a part
 6 FTE. It's all about being more efficient
 7 and, you know, being planful about attrition
 8 and how we do our work going forward.
 9 BROWNE, Q.C.:
 10 Q. Now, this productivity team that you got on
 11 the go, it seems to me that they're doing
 12 the work of the managers. The managers are
 13 there to manage and if directives were sent
 14 out to managers to cut all your expenses by
 15 ten percent or 15 or 20 percent or whatever
 16 it happened to be, they would certainly be
 17 on the line to do that, would they not?
 18 MS. HUTCHENS:
 19 A. I think if we sent out a directive, yes,
 20 that would be the expectation. However, you
 21 know, the directive to cut costs is not
 22 necessarily, you know, a sustainable thing
 23 and that's the experience that we went
 24 through in 2016. There was a directive to
 25

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1 cut costs and it's – you know, our belief is
 2 just those – a number of those cuts just are
 3 not sustainable.
 4 What we are trying to get at here are,
 5 you know, systemic changes in how we do our
 6 work, what we do and, you know, change the
 7 drivers of the costs, not just cut the
 8 costs. And I think if you get underneath
 9 the drivers of the costs, you know, that
 10 gives you the sustainable savings.
 11 The nature of innovation by itself, I
 12 think, you know, it brings new ideas to bear
 13 and I think when you bring new eyes to a
 14 situation, you know, there's different
 15 perspectives taken and that's helpful as
 16 well. And the work of the team will also
 17 aid in terms of, you know, there's
 18 consistency throughout the organization, so
 19 that, you know, our managers do a great job
 20 managing but, you know, sometimes there's
 21 inconsistencies and they can learn from each
 22 other and the team can help bring that to
 23 bear in terms of, you know, comparing what
 24 one manager is doing versus another with a
 25

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1 particular type of, you know, the way work
 2 is planned or executed or whatever, and you
 3 know, the team is about bringing that
 4 together as well.
 5 And it's also about aiding the
 6 managers. The managers are the ones at the
 7 end of the day that have to implement this.
 8 It's not the team. And you know, so I see
 9 the team as aiding the managers to identify
 10 opportunities and then to help them
 11 establish and implement those where
 12 appropriate. It depends on the initiative.
 13 BROWNE, Q.C.:
 14 Q. In reference to external engagement, it's
 15 engaging external consultants. Hydro is
 16 required by whom, you might tell us, to work
 17 with Nalcor Energy Marketing. Is that
 18 correct?
 19 (10:00 a.m.)
 20 MS. HUTCHENS:
 21 A. I believe that Ms. Williams may have
 22 testified on that particular issue and I
 23 think we believe that our relationship with
 24 Nalcor Energy Marketing is the best
 25

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1 alternative for our customers.
 2 BROWNE, Q.C.:
 3 Q. How did you come to that conclusion?
 4 MS. HUTCHENS:
 5 A. I think that's a question more for Ms.
 6 Williams and I believe that may have been
 7 addressed in some of her testimony. She was
 8 involved in that.
 9 BROWNE, Q.C.:
 10 Q. Now, Nalcor Marketing Energy is out there
 11 looking for energy to bring into the
 12 province, but it seems to me there are
 13 experts out there who have been doing that
 14 for a lifetime and can be contracted to do
 15 that and know their jobs. Why should
 16 consumers have to pay for the work of Nalcor
 17 Marketing? And granted your president says
 18 well, we're not paying for it right now -
 19 MS. HUTCHENS:
 20 A. That's correct.
 21 BROWNE, Q.C.:
 22 Q. - but I think we can all see that train
 23 coming down the track. Why is it that – how
 24 is it consumers can have confidence in a
 25

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1 novice group going out doing that particular
 2 work, and it's very important work because
 3 it deals with the price of electricity, when
 4 there are experts out there who actually
 5 deal with that daily and some of the
 6 companies have dealt with it in a lifetime?
 7 How can we be assured that we're getting the
 8 best possible prices for electricity through
 9 Nalcor Energy Marketing?
 10 MS. HUTCHENS:
 11 A. Nalcor Energy Marketing, I would not, you
 12 know, categorize them or describe them as
 13 novices. I believe that they've been
 14 working in the markets for a number of years
 15 now and have developed systems, processes,
 16 controls and all that kind of stuff to do
 17 that. I believe that Ms. Williams' shop has
 18 established the appropriate protocols to
 19 deal with Nalcor Energy Marketing and that
 20 sort of defines our relationship with them
 21 and including the – what you're getting at
 22 is are consumers getting the best value and
 23 the least cost.
 24 BROWNE, Q.C.:
 25

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1 Q. I'm getting at again why should it be paid
 2 for and all that that involves -- and
 3 granted, I shouldn't refer to the employees
 4 as novices and that's true, I should not,
 5 but it's certainly a novice company. Why
 6 should this novice company – the fate of
 7 consumers be in the hands of this novice
 8 company when there are experienced companies
 9 out there dealing with a very important
 10 issue? Why do we have to go through the
 11 inexperienced company versus the experienced
 12 company to provide us our electricity?
 13 MS. HUTCHENS:
 14 A. I think, back to that, you know, there's –
 15 you know, experience comes in different
 16 grades and is grown over time. I do believe
 17 that Nalcor Energy Marketing has substantial
 18 experience and that Ms. Williams'
 19 organization has an appropriate relationship
 20 with them to ensure the oversight that is
 21 required to ensure that we are getting the
 22 best, the least cost for consumers.
 23 BROWNE, Q.C.:
 24 Q. But our friends at Newfoundland Power will
 25

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1 tell you time and again, as they've said in
 2 these hearings, at least when I was present
 3 with them on occasion, that if they could
 4 contract everything out, they would because
 5 that's where the savings are.
 6 MS. HUTCHENS:
 7 A. I'm sorry, Mr. Browne, I'm not – you know, I
 8 haven't been close enough to Newfoundland
 9 Power over the last number of years, so I
 10 don't know, you know, to what extent they've
 11 made those comments or in what forum they've
 12 made the comments or, you know, in reference
 13 to what they may be contracting out. So,
 14 I'm afraid I can't answer that with respect
 15 to Newfoundland Power.
 16 BROWNE, Q.C.:
 17 Q. Now, I'd like you to go to a table. I think
 18 it's – find it here now. It sort of caught
 19 my attention. Here we have it. It's Table
 20 11, page 19.
 21 MS. HUTCHENS:
 22 A. Sorry, which document are you referring to?
 23 BROWNE, Q.C.:
 24 Q. I'm sorry. That's in the Supplemental
 25

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1 Evidence, Customer Impacts Reflecting the
 2 2017 GRA Settlement Agreements.
 3 MS. HUTCHENS:
 4 A. Sorry, table?
 5 BROWNE, Q.C.:
 6 Q. It's Table 11, page 19. Okay?
 7 MS. HUTCHENS:
 8 A. Yeah.
 9 BROWNE, Q.C.:
 10 Q. Can you take us through this table? It's
 11 curious. Column 1 says "the Muskrat Falls
 12 Project total cost". Can you speak to this?
 13 MS. HUTCHENS:
 14 A. I believe Mr. Fagan prepared this evidence
 15 and would be prepared to speak to it in
 16 detail, but you know, from my review of the
 17 evidence, the Table 11, the Muskrat Falls
 18 Project Total Cost refers back to basically
 19 the sum of Table 9 and 10, which is the
 20 forecast power purchase costs, as well as
 21 the – for the LIL, as well as for the
 22 Muskrat generation and the LTA. And then
 23 the forecast gigawatt hour sales are the
 24 sales forecast for the Island Interconnected
 25

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1 System and then on from there.
 2 BROWNE, Q.C.:
 3 Q. Because the fourth column takes my
 4 attention, estimated unit cost of savings
 5 from Holyrood. It says 1.2 cents, 1.8, 1.8.
 6 And then the next one says average unit cost
 7 in revenue requirement. Are we stating – or
 8 are we stating generally, or maybe I’m
 9 misreading this, that the entire cost of the
 10 Muskrat Falls Project only realized a cost
 11 of savings from Holyrood per kilowatt hour
 12 of 1.8 cents. Is that what that states?
 13 MS. HUTCHENS:
 14 A. I’m not sure what’s in that estimating cost
 15 of savings from Holyrood column there, Mr.
 16 Browne. I think it might be better to ask
 17 Mr. Fagan that question.
 18 BROWNE, Q.C.:
 19 Q. Oh, I definitely will and put Mr. Fagan on
 20 notice because if I’m right on that, that
 21 will be a very interesting costing factor,
 22 would it not? Would you not agree?
 23 MS. HUTCHENS:
 24 A. I think it’s important to understand what’s
 25

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1 on the record, Mr. Browne, yes.
 2 BROWNE, Q.C.:
 3 Q. I agree with that. So, I will leave that to
 4 our friend, Mr. Fagan. Now, the president
 5 of the company, Mr. Haynes, told us there
 6 are no elasticity studies; that they had no
 7 elasticity studies. He was familiar with
 8 elasticity studies, but they had none. But
 9 yet, the production panel indicated that
 10 they had some familiarity with elasticity
 11 studies, but it seemed to me that these
 12 elasticity studies were through – indirectly
 13 through what was coming from Newfoundland
 14 Power who does conduct elasticity studies.
 15 Can you speak to that at all? Do you know
 16 if there are – are there elasticity studies
 17 or are there not?
 18 MS. HUTCHENS:
 19 A. I’m sorry, Mr. Browne, I don’t know, you
 20 know, how that – you know, the elasticity is
 21 factored into sales forecast and what
 22 studies and the flows of information are to
 23 go into that.
 24 BROWNE, Q.C.:
 25

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1 Q. I can’t imagine, although I probably should,
 2 that the Muskrat Falls Project was
 3 undertaken without any elasticity studies
 4 stating what people could pay for
 5 electricity and at what point people would
 6 leave the system due to costing. Do you
 7 know – can you undertake to, on behalf of
 8 the company, to advise if there were any
 9 elasticity studies undertaken by Hydro
 10 during that period, during the period of
 11 over the last five years we’ll say, 2012,
 12 2013, 2014, 2015, 2016, up to now? Can you
 13 undertake to do that search? And I imagine
 14 it’s within the system.
 15 MS. HUTCHENS:
 16 A. I can certainly check that out. Yes, Mr.
 17 Browne. I’m not aware of what is there and
 18 what isn’t there, but yes, I can find out.
 19 BROWNE, Q.C.:
 20 Q. Okay, and that’s fair enough.
 21 MS. HUTCHENS:
 22 A. Yeah, I think that’s important, yeah.
 23 BROWNE, Q.C.:
 24 Q. Thank you.
 25

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1 MS. GLYNN:
 2 Q. The undertaking is noted.
 3 (10:09 a.m.)
 4 BROWNE, Q.C.:
 5 Q. Now, you’re here before the Public Utilities
 6 Board and the Public Utilities Board, you
 7 have to present your revenue requirements to
 8 the Public Utilities Board, right?
 9 MS. HUTCHENS:
 10 A. Yes, that’s correct.
 11 BROWNE, Q.C.:
 12 Q. And the Public Utilities Board, based on
 13 those revenue requirements and other
 14 factors, will ultimately determine what
 15 consumers are paying for their electricity,
 16 I guess. Is that correct?
 17 MS. HUTCHENS:
 18 A. Yes, the Public Utilities Board has
 19 jurisdiction over the establishment of
 20 rates.
 21 BROWNE, Q.C.:
 22 Q. Are you asking the Public Utilities Board to
 23 increase rates at this time over and above
 24 your revenue requirements at this time?
 25

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1 MS. HUTCHENS:
 2 A. The rate increase, I believe that is in Mr.
 3 Fagan’s testimony here, so the latest with
 4 the expected supply scenario, request is 1.2
 5 percent for January of 2019. I believe what
 6 you’re probably referring to is the rate
 7 rider conversation at the back end of this,
 8 at the back end of the document and I think
 9 that information was provided to provide the
 10 Board with information surrounding the
 11 impacts or the potential impacts on rates of
 12 different scenarios, assuming a 10 percent
 13 maximum per year. And I think those
 14 scenarios can be seen in Table 13 and Table
 15 14 of the Supplemental Evidence filed last
 16 week, I think it was, yes, last week. So,
 17 you know, those tables there I think are
 18 intended to be demonstrative tables to
 19 provide the Board with some information to
 20 understand the implications of the
 21 illustrative example with the 18 cents
 22 average end user rate and, you know, I think
 23 that demonstrates there that depending on
 24 the scenario that’s looked at, the effects
 25

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1 of rate increases on end consumer rates and
 2 also the costs that will not be recovered as
 3 a result of stepping into rates and it sort
 4 of just provides some -- two scenarios that
 5 the Board can assess. You know, in -
 6 BROWNE, Q.C.:
 7 Q. But, Ms. Hutchens, that would be – you’re
 8 asking the Board to do something
 9 prospective; to make a determination of
 10 something that’s down the road and is not
 11 currently in your revenue requirement. Can
 12 you show the Board, or your counsel maybe
 13 show the Board, some jurisdiction for them
 14 to do that?
 15 MS. HUTCHENS:
 16 A. From our perspective, we believe that it is
 17 worthy of consideration, knowing what is –
 18 you know, the rate effects that are
 19 potential in 2020 and you know, the effects
 20 of different rate changes. You know, as an
 21 example in Table 13, if we don’t – you know,
 22 if there isn’t any additional rate impact in
 23 2019 but it starts in 2020 and we go a ten-
 24 year rate or ten percent per year out to an
 25

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1 18 cent rate, it still – that still does
 2 result in cost associated with Muskrat Falls
 3 not being fully recovered until 2023 and you
 4 know, on an annualized basis, and so that
 5 476 in the table there is funds that have to
 6 be borrowed and financed as well and you
 7 know, I think it’s an illustrative example
 8 that the Board can use in comparison to the
 9 one in Table 14 as well that shows a
 10 different example and compare the various
 11 effects going forward of those ratemaking
 12 options, including the rate rider, which we
 13 believe is something that should be
 14 considered in the circumstances that we are
 15 in.
 16 BROWNE, Q.C.:
 17 Q. But we don’t know what’s going to happen
 18 here really yet, do we? We don’t know if
 19 it’s – what the future holds in reference to
 20 Muskrat Falls. We haven’t seen really any
 21 electricity from Muskrat Falls yet, have we?
 22 MS. HUTCHENS:
 23 A. No, the Muskrat Falls plant is not expected
 24 to be up and running until the fall of 2020.
 25

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1 BROWNE, Q.C.:
 2 Q. Yeah. And we’ve seen that date being pushed
 3 back on a fairly regular basis. We all hope
 4 they can finish on time because when they’re
 5 not, it’s more costly. But you’re asking
 6 the Board really to take quite a leap of
 7 faith in the numbers you’re provided when
 8 these numbers are not complete or incomplete
 9 and before other matters have been assessed,
 10 including any committee results from what
 11 some people refer to as rate mitigation.
 12 Others say that it’s not quite that. But,
 13 why would the Board get involved in any of
 14 that at this time when the facts can be
 15 brought to the Board at the correct time as
 16 the project finishes or as the project is
 17 commissioned, once it’s up and running, once
 18 we see what we’re working with? Wouldn’t
 19 that be the more appropriate time to do
 20 that?
 21 (10:15 a.m.)
 22 MS. HUTCHENS:
 23 A. I think, you know, Mr. Fagan will be
 24 prepared to speak a bit about rate smoothing
 25

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1 and from a regulatory principles
 2 perspective. From a – I tried to say this
 3 yesterday, hopefully I did, but you know, I
 4 think in any decision making, you know, in
 5 any kind of decision making, I think it’s
 6 important to have all of the information you
 7 can in front of you in making that decision
 8 and decision making is not perfect and
 9 neither is, you know, the information that
 10 you have all the time. But I think you have
 11 to make decisions based on the best
 12 information that you have at the time. And
 13 this is the best information that we have at
 14 the time.
 15 BROWNE, Q.C.:
 16 Q. And consumers would be able to do that as
 17 well. They would want to make their
 18 decisions based on the best information that
 19 is available and based on the best
 20 information that’s available, consumers
 21 normally react. If they think the price of
 22 electricity, if they see with certainty
 23 where this is headed, consumers will react.
 24 Is that a fair comment too?
 25

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1 MS. HUTCHENS:
 2 A. I think it’s fair comment that, you know,
 3 anyone who has decision making is going to
 4 make those decisions on the basis of the
 5 information they have at the time.
 6 BROWNE, Q.C.:
 7 Q. So, within Hydro there is some indication
 8 that there is a diminishing load factor.
 9 Are you familiar with that discussion?
 10 MS. HUTCHENS:
 11 A. I think that’s probably something that’s
 12 beyond my scope.
 13 BROWNE, Q.C.:
 14 Q. Okay. Okay, and that’s fair enough. We’ll
 15 go at Mr. Fagan in reference to that for
 16 sure.
 17 MS. HUTCHENS:
 18 A. Yeah, have a try with him, yeah.
 19 BROWNE, Q.C.:
 20 Q. Now, Ms. Greene asked concerning the
 21 development and implementation of an
 22 attendance support program. Where are we
 23 with that?
 24 MS. HUTCHENS:
 25

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1 A. So, we have the attendance support program
 2 up and running. I believe we got it up and
 3 running late fall and so that program is up
 4 and running. Yes, it is.
 5 BROWNE, Q.C.:
 6 Q. And are there any early results?
 7 MS. HUTCHENS:
 8 A. Yes. We have been seeing some improvements
 9 in attendance in various areas. It’s very
 10 hard in the attendance area to determine,
 11 you know, with certainty what you’re seeing
 12 over short periods of time versus long
 13 periods of time and what is associated with
 14 any particular initiative or whether it’s a
 15 function of just general employee health or
 16 whatever, but yes, we do have some early
 17 indications that our program is meeting with
 18 some success.
 19 BROWNE, Q.C.:
 20 Q. And in reference to sick leave itself, which
 21 is close – a close second there, what are
 22 you doing to curtail the use of sick leave
 23 or do you see any systemic problems with the
 24 use of sick leave inside the plant?
 25

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1 MS. HUTCHENS:
 2 A. I assume you mean the company not the plant?
 3 BROWNE, Q.C.:
 4 Q. Yes, the company. I’m sorry.
 5 MS. HUTCHENS:
 6 A. That’s okay. Sick leave is there for a
 7 reason; because people get ill.
 8 BROWNE, Q.C.:
 9 Q. Yes.
 10 MS. HUTCHENS:
 11 A. And certainly we want our employees to be
 12 able to utilize sick leave when necessary
 13 and the attendance support program is making
 14 sure that the employees are as healthy as
 15 they can be and that’s what it’s about and
 16 it’s about early and safe return to work.
 17 So, if there’s opportunities for them to
 18 return to work earlier, you know, it’s those
 19 types of things. So, the attendance support
 20 program – I hesitate a lot to say that it
 21 targets sick leave. It targets employees
 22 being healthy and at work and engaged.
 23 BROWNE, Q.C.:
 24 Q. And that’s all fair and sick leave has to be
 25

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1 used on occasion. Have you observed or have
 2 you had occasion to the reported abuse of
 3 sick leave in the system? Does that happen?
 4 MS. HUTCHENS:
 5 A. I can't comment on abuse in a system. I
 6 think we saw that our sick leave was being
 7 utilized and we saw that it was a little bit
 8 higher than what was going on in some other
 9 places and we felt it important to work with
 10 our employees to get them healthy, safe and
 11 back at work.
 12 BROWNE, Q.C.:
 13 Q. Now, in reference to overtime, Mr. Haynes,
 14 your president, says that overall from a
 15 percentage of salary basis, the overtime he
 16 didn't think was a major issue, but they
 17 have "pockets of overtime where it's
 18 excessive in our view and we are reviewing
 19 that". Who is reviewing that and have you
 20 isolated the pockets where overtime is
 21 excessive?
 22 MS. HUTCHENS:
 23 A. I think, you know, each one of us as
 24 executive members have responsibility for
 25

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1 our own areas and we are very much cognizant
 2 of looking at overtime and actively managing
 3 that file. I review the overtime for my
 4 group down to every individual, you know,
 5 every couple of months and I don't have a
 6 big overtime budget and I know it's being
 7 looked at and reviewed much more frequently
 8 in other places. So, you know, who is
 9 managing the overtime is management and
 10 reviewing it and looking at what the
 11 opportunities are or what the root causes of
 12 the overtime are to see if we can deal with
 13 them.
 14 The innovation team is looking at a
 15 number of overtime areas as well, but they
 16 are not the only ones doing it. There's
 17 other areas being looked at. For example,
 18 Ms. Williams, I know, is doing a lot of work
 19 at Holyrood, looking at the overtime out
 20 there. But, you know, that's something that
 21 she is very actively engaged in.
 22 BROWNE, Q.C.:
 23 Q. But who is ultimately responsible? You said
 24 there's a budget given for overtime in
 25

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1 various departments. How does it work?
 2 MS. HUTCHENS:
 3 A. Yes, there's a budget established for
 4 overtime for everybody.
 5 BROWNE, Q.C.:
 6 Q. For everyone.
 7 MS. HUTCHENS:
 8 A. As part of a normal budgeting process, every
 9 department, not every person, but yes, every
 10 department.
 11 BROWNE, Q.C.:
 12 Q. So, every department has this budget for
 13 overtime in anticipation of overtime?
 14 MS. HUTCHENS:
 15 A. Budgets are established based on the work
 16 plans and activities and so, yes, there
 17 would be an expectation of overtime. The
 18 nature of our business is such that overtime
 19 will be required because, you know, storms
 20 don't happen just on a nine to five. They
 21 happen at two and three o'clock in the
 22 morning as well. And so, we need to –
 23 overtime is a – almost a – you know, there's
 24 a certain amount of overtime that is a
 25

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1 requirement of our business.
 2 There's also overtime that is entirely
 3 appropriate in terms of job planning. For
 4 example, it might be better off, you know,
 5 getting a crew to work an extra two hours on
 6 a particular day on a particular job, if by
 7 going home at the regular work time they
 8 would have to come out the next day and, for
 9 example, spend a couple hours of driving to
 10 a site or – you know, and setting up and all
 11 that kind of stuff from a safety
 12 perspective. So, you know, there are times
 13 when overtime as well is entirely
 14 appropriate and least cost, and there's
 15 times when overtime is absolutely required
 16 because we have issues with the system.
 17 So, you know, our focus on overtime is
 18 about ensuring that we're making the best
 19 decisions we can and that we're responding
 20 to our customers' needs in terms of
 21 reliability.
 22 BROWNE, Q.C.:
 23 Q. But according to the president, there's
 24 certain pockets there where overtime is an
 25

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1 issue. Is that being addressed? Have those
 2 pockets been isolated and how is overtime
 3 being addressed there?
 4 MS. HUTCHENS:
 5 A. Yes, those pockets have been addressed or
 6 they're being addressed. I'm not sure I'd
 7 describe them as pockets, but you know,
 8 areas where overtime is high, we're
 9 absolutely scrutinizing them. As to the
 10 specifics, I really can't speak to the
 11 overtime outside of my group and my group's
 12 overtime is really quite small.
 13 BROWNE, Q.C.:
 14 Q. No, that was Mr. Haynes' word, "we have
 15 pockets of overtime where it's excessive in
 16 our view and we are reviewing that". So,
 17 who is responsible for reviewing that? Is
 18 it each manager out there? Who has this
 19 responsibility?
 20 MS. HUTCHENS:
 21 A. I think it's incumbent upon every manager in
 22 the – I'll call it in the chain. So, the
 23 manager on site would be responsible; for
 24 whoever owns, you know, the departmental
 25

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1 budget. The divisional budgets are owned by
 2 the executives and they have responsibility
 3 as well.
 4 BROWNE, Q.C.:
 5 Q. Now, the collective agreements address
 6 overtime, if you're in collective agreement.
 7 MS. HUTCHENS:
 8 A. Yes, they do, yes.
 9 BROWNE, Q.C.:
 10 Q. But for employees who are not subject to a
 11 collective agreement, how is overtime
 12 managed for these employees?
 13 MS. HUTCHENS:
 14 A. I think, you know, overtime is managed for
 15 all employees similarly. The decision to
 16 undertake overtime is a business decision in
 17 response to the work that's required and the
 18 – you know, whether it's a union or a
 19 management person, I don't think it – you
 20 know, I think the difference in how it's
 21 paid and there's additional rules and
 22 processes around the union side of things
 23 that are embedded in the collective
 24 agreement, which we absolutely will respect,
 25

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1 but you know, from a management perspective,
 2 it's a similar decision making. Do we need
 3 to – does that work activity need to be
 4 done? Does it need to be done on overtime
 5 or not? And if it doesn't, then we don't do
 6 it on overtime.
 7 BROWNE, Q.C.:
 8 Q. But under the collective agreement, it's
 9 easy to figure out because it's a formula in
 10 place and that's what the employee gets if
 11 he works overtime. But in terms of
 12 management and people who are not in the
 13 bargaining unit, employees who are not in
 14 the bargaining unit, what formula is in
 15 place there for overtime? How is overtime
 16 determined there?
 17 MS. HUTCHENS:
 18 A. Overtime is determined by an overtime
 19 policy, Mr. Browne, and I'm not close enough
 20 to it – I just don't have it at the top of
 21 my head. That's Ms. Dalley's area. It
 22 varies depending. Not all managers get paid
 23 overtime either.
 24 BROWNE, Q.C.:
 25

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1 Q. Now, question – could save it for Mr. Fagan,
 2 but you might know, which will help us
 3 along. Can you go to page 16 and footnote
 4 51?
 5 MS. HUTCHENS:
 6 A. I assume that's the Supplemental Evidence?
 7 BROWNE, Q.C.:
 8 Q. In the Supplemental Evidence, thank you.
 9 MS. HUTCHENS:
 10 A. Yeah.
 11 BROWNE, Q.C.:
 12 Q. It talks about charges to Hydro for
 13 operating maintenance costs, also include
 14 other costs incurred by Muskrat, such as
 15 payments to aboriginal peoples pursuant to
 16 impact and benefit agreements, payments
 17 pursuant to the water lease, payments
 18 pursuant to the Water Management Agreement.
 19 What is that, payments pursuant to the Water
 20 Management Agreement? Can you tell us or do
 21 you defer to Mr. -
 22 MS. HUTCHENS:
 23 A. I'm going to defer there. I believe it has
 24 to do with – no, I'm not going to say what I
 25

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1 believe it has to do with because I'm not
 2 entirely sure that it does.
 3 BROWNE, Q.C.:
 4 Q. Okay, and that's fair enough.
 5 MS. HUTCHENS:
 6 A. But we'll check that out and get back to
 7 you.
 8 BROWNE, Q.C.:
 9 Q. Now, can you take us through some of these
 10 undertakings in reference to this
 11 productivity committee, the undertakings
 12 that were filed today as to – there's a lot
 13 of verbiage in a lot of these, but in U-66,
 14 Attachment 1, page 8 of 32. Okay. Can you
 15 take us through that, financial updates?
 16 What does that reference?
 17 MS. HUTCHENS:
 18 A. So, I think as I discussed yesterday with
 19 you, you asked me about what the budget for
 20 the team was. So, the budgeted cost is the
 21 budget for the team broken down by its
 22 component parts and the actuals is a report
 23 to me in terms of where their costs have
 24 been to date.
 25

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1 BROWNE, Q.C.:
 2 Q. So, those salaries, does that include
 3 salaries and benefits? These are
 4 pensionable benefits as well, right?
 5 MS. HUTCHENS:
 6 A. These are salaries and benefits for the
 7 employees involved in the team.
 8 BROWNE, Q.C.:
 9 Q. These are salaries, but is it salary itself
 10 or is it -- the benefit component of a
 11 salary, what is it, 15 or 20 percent or
 12 something?
 13 MS. HUTCHENS:
 14 A. It would be the salaries and the benefits
 15 associated with those employees.
 16 BROWNE, Q.C.:
 17 Q. And materials, travel, this is a budget for
 18 what, one year?
 19 MS. HUTCHENS:
 20 A. Yes, it is an annual budget.
 21 BROWNE, Q.C.:
 22 Q. And they have a training component there.
 23 What's that?
 24 MS. HUTCHENS:
 25

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1 A. So, I referenced the Lean Six Sigma Training
 2 that we had 24 individuals do last fall.
 3 They did what they call Yellow Belt Training
 4 and it's an innovation and productivity type
 5 training focused on lean management and
 6 those kinds of business principles. As a
 7 result of the Yellow Belt Training, we felt
 8 we got a lot of value from that training, so
 9 we chose to take those – the core team, plus
 10 one or two others because there was space in
 11 the training, and put them through the next
 12 level of training. And it's a fairly
 13 comprehensive program in which they do a
 14 number of days in training and then they
 15 have to take a – each take a project and
 16 work it through from a Lean Six Sigma
 17 perspective and bring that back with an
 18 accreditation kind of process at the end of
 19 it.
 20 (10:30 a.m.)
 21 BROWNE, Q.C.:
 22 Q. Now, this budget is for one year and
 23 consumers are already paying for managers
 24 and management and salaries and supervisors.
 25

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1 Why would consumers be required to pay for
 2 this initiative?
 3 MS. HUTCHENS:
 4 A. I think, you know, I think it speaks to what
 5 the team is trying to do. In any business,
 6 yes, management has the job to manage, but
 7 facets of management are effecting change in
 8 an organization, you know, and the team, we
 9 felt, is the appropriate thing to do to –
 10 you know, in the stage of our corporate –
 11 you know, where we are as a corporation and
 12 we talked a lot – I talked a lot about the
 13 purpose of the team reflecting where we are
 14 as a business. Businesses change from time
 15 to time; the environments that we're in
 16 change from time to time and when the
 17 environment around you changes and you need
 18 to change in response to that as a business,
 19 then you need the appropriate tools and
 20 resources to do so, and that's what this
 21 team is about. It's about ensuring that we
 22 have the appropriate tools and resources to
 23 aid and affect the changes in response to
 24 the environment we're in. You know, they
 25

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1 won't do it all, but they'll certainly do a
 2 lot.
 3 BROWNE, Q.C.:
 4 Q. But are we, we're paying for managers
 5 already, consumers, through their rates, are
 6 paying for managers to manage, and now it
 7 seems managers could very well defer to this
 8 particular group because it's another
 9 bureaucratic level that's been placed on top
 10 of them, is that not the case?
 11 MS. HUTCHENS:
 12 A. No, I don't believe managers can defer to
 13 the group. The group is there to aid
 14 managers and to identify opportunities. The
 15 managers are still responsible for their,
 16 you know, their workplans and the activities
 17 in their areas.
 18 BROWNE, Q.C.:
 19 Q. Now, on page 10 of 32 in this particular
 20 attachment, U-66, attachment 1, they have a
 21 column there "Potential Annualized Savings"
 22 and it's for the week ending April 13th, bi-
 23 weekly report. And can you take us through
 24 that? What exactly was the work completed
 25 that they did that gives you annualized

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1 savings of 1.2 million?
 2 MS. HUTCHENS:
 3 A. So the report here is the report from the
 4 team lead to myself, so it's intended to be
 5 a very, you know, simple report, it's easily
 6 completed and so we sit down every two weeks
 7 on the basis of this report and go through
 8 it, and you know, my job when I sit down or
 9 my job with the team is to set the
 10 framework, ensure the team is appropriately
 11 resourced, ensure there's regular reporting
 12 in focus and to clear roadblocks. So we
 13 will go down through this report and discuss
 14 areas that, you know, of opportunity and
 15 areas where the team may need me to engage
 16 to aid with something or to look for some
 17 advice, in terms of how to get at something
 18 or whatever, and then I'll also engage with
 19 my executive counterparts on things as well.
 20 The report is, you know, raw data. It is a
 21 list of the initiatives that the team is
 22 actively working.
 23 BROWNE, Q.C.:
 24 Q. Can you tell us what the initiatives are?
 25 I'm looking for specifics here because

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1 there's a lot of verbiage around this
 2 productivity team and a lot of language, but
 3 we want to see where the savings are. We
 4 want to see where the savings are. Are you
 5 saving us money or are we just talking about
 6 savings?
 7 MS. HUTCHENS:
 8 A. So, yes, we absolutely are saving money, and
 9 -
 10 BROWNE, Q.C.:
 11 Q. Okay, where have you saved money thus far?
 12 MS. HUTCHENS:
 13 A. I don't have, the intention of this report
 14 and this particular one was April 13th, so it
 15 was fairly early days for the team, and what
 16 the team is doing is, and it's the process
 17 that they're going through, and it's making
 18 sure that we're being very systematic in
 19 terms of how we approach the opportunities
 20 that we have, and making sure that we're
 21 making decisions based on informed data and
 22 analysis so that we truly understand what we
 23 may think to be the case is actually the
 24 case. And so, what happens is individuals
 25 throughout the company identify

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1 opportunities, including the team and then
 2 the team takes those and with the help of
 3 the business does detailed analysis,
 4 understands what's driving costs and works
 5 with the business to determine whether
 6 there's changes that can be made to change
 7 the cost—the drivers of those costs. So,
 8 for example, if I look at the IT devices,
 9 you know, the replacement cycle and using
 10 thin client (phonetic), so it's making sure
 11 there that, can we extend the life cycle on
 12 our IT assets, so that's one of the things
 13 that they were looking at, and they have
 14 done so, so that has reduced our annual
 15 capital budget.
 16 BROWNE, Q.C.:
 17 Q. But why wouldn't you have discovered that
 18 previously? Why did you need a team to say,
 19 you know, we mightn't need to replace our
 20 computers every year or every five years, we
 21 might get a sixth year out of them. It
 22 seems to me your manager should be able to
 23 figure that out?
 24 MS. HUTCHENS:
 25 A. I think it's, you know, there's activities

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1 that the team does here and they work with
 2 the managers as well, but the team is
 3 helping them, you know, it's being more
 4 innovative and thinking about the business
 5 differently than what we have in the past.
 6 You know, business has changed, the
 7 environments that we operate in change and
 8 it's a cycle of continuous improvement, Mr.
 9 Browne, and that's what I'd describe this
 10 as, you know. By the nature of the process
 11 that we're going through, we will identify
 12 things that people just, you know, yes,
 13 there may be a very great manager in an
 14 area, but sometimes, you know, you don't
 15 necessarily think about things differently
 16 and there may be changes in the marketplace,
 17 for example, in the technology that you
 18 could use in this particular example to do –
 19 BROWNE, Q.C.:
 20 Q. But surely you have your own IT staff, do
 21 you not?
 22 MS. HUTCHENS:
 23 A. The IT staff are, yes, we have a few
 24 individuals, but the bulk of the IT staff is
 25 in Nalcor, but yes, they provide that

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1 service to us, and that is one of the things
 2 that we work with—now I think in this –
 3 BROWNE, Q.C.:
 4 Q. And they would keep up to date on technology
 5 and what's going on out there, wouldn't
 6 they?
 7 MS. HUTCHENS:
 8 A. Yes, absolutely.
 9 BROWNE, Q.C.:
 10 Q. And the other one you got down there is
 11 transportation fleet utilization, what's
 12 that all about?
 13 MS. HUTCHENS:
 14 A. It's about making sure that we have the
 15 right size fleet, the right types of
 16 vehicles placed in the right places doing
 17 the right work and as an organization, you
 18 know, we've come through a period of heavy
 19 reliability focus and that requires that you
 20 have potentially a different complexion of
 21 fleet of usage of fleet than you would in a
 22 different environment, and as we're coming
 23 out of that reliability focus and looking at
 24 costs, that's one of the things that we're
 25 looking at. You know we went though the

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1 process in 2017 of going through and looking
 2 at, you know, some of the larger places that
 3 we expend operating costs and this is about
 4 getting in under the covers and
 5 understanding what we're doing, why we're
 6 doing it and whether we should change it in
 7 response to the changing environment that
 8 we're in.
 9 BROWNE, Q.C.:
 10 Q. But isn't there a fleet manager? Don't you
 11 have that already, how the fleet is
 12 procured? I mean, that shouldn't come as
 13 news or what's going on with the
 14 transportation fleet.
 15 MS. HUTCHENS:
 16 A. It goes beyond procurement and maintenance
 17 of the fleet. I think it goes to, you know,
 18 how we execute work and how vehicles are
 19 utilized, you know. So for example, we were
 20 using some lines' folks to do some meter
 21 readings in substations and by changing who
 22 does those meter readings, and it's
 23 something that's always been done that way,
 24 and by changing who does those meter
 25 readings in terms of their physical location

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1 in the vehicle that they drive, there's real
 2 savings associated with that. So, you know,
 3 it's about getting at those things and the
 4 nature of the process that we're going
 5 through with the innovation team, you know,
 6 it's going to find what some would call
 7 opportunities, what some would call issues
 8 and that's a healthy process for an
 9 organization to go through to understand,
 10 you know, where there may be concerns, and I
 11 think that by uncovering the concerns you
 12 can—but then once you uncover them, you have
 13 to ensure that they really are, you know,
 14 areas that you can change and improve upon.
 15 They all won't be and that's the nature of
 16 the potential annualized savings column
 17 here. The potential annualized savings
 18 column is potential and it is just that and
 19 it's a tool that we're using to help us with
 20 the prioritization and, but we also use it
 21 to track and as the savings are realized,
 22 yes, we're absolutely, you know, accounting
 23 for them.
 24 BROWNE, Q.C.:
 25 Q. How did they come up with that, 270,000

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1 annually plus additional immediate cost
 2 savings of 190 annually? They just went in
 3 and looked at something, they found
 4 something immediately there?
 5 MS. HUTCHENS:
 6 A. It's a result of analysis of transportation
 7 data, so there's a fair bit of work done in
 8 the transportation area that the team has
 9 been doing in terms of analyzing, you know,
 10 what cars we have, where they're located,
 11 you know, how on call is dealt with and, you
 12 know, whether the, in circumstances when
 13 you're preparing for a storm or there's an
 14 imminent storm, you know, do you leave the
 15 vehicles at the office and have the folks
 16 come in and retrieve them or do you have
 17 them take them home in order that you have a
 18 faster response to a storm circumstance. So
 19 it's about looking at all of the data –
 20 BROWNE, Q.C.:
 21 Q. But Hydro has been on the go a long time,
 22 surely you're not telling us they just
 23 discovered where to park their vehicles in a
 24 storm?
 25 MS. HUTCHENS:

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1 A. I think as circumstances change and times
 2 evolve and the reliability of the system
 3 changes, you end up in different
 4 circumstances and I think it comes back to,
 5 you know, as organizations change, you need
 6 to change or as the environment around you
 7 changes, you need to change in response to
 8 that, and you know, everything from the
 9 types of cars, perhaps we're buying—and I
 10 don't know if this is the case, but you
 11 know, perhaps we're buying a particular type
 12 of vehicle because we always bought it, but
 13 there is, you know, some other change in the
 14 work method or something like that that
 15 would make another, a different type of
 16 vehicle more effective, you know, so that's
 17 what this is about. It's about, you know,
 18 uncovering opportunities and seeing what we
 19 can do with them.
 20 BROWNE, Q.C.:
 21 Q. Then you got overtime there, compared
 22 supervisor data versus line crew data for
 23 overtime to see what trends lie in data,
 24 that's to be determined. Is this the new
 25 effort that's been referenced previously in

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1 reference to overtime or is this something
 2 additional?
 3 MS. HUTCHENS:
 4 A. I think our effort in terms of overtime is
 5 fairly comprehensive and this would be just
 6 one piece of it.
 7 BROWNE, Q.C.:
 8 Q. So they're doing a piece and who else is
 9 doing a piece on overtime?
 10 MS. HUTCHENS:
 11 A. I think there's many people through the
 12 organization looking at overtime, Mr.
 13 Browne. It's an area of definitive focus
 14 for us this year.
 15 BROWNE, Q.C.:
 16 Q. So a lot of people are doing that work.
 17 MS. HUTCHENS:
 18 A. We've established a budget for the test year
 19 that is two million dollars less than where
 20 we have been in the last couple of years,
 21 and you know, so we are very focussed on the
 22 overtime issue.
 23 BROWNE, Q.C.:
 24 Q. I mean, I'm not going to go down through all
 25 of these, but we're down pretty mundane

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1 stuff, consumables there on page 12 of 32,
 2 "Contacted so and so in Exploits to discuss
 3 the vending machine. Once received, review
 4 monthly reports and invoices from vending
 5 machines to see how it manages consumables
 6 and compare other areas for application."
 7 And then, just below that, page 12 of 32,
 8 cooking services and accommodations.
 9 "Review cooking and accommodations including
 10 closer scrutiny of grocery purchase.
 11 Cooking service, better utilization of
 12 accommodations." I guess that's something
 13 that ratepayers have to do all the time is
 14 review what their purchases are at the
 15 stores and so on and get the best value.
 16 Why has that not been done thus far?
 17 MS. HUTCHENS:
 18 A. Yeah, I think, so this particular, this is
 19 associated with the cooking in our work
 20 camps in remote areas, so this is
 21 circumstances where crews are going in for,
 22 to do work for periods of time and as a
 23 component of the collective agreement, there
 24 is food provided. There's no, obviously no
 25 restaurants in the area, so it's, you know,

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1 the cooking and the accommodations are
 2 provided in those areas by virtue of the
 3 fact that the client and whatnot are in very
 4 remote areas.
 5 BROWNE, Q.C.:
 6 Q. So, I don't know, it just seems to me that a
 7 consumer might or a ratepayer might say,
 8 well we're paying for all that now, we're
 9 paying for all you managers, we assume
 10 you're doing your best to reduce
 11 efficiencies here, and then when we see
 12 something like this taking place, we have to
 13 ask what's going on, is no one within the
 14 management that ratepayers determine on to
 15 make sure they're getting the best bang for
 16 their buck in their rates, that's basically
 17 what they're entitled to, has no one been
 18 doing this thus far? Is there a largess
 19 here that it's obvious to this productivity
 20 team or to yourselves?
 21 (10:45 a.m.)
 22 MS. HUTCHENS:
 23 A. You know, I think we are very focused on
 24 managing the business the best way we can
 25 and our managers are good at that. The

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1 nature of a process of self examination and
 2 looking for opportunities, I think by its
 3 very nature is going to, you know, produce
 4 things at face value that may appear to be,
 5 you know, things that as you mentioned, why
 6 didn't you think of that before, and I think
 7 it's the very nature of the innovation
 8 process in that you do things the way you've
 9 done them in the past and, but innovating is
 10 about doing things better, faster, cheaper
 11 and that implies doing things a different
 12 way. And the nature of the process when you
 13 go through and look for opportunities is
 14 that you're going to find that the, I'll
 15 call them the opportunities and the issues
 16 and concerns that are in the system, the
 17 important thing for me, as management and as
 18 a full management team, is that we're
 19 identifying these and dealing with them and
 20 that is the job of management and that's
 21 what we're doing here.
 22 BROWNE, Q.C.:
 23 Q. Thank you very much, Ms. Hutchens, we'll
 24 deal with that matter in our final
 25 submissions, thank you very much.

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1 MS. HUTCHENS:
 2 A. Thank you very much, Mr. Browne.
 3 CHAIR:
 4 Q. Thank you, Mr. Browne. Mr. Coxworthy?
 5 MR. COXWORTHY:
 6 Q. Yes, thank you, Madam Chair. Good morning,
 7 Ms. Hutchens. My name is Paul Coxworthy, I
 8 represent the Island Industrial customer
 9 group, with my co-counsel, Denis Fleming to
 10 my left and Mr. Dean Porter who is not in
 11 attendance today.
 12 MS. HUTCHENS:
 13 A. Good morning, gentlemen.
 14 MR. COXWORTHY:
 15 Q. I'd like to start with IC-NLH-122, if it
 16 could be brought up, and it's the very first
 17 page. And I just wanted to refresh for the
 18 record what exactly was being asked for when
 19 IC-NLH-122 was asked for, and it was to
 20 provide a copy of Nalcor's June 23rd, 2016
 21 project update and any more recent project
 22 updates. So what was provided with IC-NLH-
 23 122 was in fact the June 23rd, update and I
 24 just want to note for the record, we don't
 25 need to go to it, Information 6 has been

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1 filed which was a February 18 PowerPoint
 2 which was publicly available. I think it
 3 was presented by your president, Jim Haynes
 4 or he may have had some involvement, if I
 5 recall correctly, but in any event, and with
 6 some of the same information, you know, I'll
 7 note in particular the chart at page 20 of
 8 IC-NLH-122 also appears in the February
 9 2018, Information 6 document, and without
 10 any apparent or material changes. Some of
 11 the information, the February 2018 document
 12 is different as well. So my first question
 13 is are you aware of any more recent updates
 14 presenting the same sort of information as
 15 we see on page 20 and 26 that Nalcor has
 16 provided to Hydro, even if it's not in that
 17 exact form, has Nalcor provided you with an
 18 update of that information, with you, to
 19 Hydro?
 20 MS. HUTCHENS:
 21 A. No, I am not aware of any update.
 22 MR. COXWORTHY:
 23 Q. Would you be aware, were you aware of Nalcor
 24 providing the information in June of 2017 to
 25 Hydro? Was that a presentation made to

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1 Hydro’s executive team at that time?
 2 MS. HUTCHENS:
 3 A. I’d have to go back and look at deck, to be
 4 honest with you, I just can’t recall.
 5 MR. COXWORTHY:
 6 Q. Well we have the deck here in front of you,
 7 this is the NLH, the IC-NLH one.
 8 MS. HUTCHENS:
 9 A. Oh, the 2017, this one?
 10 MR. COXWORTHY:
 11 Q. Yes, that is, so perhaps –
 12 MS. HUTCHENS:
 13 A. I believe that was a public document.
 14 MR. COXWORTHY:
 15 Q. Okay, so it wasn’t a presentation
 16 specifically?
 17 MS. HUTCHENS:
 18 A. No, no.
 19 MR. COXWORTHY:
 20 Q. Thank you. I think you mentioned in your
 21 evidence—no, I’m sorry, you were referring
 22 to another document. So looking at page 20
 23 and 26, the NLH other band, the grey band,
 24 and there was no change in the information
 25 presented in that, by that table from June

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1 2017 to February 2018, are you aware of
 2 whether Hydro in relation to that NLH other
 3 band, has it provided any updated
 4 information to Nalcor in relation to that
 5 band?
 6 MS. HUTCHENS:
 7 A. Not explicit to that band, you know, we
 8 would have provided them updated
 9 information, you know, with year end for
 10 2017 being rolled in and that sort of thing,
 11 but I would not expect it to have a material
 12 impact on what we’re seeing here.
 13 MR. COXWORTHY:
 14 Q. So if there was any updates, you wouldn’t
 15 expect that it would have material impact on
 16 the customer or domestic rate projections’
 17 component that comes from the NLH other
 18 rates, you don’t think there’s been any
 19 changes since June 2017 or February 2018 in
 20 the NLH –
 21 MS. HUTCHENS:
 22 A. No, I don’t think there has been any
 23 material change there, yeah, not that I’m
 24 aware of anyway.
 25 MR. COXWORTHY:

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1 Q. And I’d like to turn then to your evidence
 2 in response to the questions from Mr.
 3 O’Brien yesterday on July 25th and again,
 4 well perhaps we can go to it, page 103 of
 5 the July 25th transcript. And just quickly,
 6 103 at line, approximately line 21, Mr.
 7 O’Brien was asking you some questions about
 8 this very page, IC-NLH-122, page 20. And
 9 then at the bottom of page 104, Mr. O’Brien
 10 asks, “And Hydro had no input in preparing
 11 that estimate?” And your answer was, “I
 12 would say we provided our cost component of
 13 it.” Were you referring to the whole of the
 14 NLH other band on page 20 when you were –
 15 MS. HUTCHENS:
 16 A. Yeah, we would have provided them
 17 fundamentally the revenue requirement that
 18 would have gone under that, but it would
 19 have been based on the assumptions and
 20 whatnot that we would have had at the time,
 21 which would have been live (phonetic)
 22 associated with the hearing and whatnot, I
 23 think.
 24 MR. COXWORTHY:
 25 Q. And then at page 105 you go on to say, or

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1 Mr. O’Brien goes on to ask, “That was
 2 provided by Hydro?” And you answered, this
 3 is at line 13, “It would have been provided
 4 by Mr. Kelly of Hydro, but it’s largely a
 5 projection of our O&M costs, protection of
 6 our O&M, purchase of power and those sorts
 7 of things.” Do you know what employee
 8 within Hydro provided that information?
 9 MS. HUTCHENS:
 10 A. Yeah, so what they’re doing is basically
 11 providing Nalcor with a financial data that
 12 underlies that, the individual is in my shop
 13 and, you know, Nalcor would then take that
 14 information and they’re familiar with the
 15 models and whatnot, and what they do with
 16 that from there, I’m not sure, but we
 17 provide them the indications if we see
 18 changes occurring or whatever, so we would
 19 provide them with the best information that
 20 we have at the time and they would do what
 21 they do with it based on their needs.
 22 MR. COXWORTHY:
 23 Q. Who is the individual at your shop? I don’t
 24 need to know the name, just the position
 25 that they have in your organizational chart.

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1 We can turn to the organizational chart if
 2 that would help.
 3 MS. HUTCHENS:
 4 A. Yes, I was going to say, go to the org.
 5 chart and I'll get the title right.
 6 MR. COXWORTHY:
 7 Q. It's volume 2, exhibit 2 of Hydro's Revised
 8 Evidence.
 9 MS. HUTCHENS:
 10 A. Page 32 or 33, something like that.
 11 MR. COXWORTHY:
 12 Q. I think that's right. Certainly near the
 13 bottom, might be 32 or it might be 33.
 14 MS. HUTCHENS:
 15 A. I believe it is the financial planning
 16 specialist there on the left-hand side,
 17 yeah, right there.
 18 MR. COXWORTHY:
 19 Q. Under manager of regulatory finance.
 20 MS. HUTCHENS:
 21 A. Right there, yeah.
 22 MR. COXWORTHY:
 23 Q. If we can turn to Undertaking 11, and this
 24 is an undertaking I requested for a
 25 breakdown of this grey band, this NLH other

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1 band that we had been talking about in IC-
 2 122 on page 20, and there's a list of
 3 various components that were taken into
 4 account at a high level cost of service and
 5 there's a footnote there that explains that
 6 high level assumptions are being made that
 7 aren't necessarily the same as detailed
 8 budgets, so that's understood, but turning
 9 to page 2 then of the U-11 response, there's
 10 a breakdown by year then of what I
 11 understand to be the NLH other band as
 12 appears in IC-NLH-122 at page 20, is that
 13 your understanding as well, a numerical?
 14 MS. HUTCHENS:
 15 A. Yes, that would be my understanding.
 16 MR. COXWORTHY:
 17 Q. And I was wondering whether it would be
 18 possible to obtain a better breakdown with
 19 reference to the bullet points that appear
 20 in U-11, I recognize not every one of those
 21 bullet points might have associated with a
 22 dollar amount, but on the other hand, when I
 23 look at these numbers from 2021 through to
 24 2040, it appears to me they're not just
 25 inflation increases, you know, starting from

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1 a base number and just applying a 2 percent
 2 or 5 percent, there's fluctuation within
 3 there, so I would have thought that the
 4 person within your shop who provided that
 5 information, there must be some level of
 6 greater breakdown of those figures
 7 available.
 8 MS. HUTCHENS:
 9 A. Yes, there would be a greater breakdown, for
 10 sure.
 11 MR. COXWORTHY:
 12 Q. And could I have an undertaking from you to
 13 make an inquiry of the person within your
 14 shop that would have that information and
 15 put it on the record?
 16 MS. HUTCHENS:
 17 A. Yes, yes, absolutely.
 18 (10:55 a.m.)
 19 MS. GLYNN:
 20 Q. Noted on the record.
 21 MR. COXWORTHY:
 22 Q. And could you also inquire of that person as
 23 to whether he or she has produced a more
 24 recent update, either for Hydro's internal
 25 purposes or for Nalcor, of that information?

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1 MS. HUTCHENS:
 2 A. Yes, I can do that as well.
 3 MR. COXWORTHY:
 4 Q. With respect, if we can turn back then to
 5 IC-NLH-122, page 20. Do you know whether
 6 the LIL, LTA and Muskrat Falls costs that
 7 Hydro will be paying, whether they appear in
 8 the NLH other band or the MF purchase cost
 9 band? And perhaps before you answer that,
 10 I'll just provide you, there might be some
 11 information that would assist you in
 12 answering it. In U-11 on the first page, in
 13 the components that are listed as being
 14 included in the NLH other band about midway
 15 down through that list, it includes power
 16 purchase costs but excludes Muskrat Falls
 17 related power purchase agreements which are
 18 calculated by Nalcor. Now I won't presume
 19 to say that I know what that means, but
 20 perhaps it means something to you in terms
 21 of my question, which is the LIL, LTA and
 22 Muskrat Falls costs that Hydro will be
 23 paying for 2021 onwards, where does that
 24 appear in that NLH-122, page 20?
 25 MS. HUTCHENS:

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1 A. Maybe it's helpful for me just to clarify,
 2 you know, how the process works because we
 3 provide Hydro's forecast that we have, but
 4 it does not include the Muskrat Falls costs.
 5 Nalcor bills that in on top in their
 6 modelling to produce this chart, so I
 7 suspect that it's in the cost associated
 8 with the LIL and whatnot are in the Muskrat
 9 Falls Purchase Power Costs, but I'm not
 10 entirely sure, so I think I should take that
 11 away and confirm that.
 12 MR. COXWORTHY:
 13 Q. If I could have your undertaking to make an
 14 inquiry on that?
 15 MS. HUTCHENS:
 16 A. Yes.
 17 MR. COXWORTHY:
 18 Q. Thank you.
 19 (10:58 a.m.)
 20 MS. GLYNN:
 21 Q. Noted on the record.
 22 MR. COXWORTHY:
 23 Q. If we could turn to U-42, Undertaking 42.
 24 CHAIR:
 25 Q. Mr. Coxworthy, might this be a good time to

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1 break, rather than –
 2 MR. COXWORTHY:
 3 Q. Yes, thank you, Madam Chair.
 4 (RECESS – 10:59 A.M.)
 5 (RECONVENED – 11:33 A.M.)
 6 CHAIR:
 7 Q. Back to you, Mr. Coxworthy.
 8 MR. COXWORTHY:
 9 Q. Thank you, Madam Chair. Ms. Hutchens, when
 10 we broke we were about to go to Undertaking
 11 42, could you turn to page 1 of 4? And
 12 these are the terms of reference for the
 13 innovation and productivity team and at the
 14 bottom of page 4, the expectation is that
 15 the improvements made as a result of the
 16 team's work will be sustainable over an
 17 extended period of time, and not short term
 18 in nature. When it says "extended period of
 19 time", what timeframe do you understand that
 20 to mean?
 21 MS. HUTCHENS:
 22 A. I would think that would be, back a little
 23 bit to my comment that businesses change
 24 from time to time in the environments that
 25 we are in, but I would think that those

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1 sustainable changes would have, you know,
 2 multi year effects, you know, in the five to
 3 ten-year space as a minimum.
 4 MR. COXWORTHY:
 5 Q. Is the innovation and productivity team
 6 looking at, not just the continuities, but
 7 the changes that are going to occur post
 8 Muskrat Falls 20, 2021, are they looking at,
 9 not the present-day issues with your present
 10 day generation assets, but what the future
 11 will bring and what opportunities, perhaps
 12 there may be? Have they been tasked with
 13 that specifically?
 14 MS. HUTCHENS:
 15 A. It's an interesting question because, no,
 16 they have not been tasked with that
 17 specifically yet, but I think as we get, you
 18 know, closer to the operations that some of
 19 that will come to light. We're focussing
 20 internally first with where we've come from
 21 and, but you know, obviously the environment
 22 that we're in is contemplating what's coming
 23 and, so to the extent that the expectations
 24 of our customers and, you know, all of those
 25 things get considered in because of the,

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1 what everyone knows to be coming and
 2 whatnot, that that absolutely gets
 3 considered and that's I think one of the
 4 reasons that are, you know, the team has had
 5 some success out with the employees in terms
 6 of their engagement with them. You know,
 7 employees know that there's challenges ahead
 8 and they want to be a part of the solution
 9 and, you know, they are engaging as a
 10 result. It's a circumstance that they find
 11 themselves in as just a Hydro employee and
 12 so I think to the extent that the context
 13 around us is there is yes, you know, it's in
 14 the frame of reference within which the team
 15 is working, but I can't say that they are
 16 explicitly working in terms of
 17 interconnection points or anything like
 18 that.
 19 MR. COXWORTHY:
 20 Q. And if I could ask if we could turn to page
 21 4 for the terms of reference and about a
 22 third of the way down, timelines. So the
 23 team will be established in 2013 has been
 24 established for an initial 18 to 24-month
 25 period which may be extended or reduced

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1 based on the discretion of the executive.
 2 So they really, at least initially have been
 3 given, what I will call a pre Muskrat Falls
 4 timeframe to think about.
 5 MS. HUTCHENS:
 6 A. I'm not sure I'd describe it as a pre
 7 Muskrat Falls timeframe, I'd describe it as
 8 a, because I don't think the decision making
 9 was within, you know, the timeframe was with
 10 reference to Muskrat Falls. I think it was
 11 with reference to once we're 18 to 24 months
 12 into this, I think we will have a much
 13 better understanding of where the
 14 opportunities for innovation and
 15 productivity are in the company, what we've
 16 already been able to gain and that will
 17 provide a better, a good foundation in terms
 18 of what the best way to continue this or
 19 change it going forward is.
 20 MR. COXWORTHY:
 21 Q. Do you expect that Hydro will retain any
 22 external consultants to assist them in
 23 identifying opportunities in the post
 24 Muskrat world for cost control, for changing
 25 in a system's way how Hydro operates?

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1 MS. HUTCHENS:
 2 A. No, I don't believe that's contemplated at
 3 this point in terms of the identification of
 4 systemic changes with Muskrat coming on. I
 5 think it's –
 6 MR. COXWORTHY:
 7 Q. Could we turn to Undertaking U-52? And this
 8 was an undertaking to confirm if minutes of
 9 the monthly production team meetings exist
 10 and if so, to provide them. I'd say I'm
 11 going on my recollection of some questioning
 12 by Mr. O'Brien around this, but I thought
 13 there was some confusion as to what
 14 organization or committee these minutes
 15 pertained to, or for that matter, if I
 16 should say minutes because no minutes were
 17 produced, the action items, what committee
 18 did these action items that have been
 19 produced in U-52, what committee do they –
 20 MS. HUTCHENS:
 21 A. It's not a committee, every month the
 22 leadership team, the executive and the
 23 managers who have significant budget
 24 responsibilities, get together and discuss
 25 our costs on a monthly basis, so this is the

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1 agenda that happens every month. So the
 2 purpose of the meetings is to provide a
 3 forum for discussion of where we are
 4 corporately as opposed to each manager
 5 looking, you know, individually, ensure that
 6 everyone has the same sort of construct that
 7 they're working in, and as well as to
 8 provide a forum for discussion around issues
 9 of common interest or common challenge or
 10 common opportunity, and you know, work
 11 through those meetings in that way so that
 12 we have a rigor discussion in terms of where
 13 we are with our costs year to date, where we
 14 think we're heading with them and what are
 15 the influencing factors surrounding them.
 16 MR. COXWORTHY:
 17 Q. And you're a regular participant in these
 18 meetings?
 19 MS. HUTCHENS:
 20 A. Absolutely.
 21 MR. COXWORTHY:
 22 Q. And what's the overlap between this and the
 23 innovation and productivity committee? I
 24 mean, is there an overlap or is one subsumed
 25 under the other in terms of the work?

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1 MR. HUTCHENS:
 2 A. So there is no innovation and productivity
 3 committee, it's a team and they are work
 4 focused.
 5 MR. COXWORTHY:
 6 Q. Do they take direction from whatever comes
 7 out of these monthly meetings of the
 8 executive –
 9 MS. HUTCHENS:
 10 A. Yes, so the team lead of the innovation and
 11 productivity team attends these meetings so
 12 that they also have the context and from
 13 time, you know, we do talk about innovation
 14 opportunities and issues in the meeting,
 15 it's a regular agenda item and so she would
 16 bring what, you know, and share what her
 17 team is doing and what opportunities may be
 18 there, what challenges are there, and also
 19 receive the information in the meeting. So
 20 it's a forum for sharing in large part in
 21 sort of a fairly efficient manner, you know,
 22 what the innovation and productivity
 23 opportunities are in the company.
 24 MR. COXWORTHY:
 25 Q. If we could turn to attachment 1 of U-52,

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1 page 2 of 2, and the top entry there for—and
 2 this would be one May 2018, I think I'm
 3 correct in saying, is that right?
 4 MS. HUTCHENS:
 5 A. Yes.
 6 MR. COXWORTHY:
 7 Q. What process will be used to account for
 8 work completed for MF/Power Supply/TT to
 9 ensure ratepayers pay least costs, analysis
 10 should include fuel. Can you expand on what
 11 that action item is?
 12 MS. HUTCHENS:
 13 A. That action item, if I recollect correctly,
 14 was to go back and just ensure that our
 15 internal charging processes, depending on
 16 whether work was done on overtime or regular
 17 time, was billed to related parties, such
 18 that we would ensure that customers paid
 19 least cost, and it was just to go back and
 20 re-examine the numbers just to make sure
 21 with the actual data that customers were
 22 paying least cost, that was the nature of
 23 it.
 24 MR. COXWORTHY:
 25 Q. The action indicates that the analysis

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1 should include fuel, so I take it that will
 2 include other things as well. Is there an
 3 analysis that's been produced in response to
 4 this action item?
 5 MS. HUTCHENS:
 6 A. There is an analysis underway, I'm not sure
 7 that it's been completed yet.
 8 MR. COXWORTHY:
 9 Q. I see "responsible Dave/CAL", who is
 10 responsible for that analysis?
 11 MS. HUTCHENS:
 12 A. Between the two of them, they were doing the
 13 analysis, there's an operational and a
 14 financial component there.
 15 MR. COXWORTHY:
 16 Q. You will have to enlighten me as to who Dave
 17 is, I'm sorry.
 18 MS. HUTCHENS:
 19 A. Dave is our, one of our general managers in
 20 the operations group.
 21 MR. COXWORTHY:
 22 Q. And CAL?
 23 MS. HUTCHENS:
 24 A. Our controller.
 25 MR. COXWORTHY:

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1 Q. So they're the ones who are responsible to
 2 provide the analysis?
 3 MS. HUTCHENS:
 4 A. Yes.
 5 MR. COXWORTHY:
 6 Q. And they will come back then to the
 7 executive committee and senior leadership
 8 team at one of these monthly meetings and
 9 present their analysis?
 10 MS. HUTCHENS:
 11 A. Yes.
 12 MR. COXWORTHY:
 13 Q. Would that take a paper form or PowerPoint
 14 form or –
 15 MS. HUTCHENS:
 16 A. We've done it all sorts of different ways.
 17 I think it just depends on the results of
 18 the analysis and, you know, any of these
 19 agenda items are closed in different ways—or
 20 sorry, these action items are closed in
 21 different ways, so it would depend on, you
 22 know, what the outcome was, I think, and
 23 part of it is just making sure everyone
 24 understands, you know, it helps us
 25 understand the cost as well.

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1 MR. COXWORTHY:
 2 Q. The last action item date here is 24 May.
 3 Is that an indication that there have not
 4 been any meetings of the financial—these
 5 financial monthly meetings that include the
 6 leadership group, the executive group, have
 7 there been no meetings since May 24th or no
 8 new action items?
 9 MS. HUTCHENS:
 10 A. The June meeting did not happen because of
 11 the regulatory processes that were underway.
 12 We're actually supposed to be in a meeting
 13 right now, but –
 14 MR. COXWORTHY:
 15 Q. Do you know whether the analysis that was
 16 actioned May 1st, is that going to be
 17 presented at today's meeting? Do you know
 18 if that was on the agenda?
 19 MS. HUTCHENS:
 20 A. I can't recall, I didn't look at the agenda
 21 because I was otherwise occupied.
 22 (11:05 a.m.)
 23 MR. COXWORTHY:
 24 Q. Can I ask you to check?
 25 MS. HUTCHENS:

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1 A. Yes, I can.
 2 MR COXWORTHY:
 3 Q. And if it has been, would it be possible to
 4 have an undertaking to produce the analysis?
 5 MS. HUTCHENS:
 6 A. Yes.
 7 MS. GLYNN:
 8 Q. Noted on the record.
 9 MR. COXWORTHY:
 10 Q. In the same May 1st entry, still on page 2 of
 11 2 of U-52, there's a comment. "Conduct
 12 further analysis on internal parties,
 13 additional analysis to be completed.
 14 Confirm rate and proceed with rate for
 15 Emera, third party work." Can you explain
 16 what you understand that comment to be
 17 about?
 18 MS. HUTCHENS:
 19 A. From time to time we do work for third
 20 parties and there was, Emera has asked us to
 21 do some work associated with the
 22 integration, so it was just ensuring and
 23 part of the forum here is to ensure that
 24 we're discussing these things so everyone
 25 has awareness of what the expectations are

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1 and whatnot, so it was just to make sure
 2 that everyone was cognizant and understood
 3 what the expectations were there and what we
 4 would charge them.
 5 MR. COXWORTHY:
 6 Q. So that is, if they asked you to do work,
 7 you charge Emera for the cost of that work?
 8 MS. HUTCHENS:
 9 A. Absolutely.
 10 MR. COXWORTHY:
 11 Q. Still on the same page, May 24 entry, the
 12 last entry, "Include overtime info in next
 13 meeting", which I think you've indicated you
 14 believe will be today. What overtime
 15 information was being sought for the next
 16 meeting?
 17 MS. HUTCHENS:
 18 A. We seek detailed overtime information at a
 19 summary level sort of overtime by department
 20 and that kind of thing, and put it up and
 21 look at it and, so there's some details
 22 surrounding overtime that were there, and I
 23 believe the reason that that was there is we
 24 implemented a new JD Edwards System at the
 25 end of April, so the overtime report, you

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1 know, when you implement these large
 2 systems, things are implemented and things,
 3 you have an initial implementation and
 4 there's a few issues that you need to clean
 5 up afterwards, and the overtime reporting
 6 was one of those issues. It wasn't working
 7 properly, so we weren't able to bring it to
 8 the May meeting, so we committed to bring it
 9 to the next one.
 10 MR. COXWORTHY:
 11 Q. And I don't think there's a need to go to
 12 it, but Mr. O'Brien asked you some
 13 questions, as did Mr. Browne, about overtime
 14 and the efforts that Hydro is making to
 15 control and hopefully reduce overtime and I
 16 had understood from some of your earlier
 17 evidence that you felt that some progress
 18 was being made in 2018 in that regard,
 19 compared to, say, 2017 that were perhaps the
 20 targets had not been met. Would it be
 21 possible to provide the actual overtime
 22 globally within Hydro up to this point in
 23 2018 or to the last date that the
 24 information has been compiled?
 25 MS. HUTCHENS:

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1 A. Yes.
 2 (11:48 a.m.)
 3 MR. COXWORTHY:
 4 Q. Could I have an undertaking?
 5 MS. GLYNN:
 6 Q. Noted on the record.
 7 MR. COXWORTHY:
 8 Q. Thank you. If we could turn now to
 9 Undertaking 54. This is the PowerPoint
 10 presentation that Mr. LeBlanc told us about
 11 in his testimony, and the undertaking
 12 response, I just want to refer to line 9,
 13 "Attachment 1 contains the presentation
 14 provided to Hydro in support of the O&M
 15 costs." Was that a presentation of
 16 PowerPoint by Nalcor to Hydro's executive
 17 team?
 18 MS. HUTCHENS:
 19 A. Yes, it was a presentation provided to
 20 Hydro. It wasn't the entire executive team,
 21 but a number of us, yes.
 22 MR. COXWORTHY:
 23 Q. Were you present for the presentation?
 24 MS. HUTCHENS:
 25 A. Yes.

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1 MR. COXWORTHY:
 2 Q. And do you recall when that was? There is a
 3 date on the document, March 2018.
 4 MS. HUTCHENS:
 5 A. Yeah, and the document was delivered in
 6 advance of the presentation, so that
 7 provided us a forum to sort of review it in
 8 advance so that we could have a more
 9 productive discussion in the presentation,
 10 so –
 11 MR. COXWORTHY:
 12 Q. So there was an opportunity as this was
 13 being presented for yourself and others at
 14 Hydro to ask questions of Nalcor without the
 15 Nalcor representatives who were presenting
 16 this?
 17 MS. HUTCHENS:
 18 A. Yes, there was, and we did.
 19 MR. COXWORTHY:
 20 Q. If we could turn then to page 1 of 34 of U-
 21 54, the cover page, if I can call it that.
 22 And this is the March 2018 date, I believe
 23 in your evidence you said you expected there
 24 might be an update, not necessarily in this
 25 exact form, in terms of a PowerPoint or a

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1 PowerPoint that conforms exactly with this,
 2 but you thought there might be an update
 3 from Nalcor of the information in this deck,
 4 coming at the end of August?
 5 MS. HUTCHENS:
 6 A. Yes, that’s correct, that would be in
 7 accordance with their regular budget cycle.
 8 (11:51 a.m.)
 9 MR. COXWORTHY:
 10 Q. And could I have an undertaking if it
 11 actually is prepared and provided to Hydro,
 12 before the conclusion of this hearing if
 13 that could be produced?
 14 MS. HUTCHENS:
 15 A. Yes.
 16 MR. COXWORTHY:
 17 Q. Thank you.
 18 MS. GLYNN:
 19 Q. Noted on the record.
 20 MR. COXWORTHY:
 21 Q. If we could turn to page 5 of 34 of U-54, in
 22 the second bullet, Ms. Hutchens, there’s a
 23 reference to “A similar approach will be
 24 taken for Muskrat Falls with greater
 25 emphasis on it found in the 2019 budget

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1 package given current schedule for first
 2 power”—do you have an understanding of
 3 what’s meant by the 2019 budget package?
 4 MS. HUTCHENS:
 5 A. I would think that would be the budget
 6 package that’s coming, but –
 7 MR. COXWORTHY:
 8 Q. It’s not something that’s already been
 9 provided to Hydro?
 10 MS. HUTCHENS:
 11 A. No, I think that refers to the Muskrat Falls
 12 assets. Within this presentation they broke
 13 it down for us between LIL, LTA and Muskrat
 14 Falls and they have, you know, LIL and LTA
 15 are coming in earlier, so they’ve got a
 16 little bit more visibility of when those,
 17 the more detailed complexion of them. And
 18 as I said earlier, you know, the further out
 19 you budget in forecast, the less certainty
 20 you have, so you know, as they get closer,
 21 they’ll be refining the budget in regular
 22 intervals, I would anticipate.
 23 MR. COXWORTHY:
 24 Q. The next page, page 6 of 34. This makes the
 25 point that LTA, LIL will become the single

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1 most important source of the province’s
 2 energy security. The second bullet,
 3 “Staffing levels informed by research into
 4 existing high reliability links, fully
 5 staffed model.” Is it your understanding
 6 that it’s been decided that a fully staffed
 7 model is what is going to be used for the
 8 LIL, LTA?
 9 MS. HUTCHENS:
 10 A. Yes, that is my understanding and I think if
 11 you look at –
 12 MR. COXWORTHY:
 13 Q. Yes, there is certainly on the subsequent
 14 pages there is information about that.
 15 MS. HUTCHENS:
 16 A. Yeah, on page 9 there’s a little bit of—
 17 there’s a bit of context that they provided
 18 for us just in terms of what they would look
 19 like for the LIL and LTA assets.
 20 MR. COXWORTHY:
 21 Q. Sure, and if you want to refer to it now for
 22 your answer, but I do intend to go to the
 23 subsequent pages and ask questions about
 24 that. The third bullet talks about, I
 25 guess, other models or different models,

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1 “Unstaffed and partially staffed stations
 2 are the norm for merchant transmission links
 3 that are not critical to the operation of
 4 the electrical grid.” Do you know whether
 5 any of the components of the transmission
 6 system that Nalcor would be operating and
 7 that Hydro would be paying for, are any of
 8 those going to be using the unstaffed or
 9 partially staffed model or is everything
 10 that Hydro is paying for, is it all fully
 11 staffed?
 12 MS. HUTCHENS:
 13 A. I believe it’s the fully staffed model
 14 they’ve gone with, and I think the reference
 15 there is with reference to merchant
 16 transmission links perhaps requiring reduced
 17 level of reliability because they are
 18 intended to sell power more so than service
 19 customers, so there’s different
 20 interruptability in firm needs and whatnot.
 21 MR. COXWORTHY:
 22 Q. How does Hydro currently staff its own
 23 transmission links, the transmission links
 24 that it currently controls? You know, when
 25 we talk about the fully staffed model or

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1 partially staffed model, you know, and just
 2 for context I’ll ask us to turn, just
 3 briefly, to page 9 in U-54, and this refers,
 4 appears to refer to different types of
 5 staffing models, fully staffed, hybrid,
 6 full/partial, partially staffed, in
 7 descending order of number of FTEs required,
 8 so do you have any understanding of how
 9 Hydro, in that context, in the context of
 10 those types of staffing models, what type of
 11 staffing model Hydro uses for its own
 12 transmission?
 13 MS. HUTCHENS:
 14 A. I’m afraid I wouldn’t be close enough to the
 15 operations to really give you a fair
 16 commentary there. What I will say, though,
 17 is the two substations at the end of the two
 18 lines, you know, are fairly significant,
 19 they’re HVdc assets, which are different
 20 than our assets as well, so I’m not sure
 21 whether it would be fair to compare them.
 22 MR. COXWORTHY:
 23 Q. Okay, fair enough. Who would be within
 24 Hydro the person who would be able to answer
 25 that question in terms of what staffing

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1 models are used for Hydro’s transmission?
 2 MS. HUTCHENS:
 3 A. I would think our operations and engineering
 4 manager, the VP would be the one to—that’s
 5 Mr. LeBlanc.
 6 MR. COXWORTHY:
 7 Q. Mr. LeBlanc, thank you. I take from this
 8 slide that the implication is that if what
 9 we’re talking about is the single most
 10 important source of the province’s energy,
 11 that it’s important that that source have
 12 the full staffing model, you know, for to
 13 ensure reliability. Is there going to be
 14 any re-examination that you’re aware of, of
 15 whether Hydro’s transmission links, the ones
 16 that you’re responsible for and will
 17 continue to be responsible for, whether they
 18 are going to be as critical in the future in
 19 light of the fact that something else now,
 20 LTA, LIL is going to be the single most
 21 important source of the province’s energy?
 22 MS. HUTCHENS:
 23 A. You know, I think that the transmission
 24 assets across the island, depending on where
 25 customers are located, can be, you know, as

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1 critical as other areas as well, you know,
 2 so I would think that a number of our assets
 3 are absolutely critical, you know, the
 4 assets that we have, for example, coming in
 5 from Soldiers Pond into the St. John’s and
 6 the Avalon area would absolutely be critical
 7 as well, but so I’m not aware that we’ve,
 8 you know, and looking at re-examining, but
 9 certainly it’s something that we are all, or
 10 examining is an explicit thing, but I think
 11 it’s something that we’re always looking for
 12 in terms of what the most effective and
 13 efficient staffing model is there and that’s
 14 what we’re, that’s our job, you know, going
 15 forward the next couple of years for sure.
 16 MR. COXWORTHY:
 17 Q. If we could turn, thank you, Ms. Hutchens,
 18 if we could turn to page 7 of 34 of U-54,
 19 and this is another slide regarding the
 20 transmission staffing model and it states
 21 that it was informed by work, by TransGrid
 22 Solutions, which I would assume is a
 23 consultant that was retained by Nalcor, is
 24 that your understanding?
 25 MS. HUTCHENS:

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1 A. I don't know if they were retained or, but
 2 yes, it was informed by their work, so I'm
 3 assuming that there would have been some—I
 4 don't know what the commercial arrangement
 5 was with them, let me put it that way.
 6 MR. COXWORTHY:
 7 Q. Okay, have you seen a report from TransGrid
 8 Solutions?
 9 MS. HUTCHENS:
 10 A. I've seen a report, I can't recall whether
 11 it's—yes, I think I have.
 12 MR. COXWORTHY:
 13 Q. And was it regarding this transmission
 14 staffing?
 15 MS. HUTCHENS:
 16 A. I believe it was.
 17 MR. COXWORTHY:
 18 Q. So you when you say you've seen it, you've
 19 read it?
 20 MS. HUTCHENS:
 21 A. There was a fair bit of technical in it, so
 22 —
 23 MR. COXWORTHY:
 24 Q. The executive summary, not to be too flim,
 25 but you now, did you at least gather, for

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1 instance it says here on this slide, they
 2 studied HVdc staffing at Hydro Quebec,
 3 Manitoba Hydro and Transpower New Zealand.
 4 Can you give us your understanding of why
 5 they looked at those three organizations,
 6 those three utilities in particular?
 7 MR. HUTCHENS:
 8 A. If my recollection is correct, it's because
 9 they have HVdc assets.
 10 MR. COXWORTHY:
 11 Q. No other reason?
 12 MS. HUTCHENS:
 13 A. Not that I'm aware of, but again, I'm not
 14 sure what their motivation for—and there may
 15 have been, you know, where TransGrid had the
 16 expertise, I'm not sure.
 17 MR. COXWORTHY:
 18 Q. If you turn to page 8 of U-54, and this is a
 19 slide in respect to the transmission
 20 organization, as I would take it, the
 21 transmission organization for the LIL LTA,
 22 it doesn't say that expressly, but that
 23 appears to be the case.
 24 MS. HUTCHENS:
 25 A. Yes, yes.

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1 MR. COXWORTHY:
 2 Q. So it doesn't include, for instance, all the
 3 staffing for the Muskrat Falls plant itself.
 4 MS. HUTCHENS:
 5 A. That's correct. I think that goes back to
 6 that prior comment in terms of the, you
 7 know, as they work through the budget
 8 cycles.
 9 MR. COXWORTHY:
 10 Q. And I take it and correct me if this is not
 11 your understanding, that there are what
 12 appear to be dates or years below certain of
 13 the positions, 2017, 2018, 2021, et cetera.
 14 Are those years when it's targeted that
 15 those positions will be filled to your
 16 understanding?
 17 MS. HUTCHENS:
 18 A. Subject to check, yes.
 19 (12:00 p.m.)
 20 MR. COXWORTHY:
 21 Q. Could you check that?
 22 MS. HUTCHENS:
 23 A. Yes, I can.
 24 MR. COXWORTHY:
 25 Q. Thank you. If we could turn to page 10 of

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1 34, U-54.
 2 MS. GLYNN:
 3 Q. We'll note that last subject to check as an
 4 undertaking.
 5 MR. COXWORTHY:
 6 Q. Thank you. Page 10 of 34, and I'd like to
 7 look at first the second bullet, "LTA and
 8 LIL will be available for interim use in
 9 2018" and of course, this was written in
 10 2018, so they wouldn't have been aware of
 11 subsequent changes or delays. "To be
 12 capable of supporting the Lab East load
 13 during the winter of 2017, '18, subject to G
 14 commissioning not being delayed." Do you
 15 know whether the LTA and LIL will be capable
 16 of supporting the Lab East load? I guess
 17 it's really the LTA that's relative there
 18 during the winter of 2017, 2018?
 19 MS. HUTCHENS:
 20 A. Yeah, I think it's the LTA that's relevant
 21 there. And I don't know to what extent, you
 22 know, support means in that context, so no,
 23 I'm not close enough to it.
 24 MR. COXWORTHY:
 25 Q. And facilitate delivery of recall to NLH on

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1 a mono-pole basis starting by mid-year, and
 2 as we know, that's projected now to be not
 3 before October of 2018.
 4 MS. HUTCHENS:
 5 A. Correct.
 6 MR. COXWORTHY:
 7 Q. The next bullet then, "O&M costs for LTA is
 8 budgeted to be expensed in the first quarter
 9 of 2018" and there was some questioning by
 10 Mr. O'Brien and I'm not sure we need to go
 11 to it, but I do want to point out there's
 12 some questioning by Mr. O'Brien around this,
 13 and I just want to understand, as you go on
 14 in this bullet, it talks then about certain
 15 costs being capitalized. Can you explain,
 16 what's the distinction as you understand it
 17 in this bullet between costs being expensed
 18 and costs being capitalized, in the context
 19 of this bullet?
 20 MS. HUTCHENS:
 21 A. I think it comes back to accounting policy
 22 and based on the stage of commissioning or
 23 use of various assets, the accounting rules
 24 would require expenditures to be either
 25 capitalized or were operationalized,

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1 expensed.
 2 MR. COXWORTHY:
 3 Q. So it's one or the other, they're either
 4 expensed or they're capitalized?
 5 MS. HUTCHENS:
 6 A. It's one or the other.
 7 MR. COXWORTHY:
 8 Q. And so that bullet, the third bullet, "O&M
 9 costs for the LIL is budgeted to be expensed
 10 in the second quarter of 2019." Does that
 11 mean they will be, at least according to
 12 this bullet, the intention was that they
 13 were to be capitalized up to?
 14 MS. HUTCHENS:
 15 A. I think that's an error, I think that 2019
 16 should have been an 18.
 17 MR. COXWORTHY:
 18 Q. So you think that's an error.
 19 MS. HUTCHENS:
 20 A. Absolutely, yes.
 21 (12:03 p.m.)
 22 MR. COXWORTHY:
 23 Q. Can you check that? Is there any way for
 24 you to confirm that it should be 2018?
 25 MS. HUTCHENS:

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1 A. Yes, I can, absolutely, I will confirm that,
 2 absolutely.
 3 MR. COXWORTHY:
 4 Q. And so similarly there's a reference to the
 5 first quarter, 2019 later on in the bullet,
 6 do you think that's also an error?
 7 MS. HUTCHENS:
 8 A. No. 2019, the LIL is coming on, it's two
 9 poles, and it's coming on one pole at a
 10 time.
 11 MS. GLYNN:
 12 Q. We'll note that clarification on the record.
 13 MR. COXWORTHY:
 14 Q. Thank you. And you referenced, I think,
 15 accounting standards, is this IFRS that
 16 dictates the or indicates what the
 17 appropriate treatment is as between
 18 expensing or capitalizing?
 19 MS. HUTCHENS:
 20 A. Yes, it would be International Financial
 21 Recording Standards.
 22 MR. COXWORTHY:
 23 Q. And did you have any discussion with Nalcor,
 24 the people presenting this about this
 25 particular bullet when they presented it to

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1 you, about the decisions they were making?
 2 MS. HUTCHENS:
 3 A. Yes.
 4 MR. COXWORTHY:
 5 Q. And were you in agreement with the decisions
 6 they were making? Based on the information
 7 they provided you.
 8 MS. HUTCHENS:
 9 A. Based on the information I was provided,
 10 yes, and I do know that they consulted with
 11 their auditors and confirmed what the
 12 appropriate accounting treatment was in the
 13 circumstances.
 14
 15 MR. COXWORTHY:
 16 Q. If we could turn to page 12 of U-54?
 17 Transmission cost benchmarking, distribution
 18 of transmission O&M costs as a percentage of
 19 Gross Asset Value. Can you explain what you
 20 understand this slide to be; what the
 21 information it's providing?
 22 MS. HUTCHENS:
 23 A. So, the slide, I think, is comparing their
 24 costs which they – so, they built up their
 25 costs and then they went through a process

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1 of comparing that, just to – you know, I’ll
 2 call it another check to determine – you
 3 know, to ensure, I guess, that the costs
 4 were reasonable and you know, one of the
 5 measures that you can use – you know,
 6 there’s many ways to benchmark, as we
 7 discussed a little bit earlier this week.
 8 One of the measures that they looked at was
 9 the O&M costs as a percentage of the gross
 10 asset value. So, another point of
 11 reference.
 12 MR. COXWORTHY:
 13 Q. Sure. So, there’s – in the graph, graphical
 14 illustration, there’s two percentages there;
 15 1.8 percent and 1.3 percent. Do you have an
 16 understanding of what we are to take from
 17 that information?
 18 MS. HUTCHENS:
 19 A. I cannot recall.
 20 MR. COXWORTHY:
 21 Q. Okay. And then it’s noted in the final
 22 bullet, “Power Supply transmission costs are
 23 at 1.2 percent”.
 24 MS. HUTCHENS:
 25 A. Yes, I think the -

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1 MR. COXWORTHY:
 2 Q. Is that an indication that the costs that
 3 they’ve built or forecast as transmission
 4 costs as detailed in this are at 1.2 percent
 5 of their estimated gross asset value?
 6 MS. HUTCHENS:
 7 A. Yes.
 8 MR. COXWORTHY:
 9 Q. And is gross asset value LIL, LTA and
 10 Muskrat Falls generation plant?
 11 MS. HUTCHENS:
 12 A. I think this is probably just transmission
 13 because it says distribution of transmission
 14 O&M costs at the top.
 15 MR. COXWORTHY:
 16 Q. Yes, you’re absolutely correct.
 17 MS. HUTCHENS:
 18 A. Yeah.
 19 MR. COXWORTHY:
 20 Q. So, you think it’s just LTA and LIL?
 21 MS. HUTCHENS:
 22 A. And LIL, yes.
 23 MR. COXWORTHY:
 24 Q. Saying their power supply transmission costs
 25 are at 1.2 percent, is that an indication

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1 that they are within this benchmark, within
 2 the appropriate benchmark for transmission
 3 costs?
 4 MS. HUTCHENS:
 5 A. I think it implies that they are below.
 6 MR. COXWORTHY:
 7 Q. Yes, I’m sorry.
 8 MS. HUTCHENS:
 9 A. Yeah.
 10 MR. COXWORTHY:
 11 Q. When I say “within”, I’m sorry, that’s what
 12 I meant, below.
 13 MS. HUTCHENS:
 14 A. Yes, not above.
 15 MR. COXWORTHY:
 16 Q. Not above. Thank you. Do you know what
 17 Hydro’s transmission O&M costs are as a
 18 percentage of Hydro’s gross asset values,
 19 you know, the gross asset value of the
 20 applicable assets?
 21 MS. HUTCHENS:
 22 A. I don’t have it at hand. What I would
 23 comment is I’m not sure we’re comparing
 24 apples and apples there because of the HVdc
 25 assets.

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1 MR. COXWORTHY:
 2 Q. Fair enough, but even with that caveat,
 3 could I have an undertaking for you to
 4 provide us with the comparable figure for
 5 Hydro?
 6 MS. HUTCHENS:
 7 A. Yes, we can.
 8 MR. COXWORTHY:
 9 Q. Thank you.
 10 MS. GLYNN:
 11 Q. Noted on the record.
 12 (12:07 p.m.)
 13 MR. COXWORTHY:
 14 Q. If we could turn to page 14 of U-54, and
 15 there’s detail there of LIL and LTA costs.
 16 The operating labour and salaries and
 17 corporate engineering support and labour
 18 salaries that are identified there for LIL
 19 and LTA, do the positions that are shown on
 20 page eight, page eight of the organizational
 21 chart, which isn’t filled yet, does that –
 22 does the operating labour and salaries and
 23 corporate engineering support labour, are
 24 they all to be found, all the persons who
 25 are being – receiving those salaries, are

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1 they to be found on that page eight chart,
 2 do you know?
 3 MS. HUTCHENS:
 4 A. I believe the organizational chart on page
 5 eight – well, I can’t recall the exact page,
 6 but the org chart that we just looked at -
 7 MR. COXWORTHY:
 8 Q. It is page eight.
 9 MS. HUTCHENS:
 10 A. - are associated with the operating labour
 11 and salaries components only and do not -
 12 MR. COXWORTHY:
 13 Q. Not the corporate engineering?
 14 MS. HUTCHENS:
 15 A. Correct.
 16 MR. COXWORTHY:
 17 Q. So, that’s something that, of course, Hydro
 18 is also paying for?
 19 MS. HUTCHENS:
 20 A. Yes.
 21 MR. COXWORTHY:
 22 Q. Do you know if there’s a chart for that?
 23 MS. HUTCHENS:
 24 A. I have not seen an org chart for the
 25 corporate piece. I have seen an org chart

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1 for the engineering support. The
 2 engineering support is – Nalcor has an
 3 engineering group that will be providing
 4 services, not just to the LIL, the LTA and
 5 the Muskrat Falls assets, but also to other
 6 Nalcor assets as well, from an engineering
 7 perspective.
 8 MR. COXWORTHY:
 9 Q. So, they’ll be charging some of their time
 10 to Hydro as transmission O&M?
 11 MS. HUTCHENS:
 12 A. They will be charging their time to – yes,
 13 the Power Supply assets, who would then bill
 14 us.
 15 MR. COXWORTHY:
 16 Q. But the people in the page eight chart, are
 17 they charging all of their time, as you
 18 understand it, to Hydro or is it – do they
 19 have other functions that -
 20 MS. HUTCHENS:
 21 A. I believe the vast majority of the
 22 individuals there would be charging their
 23 time to -
 24 MR. COXWORTHY:
 25 Q. 100 percent?

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1 MS. HUTCHENS:
 2 A. 100 percent. There’s a few senior
 3 management folks that I know would have dual
 4 responsibilities. So, for example, the VP
 5 Transmission and Town Services Power Supply
 6 also has responsibility for some assets in
 7 Labrador that are Nalcor’s.
 8 MR. COXWORTHY:
 9 Q. You say you have seen a chart for the
 10 engineering support labour?
 11 MS. HUTCHENS:
 12 A. I have seen one, yes. I don’t have a copy
 13 of it, but I have seen one.
 14 MR. COXWORTHY:
 15 Q. When you say you don’t – has it been
 16 provided to Hydro?
 17 MS. HUTCHENS:
 18 A. We reviewed it in a meeting with the
 19 executive responsible for that group, and it
 20 was a draft chart. He had not finished his
 21 work on it completely.
 22 MR. COXWORTHY:
 23 Q. And when you say “he hadn’t” this is a
 24 Nalcor employee that had done this?
 25 MS. HUTCHENS:

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1 A. Yes.
 2 MR. COXWORTHY:
 3 Q. All right. And was there – has there been
 4 any sort of finality around what percentage
 5 of those persons’ time is going to be
 6 charged to Hydro?
 7 MS. HUTCHENS:
 8 A. I think it ties to the work plan. They’ve
 9 built the expenditures based on the work
 10 plan, not based on the individuals.
 11 MR. COXWORTHY:
 12 Q. Okay. And based on the work plan, do you
 13 have any information you can provide to us,
 14 to the Board, about what percentage of those
 15 costs represent costs being charged to Hydro
 16 as opposed to -
 17 MS. HUTCHENS:
 18 A. No, I don’t have what percentage. In terms
 19 of the actual expectation -
 20 MR. COXWORTHY:
 21 Q. Well, we know the dollar amount from this
 22 chart.
 23 MS. HUTCHENS:
 24 A. - the dollar values are embedded in this
 25 table, in the tables here, yes.

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1 MR. COXWORTHY:
 2 Q. Yes, absolutely. If we could turn to page
 3 16 of U-54? “Labour costs assumptions take
 4 into consideration historical benchmarking
 5 from existing Nalcor, NLH and Churchill
 6 Falls operations where applicable.” Do you
 7 know what information was provided by Hydro
 8 regarding their historical benchmarking to
 9 Nalcor?
 10 MS. HUTCHENS:
 11 A. I don’t know that it would have been as much
 12 a provision of information, but you know -
 13 MR. COXWORTHY:
 14 Q. Nalcor would have that information without
 15 having to go and specifically ask for it
 16 from you?
 17 MS. HUTCHENS:
 18 A. I think in the time they were examining
 19 this, they would have had the knowledge, for
 20 sure, because a number of the people at
 21 Hydro or, you know, in Power Supply, would
 22 have previously worked in the Hydro or the
 23 CF organization. So, they would have some
 24 experience associated with that and we would
 25 have – you know, and we would have – there’s

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1 no reason not to provide them access as our
 2 shareholder.
 3 MR. COXWORTHY:
 4 Q. Okay, fair enough. It says that labour
 5 costs will take them into consideration.
 6 Was there an opportunity for Hydro to
 7 compare their benchmarking to NLH’s existing
 8 benchmarking in relation to these labour
 9 cost assumptions?
 10 MS. HUTCHENS:
 11 A. Yes, we did do that.
 12 MR. COXWORTHY:
 13 Q. And at what level was that? That wasn’t
 14 done in the context of the presentation of
 15 the slide deck?
 16 MS. HUTCHENS:
 17 A. It was done coming out of the presentation
 18 of the slide deck. So, then we took the
 19 information in the slide deck and took it
 20 away and did some comparisons to our own
 21 organization in terms of the – you know, the
 22 average salaries and the FTE complement and
 23 what that might look like, and you know,
 24 compared that to ours and just as, I guess,
 25 a check in terms of, you know, does that

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1 feel right to us.
 2 MR. COXWORTHY:
 3 Q. And were you satisfied after that check
 4 that-
 5 MS. HUTCHENS:
 6 A. So, my role at -
 7 MR. COXWORTHY:
 8 Q. - they had taken appropriate consideration
 9 of the NLH benchmarks?
 10 MS. HUTCHENS:
 11 A. Yeah, so my role in that would have been on
 12 the administration side of things and yes, I
 13 was reasonable satisfied that, you know,
 14 when I looked at it, it wasn’t unreasonable.
 15 MR. COXWORTHY:
 16 Q. On the same -
 17 MS. HUTCHENS:
 18 A. It’ll depend, you know, when they get into
 19 operation what it really looks like, but you
 20 know, on a forecast basis, it was
 21 reasonable.
 22 MR. COXWORTHY:
 23 Q. On the same page, page 16 in the sub-bullets
 24 in the third bullet, “executive costs
 25 represent a portion of the Power Supply

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1 leadership team being charged into LCP O&M
 2 costs ranging between 50 and 75 percent”.
 3 When I see LCP O&M costs there, I understand
 4 that to be the costs that are going to be
 5 charged to Hydro. Is that correct?
 6 MS. HUTCHENS:
 7 A. Yes, yes.
 8 MR. COXWORTHY:
 9 Q. And that suggests that what’s going to be
 10 charged in from the Power Supply leadership
 11 team, this would be Nalcor’s Power Supply
 12 leadership team?
 13 MS. HUTCHENS:
 14 A. Yes.
 15 MR. COXWORTHY:
 16 Q. Will range between 50 and 75 percent?
 17 MS. HUTCHENS:
 18 A. Yes.
 19 MR. COXWORTHY:
 20 Q. And was there any discussion at the
 21 presentation or before or afterwards about
 22 that?
 23 MS. HUTCHENS:
 24 A. Yes, there was.
 25 MR. COXWORTHY:

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1 Q. And can you tell us what the content of that
 2 discussion was?
 3 MS. HUTCHENS:
 4 A. We had a discussion around, you know,
 5 whether 50 to 75 percent seemed reasonable
 6 and because a number of those executives
 7 have, you know, multiple roles within
 8 Nalcor, not just operating the Power Supply
 9 assets but also other functions, and so, we
 10 did have discussions with them around, you
 11 know, what that estimate would look like,
 12 acknowledging, of course, that the actuals
 13 would be reflective of actual timesheet
 14 charges.
 15 MR. COXWORTHY:
 16 Q. So, there will be a check in terms of
 17 actuals and there's time entries placed on
 18 timesheets to check that?
 19 MS. HUTCHENS:
 20 A. Yes.
 21 MR. COXWORTHY:
 22 Q. And whether that's 50 or 75 percent or
 23 something less or something more will depend
 24 on what's actually entered on the timesheet?
 25 MS. HUTCHENS:

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1 A. Yes.
 2 (12:15 p.m.)
 3 MR. COXWORTHY:
 4 Q. If we can turn to page 18 of U-54 and Mr.
 5 LeBlanc and yourself both testified about
 6 how the 2018 test year costs coming out of
 7 the LIL, LTA costs have been reduced down to
 8 8.3-8.4 million. One of them was a double
 9 counting of employee's issue. Another one,
 10 of course, is the fact that the asset LIL
 11 will not be operational in any sense other
 12 than be on testing until the last quarter of
 13 the year. But you also mentioned the
 14 community betterment, and is the community
 15 betterment item coming out of the costs that
 16 were being charged to Hydro? That's what I
 17 understood. Is that correct?
 18 MS. HUTCHENS:
 19 A. The Wellness Centre is coming out, yes.
 20 MR. COXWORTHY:
 21 Q. Okay. And so, some of the community
 22 betterment -
 23 MS. HUTCHENS:
 24 A. Yes, 250,000.
 25 MR. COXWORTHY:

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1 Q. - is staying in?
 2 MS. HUTCHENS:
 3 A. The remainder, yes, is staying in.
 4 MR. COXWORTHY:
 5 Q. And what's the rest of it about?
 6 MS. HUTCHENS:
 7 A. I can't recall off the top of my head. It's
 8 commitments associated with, I think, you
 9 know, contracts associated with the Muskrat
 10 Falls assets. I'd like to take that away
 11 and check it actually, just to confirm it.
 12 MR. COXWORTHY:
 13 Q. Yes, if you could, and get back -
 14 MS. HUTCHENS:
 15 A. I just can't recall, you know.
 16 MR. COXWORTHY:
 17 Q. - and let us know what -
 18 MS. HUTCHENS:
 19 A. We did a lot of detailed analysis there.
 20 MR. COXWORTHY:
 21 Q. - what is still being included in the costs
 22 being in the revenue requirement for 2018-
 23 2019 under that community betterment?
 24 MS. HUTCHENS:
 25 A. Yes.

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1 MR. COXWORTHY:
 2 Q. Not just the dollar amount, but also what
 3 it's associated with.
 4 MS. HUTCHENS:
 5 A. Yes.
 6 MS. GLYNN:
 7 Q. Noted on the record.
 8 (12:17 p.m.)
 9 MR. COXWORTHY:
 10 Q. Thank you. The other items on this page,
 11 for instance, travel, four to five thousand
 12 dollars per employee per year for direct
 13 operations and shared services, you know,
 14 relocation allowances and the next one,
 15 office space rental. Are there Hydro
 16 benchmarks for these types of items within
 17 Hydro?
 18 MS. HUTCHENS:
 19 A. Yes, there are, and we did look at
 20 benchmarks for the majority. Where there
 21 was a benchmark available, we did look at
 22 our own costs and what they looked like.
 23 MR. COXWORTHY:
 24 Q. So, for instance, for travel, the four or
 25 five thousand dollars per employee per year,

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1 when it says “per employee” does that mean
 2 all of the people on the page eight chart?
 3 MS. HUTCHENS:
 4 A. I can’t recall the math. I do remember a
 5 discussion around that and the fact that
 6 their assets are in the north, I think,
 7 would -
 8 MR. COXWORTHY:
 9 Q. Well, not all of them, of course.
 10 MS. HUTCHENS:
 11 A. No, no, no, but a certain component of them.
 12 MR. COXWORTHY:
 13 Q. Sure.
 14 MS. HUTCHENS:
 15 A. And they – I think they have an expectation
 16 as well that, you know, as they run up and
 17 use the new assets that, you know, through
 18 the initial period as well, there’s going to
 19 be training that’s got travel associated
 20 with it and those sorts of things. So, we
 21 did challenge them on it because our average
 22 travel cost is lower and you know, the
 23 responses that we got back were associated
 24 with, you know, the early use of the assets,
 25 understanding the assets, making sure that

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1 the people were appropriately trained, as
 2 well as the geography differentials.
 3 MR. COXWORTHY:
 4 Q. Now, Hydro has, correct me if I’m wrong,
 5 employees in Labrador?
 6 MS. HUTCHENS:
 7 A. Yes.
 8 MR. COXWORTHY:
 9 Q. Yeah.
 10 MS. HUTCHENS:
 11 A. Yes, we do.
 12 MR. COXWORTHY:
 13 Q. Do you know what the – if there’s a specific
 14 travel allowance for those Hydro employees?
 15 MS. HUTCHENS:
 16 A. No, we don’t have a travel allowance per se,
 17 no.
 18 MR. COXWORTHY:
 19 Q. Or, you know, the equivalent to what this
 20 item is here, travel, four to five thousand.
 21 I guess you’re budgeting -- allowance is
 22 probably the wrong word.
 23 MS. HUTCHENS:
 24 A. Yes, yeah.
 25 MR. COXWORTHY:

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1 Q. But you’re budgeting a certain amount to pay
 2 for or reimburse employees for their travel?
 3 MS. HUTCHENS:
 4 A. Yes.
 5 MR. COXWORTHY:
 6 Q. For work purposes?
 7 MS. HUTCHENS:
 8 A. Yes.
 9 MR. COXWORTHY:
 10 Q. So, what do you budget for a Labrador – a
 11 Hydro Labrador employee?
 12 MS. HUTCHENS:
 13 A. I don’t have that information. Mr. LeBlanc
 14 could do that.
 15 MR. COXWORTHY:
 16 Q. Would there be a specific amount for
 17 Labrador employee versus -
 18 MS. HUTCHENS:
 19 A. I don’t think we would necessarily break out
 20 Labrador because of the way the budgeting –
 21 it just doesn’t -
 22 MR. COXWORTHY:
 23 Q. You did say there was an average figure that
 24 was less than this figure. Do you know what
 25 that is?

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1 MS. HUTCHENS:
 2 A. Not off the top of my head.
 3 MR. COXWORTHY:
 4 Q. Could you – could I have your undertaking to
 5 provide us with that?
 6 MS. HUTCHENS:
 7 A. Yes.
 8 MR. COXWORTHY:
 9 Q. Thank you.
 10 MS. GLYNN:
 11 Q. Noted on the record.
 12 (12:19 p.m.)
 13 MR. COXWORTHY:
 14 Q. The office space rental item there of
 15 \$15,000 per employee per year and \$60,000
 16 per year for Soldier’s Pond, did you – how
 17 does that compare to the appropriate
 18 applicable Hydro benchmark?
 19 MS. HUTCHENS:
 20 A. So, the \$15,000 per year for shared services
 21 is consistent with ours. That reflects the
 22 operation of Hydro Place, as well as some
 23 other costs associated with office space,
 24 you know, having that space available for
 25 people. But, yes, the \$15,000 was basically

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1 driven out of Hydro’s costs. And the 60,000
 2 per year for Soldier’s Pond was not. Now,
 3 that’s on a per employee basis. That’s on
 4 the total. So, we don’t have a comparable
 5 asset for that.
 6 MR. COXWORTHY:
 7 Q. So, that’s for all the employees, not per
 8 employee, that 60,000?
 9 MS. HUTCHENS:
 10 A. That’s correct.
 11 MR. COXWORTHY:
 12 Q. The safety supplies, \$1,000 per employee per
 13 year. Is that comparable to Hydro?
 14 MS. HUTCHENS:
 15 A. Yes, it is.
 16 MR. COXWORTHY:
 17 Q. The NERC item there, “based on estimate
 18 provided by external consultant”, can you
 19 explain to us your understanding of why
 20 Hydro is being charged something in relation
 21 to NERC?
 22 MS. HUTCHENS:
 23 A. It is the cost – potential cost associated
 24 with compliance with NERC, and I believe Mr.
 25 LeBlanc gave some testimony in terms of, you

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1 know, our approach to that. And what
 2 they’ve included in there is they had a
 3 consultant provide them an estimate of the
 4 potential cost of complying with NERC and
 5 they took that information from the
 6 consultant and included it.
 7 MR. COXWORTHY:
 8 Q. And perhaps we could turn to – and there are
 9 several examples of this, but I think page
 10 23 of 34, and if we look at administration
 11 and other costs. This is for the LIL, and
 12 under administration and other costs,
 13 there’s a NERC line entry, a NERC row, and
 14 it shows forecast costs not coming in until
 15 2020 or 2021. I don’t believe – either for
 16 the LIL or any other components, does it
 17 show any NERC costs coming in in 2018-2019,
 18 but for the 2020 and 2021, I had understood
 19 from Mr. LeBlanc’s evidence that there
 20 wasn’t certainty around the extent to which
 21 NERC would be complied with; that that was
 22 still under consideration.
 23 MS. HUTCHENS:
 24 A. Yes.
 25 MR. COXWORTHY:

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1 Q. So, these forecast amount, do they represent
 2 sort of the maximum amount that is forecast,
 3 if there’s – if I can call it complete
 4 compliance with NERC? How are the forecast
 5 numbers arrived at, to your understanding?
 6 MS. HUTCHENS:
 7 A. I think the consultant would have provided
 8 advice there, in terms of what, you know,
 9 the consultant would expect to see with a
 10 certain level of NERC compliance. I’m not
 11 sure specifically what level of NERC
 12 compliance, but it is my understanding that
 13 the decisions in terms of how far NERC
 14 compliance would go have not necessarily
 15 been made, which is kind of the nature of a
 16 forecast. We didn’t focus a lot on that one
 17 because it’s – you know, it’s not scheduled
 18 to come in until much later. So, as we get
 19 closer to Muskrat Falls, I think those
 20 decisions will be made and those costs will
 21 be more clear.
 22 MR. COXWORTHY:
 23 Q. If we could move on to page 20 of U-54?
 24 There’s reference there to “the interim
 25 contractual arrangements for use of the

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1 LIL/LTA and will include” – and these are
 2 the arrangements that have not yet been
 3 concluded? Is that right?
 4 MS. HUTCHENS:
 5 A. Correct.
 6 MR. COXWORTHY:
 7 Q. You’ve made that point several times. If we
 8 could turn to page 15 and 16 of the
 9 Supplementary Evidence that was filed on
 10 July 20th in the context of these interim
 11 contractual arrangements? Page 15, the
 12 section dealing with Muskrat Falls Power
 13 Purchase Agreement. My question is, and
 14 perhaps I’ll read certain passages if it
 15 appears necessary or useful, but as I read
 16 Section 5.2.1 and the description of the
 17 costs that are going to be collected from
 18 the Muskrat Falls Purchase – or under the
 19 Muskrat Falls Purchase Power Agreement and
 20 then the next page, 5.2.2 Transmission
 21 Funding Agreement, the costs that it appears
 22 that Hydro is seeking to negotiate to pay
 23 under these interim contractual arrangements
 24 are going to be paid under these Muskrat
 25 Falls Purchase Power Agreements and the

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1 Transmission Funding Agreement. There's
 2 already provision in those agreements to
 3 deal with the costs that you're seeking to
 4 have addressed under the interim contractual
 5 arrangements. Is that fair?
 6 MS. HUTCHENS:
 7 A. In terms of the O&M charges under the longer
 8 term agreements, I believe the O&M charges
 9 would be associated just with O&M or, you
 10 know, the billing components that include
 11 the O&M would be reflective of just the O&M
 12 costs post Muskrat Falls and my
 13 understanding is that the pre Muskrat Falls
 14 – and I'd have to go back and actually read
 15 the agreements to be sure of this, but the
 16 pre Muskrat Falls O&M, for purposes of
 17 recovery, would – if not collected now, then
 18 would – or if not paid now by Hydro, would
 19 be rolled into the long term agreements, in
 20 terms of what we have to pay to them.
 21 MR. COXWORTHY:
 22 Q. That's certainly my interpretation of what
 23 Hydro is saying in this Supplemental
 24 Evidence, you know.
 25 MS. HUTCHENS:

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1 A. Yeah.
 2 MR. COXWORTHY:
 3 Q. Whether that's the case or not, but
 4 certainly that's my interpretation.
 5 MS. HUTCHENS:
 6 A. Yeah. Mr. Fagan will be the best one to
 7 confirm that with, just to be sure, because
 8 I – you know, he's been very close to this.
 9 MR. COXWORTHY:
 10 Q. Fair enough. I'll move on from that. Thank
 11 you. Ms. Hutchens, you indicated that once,
 12 and if, Hydro is invoiced starting in the
 13 third or fourth quarter of 2018 by an
 14 appropriate Nalcor entity that you expect
 15 them to provide a certain amount of detail
 16 about the LIL and LTA costs that they're
 17 invoicing to you.
 18 MS. HUTCHENS:
 19 A. Yes.
 20 MR. COXWORTHY:
 21 Q. And with reference then to page 23 of U-54,
 22 would you expect that level of detail in the
 23 invoice, a breakdown of -
 24 MS. HUTCHENS:
 25 A. Yes, at least.

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1 MR. COXWORTHY:
 2 Q. At least. I was going to – and so, you
 3 would expect even more than that?
 4 MS. HUTCHENS:
 5 A. Yes.
 6 MR. COXWORTHY:
 7 Q. Particularly, I guess, if items come in
 8 higher than forecast?
 9 MS. HUTCHENS:
 10 A. Yes.
 11 MR. COXWORTHY:
 12 Q. If we could turn to page 29 of 34? And the
 13 FTEs that are associated with Corporate
 14 Support Services – and you've made the
 15 point, I'll acknowledge, Ms. Hutchens, that
 16 you know, maybe we're not comparing apples
 17 to oranges. This is – in terms of Nalcor's
 18 operation and Hydro's operation, but even
 19 with that, can you tell me how Hydro's
 20 corporate service, support services, in
 21 terms of the FTEs allocated for things like
 22 finance, system planning, et cetera, as
 23 shown here, how does that compare to Hydro
 24 and the number of FTEs and the types of
 25 tasks to which FTEs are assigned?

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1 MS. HUTCHENS:
 2 A. When we looked at those, we did look at
 3 Hydro's numbers. I can't recall the exact
 4 Hydro numbers because they're in different
 5 places. But, we absolutely did look at the
 6 FTE complement that we would have had in our
 7 groups and you know, some up, some down, you
 8 know, in comparisons and we had discussion
 9 around why that might be, and you know, on
 10 balance, I think there's a – you know, how I
 11 got comfortable with it was through the
 12 exact process that you're asking about and
 13 saying is that a reasonable FTE, minus the
 14 eight system planning and operations folks
 15 obviously. But that would be, you know,
 16 comparable to what I would expect that they
 17 would incur in order to operate the assets
 18 and do the purchasing, do the – you know,
 19 pay the bills, payroll, those kinds of
 20 things.
 21 MR. COXWORTHY:
 22 Q. You said that some of them were up or higher
 23 than the comparable in Hydro.
 24 MS. HUTCHENS:
 25 A. Yeah, not materially. Not materially. You

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1 know, so for example, the environment, you
 2 know, I believe we asked about that one.
 3 But there's some environmental monitoring
 4 requirements associated with Muskrat Falls,
 5 so that would have explained why theirs was
 6 a bit higher than what we would have
 7 expected to see.
 8 (12:30 p.m.)
 9 MR. COXWORTHY:
 10 Q. Thank you. I think we're finished with U-
 11 54. I'd like to move on. If we could bring
 12 up Information 11, and for context, if we
 13 could – I'll just give Ms. Hutchens a
 14 moment, just to read Information 11. If we
 15 could then also bring up Information 12.
 16 And I asked some questions of Ms. Williams
 17 about this and about whether there were any
 18 discussions she was aware of, of this asset,
 19 these assets, the Exploits Generation Assets
 20 being disposed, transferred to Hydro, and I
 21 believe her evidence was that certainly she
 22 was aware that that's something that's been
 23 discussed over the years, but she wasn't
 24 aware of any present discussions about that,
 25 certainly not anything about a disposition

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1 of that sort this year. Are you aware of
 2 any discussions or plans for Hydro to have
 3 that asset transferred to it or assets?
 4 MS. HUTCHENS:
 5 A. No, no plans. You know, there's
 6 discussions, as Ms. Williams has mentioned,
 7 from time to time. But as of now, no,
 8 there's no plan that I'm aware of. I
 9 believe we answered an RFI associated with
 10 that. I don't think we need to go to it,
 11 but just to note it on the record.
 12 MR. COXWORTHY:
 13 Q. Yes, please.
 14 MS. HUTCHENS:
 15 A. It's PUB-118.
 16 MR. COXWORTHY:
 17 Q. Thank you.
 18 MS. HUTCHENS:
 19 A. And you know, nothing's changed from the
 20 answer of that. So, I'll just reaffirm that
 21 the answer in that RFI is still current.
 22 MR. COXWORTHY:
 23 Q. If that asset were – or those assets were to
 24 be transferred to Hydro, can you give us
 25 some perspective of what would be the

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1 accounting treatment of such a transfer?
 2 MS. HUTCHENS:
 3 A. I think it would depend on how the asset was
 4 transferred.
 5 MR. COXWORTHY:
 6 Q. Whether there was consideration paid for it
 7 or not?
 8 MS. HUTCHENS:
 9 A. On a whole bunch of different things. It
 10 would be a fairly technical area from a
 11 financial perspective.
 12 MR. COXWORTHY:
 13 Q. It's not a simple answer?
 14 MS. HUTCHENS:
 15 A. It's not a simple answer, no.
 16 MR. COXWORTHY:
 17 Q. Would there be cost consequences for Hydro's
 18 customers in all likelihood?
 19 MS. HUTCHENS:
 20 A. It would be hard to say. It would depend on
 21 the terms and conditions of any kind of
 22 transfer. You know, customers today are
 23 paying four cents for the power there.
 24 MR. COXWORTHY:
 25 Q. Relatively cheap power.

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1 MS. HUTCHENS:
 2 A. Yeah, so, you know, whether that is higher
 3 or lower after a transfer would be something
 4 that would be subject to the terms and
 5 conditions of the transfer.
 6 MR. COXWORTHY:
 7 Q. If we could turn again to the Supplementary
 8 Evidence that was filed on July 20th, and I
 9 anticipate you may refer me to Mr. Fagan for
 10 this, but I'll ask in any event. At page
 11 six, at the very top of page six, "Hydro
 12 anticipates its next GRA filing will include
 13 both 2020 and 2021 as test years". Can you
 14 give us, the Board, any indication of when
 15 or approximately when the next Hydro GRA
 16 filing will be?
 17 MS. HUTCHENS:
 18 A. I think it would be dependent a little bit
 19 in terms of other processes on the go as
 20 well, but Mr. Fagan would be the one that is
 21 closer to that, those discussions.
 22 MR. COXWORTHY:
 23 Q. Thank you, Ms. Hutchens. I have no further
 24 questions.
 25 MS. HUTCHENS:

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1 A. Thank you.
 2 CHAIR:
 3 Q. Thank you, Mr. Coxworthy. Ms. Greene.
 4 GREENE, Q.C.:
 5 Q. Good afternoon, Ms. Hutchens.
 6 MS. HUTCHENS:
 7 A. Good afternoon, Ms. Greene.
 8 GREENE, Q.C.:
 9 Q. One of the advantages of being the last to
 10 question is that most of the issues have
 11 been covered and the disadvantage is by now
 12 everyone is looking out the window. So,
 13 let's try to do this so that we can all
 14 enjoy the sun this afternoon.
 15 MS. HUTCHENS:
 16 A. Good news is my back is to the window.
 17
 18 GREENE, Q.C.:
 19 Q. So the first area I did want to talk to you
 20 about is the guarantee fee, and just to put
 21 it into context, if we could bring up the
 22 Grant Thornton Report on Hydro's 2017
 23 general rate application at page 13 first,
 24 please, and here in line 7 to 14 Grant
 25 Thornton raised the issue of the amount

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1 included in the revenue requirement with
 2 respect to long term debt, and pointed out
 3 the fact that the fee on the long term debt
 4 had been adjusted by the Board in the last
 5 general rate application. Are you familiar
 6 with that issue?
 7 MS. HUTCHENS:
 8 A. Yes, I am.
 9 GREENE, Q.C.:
 10 Q. And if we scroll down a little bit further,
 11 we can see that the increase associated with
 12 only that portion in your guarantee fee was
 13 laid out for the 2018 test year and the 2019
 14 test year, is that correct?
 15 MS. HUTCHENS:
 16 A. Yes.
 17 GREENE, Q.C.:
 18 Q. The second issue, or a second issue was also
 19 raised by Grant Thornton on the same page,
 20 if we go down to lines 22, which is the fact
 21 that interest actually ended up being lower
 22 than Hydro had forecast for the revenue
 23 requirement, is that correct?
 24 MS. HUTCHENS:
 25 A. I think the issue they pointed out there, I

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1 would characterize it as when we changed our
 2 borrowing process, such that we would borrow
 3 through the province rather than direct to
 4 the markets, that there was a 7 basis point
 5 average savings that we anticipated based on
 6 historic information to gain there. The
 7 savings from that change in borrowing
 8 process had not been reflected through the
 9 test year because we hadn't made the
 10 decision to do so when the test year was
 11 filed. So the inter-savings that we
 12 estimated there is related to the 7 basis
 13 point saving.
 14 GREENE, Q.C.:
 15 Q. And it's to do with the fact that you were
 16 borrowing from the province, so your
 17 interest costs were lower than you had
 18 initially forecast when you filed your
 19 revenue requirement?
 20 MS. HUTCHENS:
 21 A. That is correct.
 22 GREENE, Q.C.:
 23 Q. Okay. So if we go to the Supplemental
 24 Evidence, we've already looked at this, but
 25 Table 4 on page 7, and here if we look at

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1 the fourth item, reduction in fee and long-
 2 term debt, the \$567,000.00, 2018, and the
 3 \$672,000.00 in 2019, and then we look at the
 4 item below, "Reduction in interest cost to
 5 reflect borrowing from government", those
 6 are the two issues we just talked about?
 7 MS. HUTCHENS:
 8 A. Yes.
 9 GREENE, Q.C.:
 10 Q. Okay, so those two adjustments have already
 11 been made in the revenue requirement for
 12 both years, is that correct?
 13 MS. HUTCHENS:
 14 A. That is correct, they were, subject to the
 15 settlement agreement.
 16 GREENE, Q.C.:
 17 Q. And these are the same issues that Grant
 18 Thornton raised in its report, is that
 19 correct?
 20 MS. HUTCHENS:
 21 A. Yes.
 22 GREENE, Q.C.:
 23 Q. The remaining issue with respect to the
 24 guarantee fee was raised with you by Mr.
 25 O'Brien and it concerns the fee that Hydro

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1 continues to pay to government. First,
 2 Hydro changed its policy and borrowed from
 3 the province directly rather than the
 4 capital markets for the first time late in
 5 2017, is that correct?
 6 MS. HUTCHENS:
 7 A. Yes, it is.
 8 GREENE, Q.C.:
 9 Q. What are Hydro’s plans for the test years,
 10 2018 and 2019, with respect to any future
 11 borrowings? Will they still borrow directly
 12 from the province, or will they go back to
 13 the capital markets?
 14 MS. HUTCHENS:
 15 A. I would think we would still continue to
 16 borrow directly from the province. You
 17 know, the analysis that we did at the time
 18 from a least cost perspective was that based
 19 on what we were observing in the markets,
 20 that would continue to be the circumstance
 21 going forward. So we would anticipate
 22 continuing to do that.
 23 GREENE, Q.C.:
 24 Q. We don’t have on the record to date the
 25 amount that is included in the revenue

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1 requirement for 2018 and 2019 associated
 2 with the payment of a fee to government for
 3 the borrowing directly from government. Are
 4 you aware of what that amount would be?
 5 MS. HUTCHENS:
 6 A. It is 50 basis points of the – I don’t think
 7 I actually have the number here, Ms. Greene,
 8 but it’s 50 basis points on the – in 2018,
 9 there’s be 50 basis points on 300 million
 10 dollars that we borrowed last year, and for
 11 2019, it would be 50 basis points on the
 12 borrowing that we did in 2018 and 2019, for
 13 a total of \$600,000.00. I could undertake
 14 to provide you the actual number if you
 15 like, but that’s the math.
 16 GREENE, Q.C.:
 17 Q. Yes, if you could undertake to provide the
 18 amount in the test years associated with the
 19 fee Hydro forecast it will pay to government
 20 associated with borrowing directly from the
 21 government?
 22 MS. HUTCHENS:
 23 A. Yes.
 24 (12:40 p.m.)
 25 GREENE, Q.C.:

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1 Q. Okay. In response to questions from Mr.
 2 O’Brien, you did agree to provide the
 3 requirement from government to pay this fee,
 4 and if we can go to Undertaking 78, please,
 5 and the attachment to that. If we look at
 6 the second paragraph in this letter directly
 7 to you from the Deputy Minister of Finance,
 8 we see that the government requires a
 9 payment from Newfoundland and Labrador Hydro
 10 of a debt guarantee fee calculated using the
 11 same terms and conditions as presented under
 12 Order in Council 2011-218 for debt on-lent
 13 to Hydro under the authorization of the
 14 Order in Council 2017-347. Can you confirm
 15 for the record that the basis of the
 16 calculation of that fee is the same as had
 17 existed prior to borrowing directly from the
 18 province when you borrowed from the capital
 19 markets?
 20 MS. HUTCHENS:
 21 A. Yes, it is.
 22 GREENE, Q.C.:
 23 Q. With respect to that, it was 50 basis points
 24 for long term debt, is that correct?
 25 MS. HUTCHENS:

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1 A. It’s 50 basis points for long term debt with
 2 a term to maturity of 10 years or more. So
 3 10 years is the cutoff point. Below 10,
 4 it’s 25 basis points, or 10 and below, I
 5 should say.
 6 GREENE, Q.C.:
 7 Q. And this is the fee that was adjusted by the
 8 Board in its order on the last GRA, is that
 9 correct?
 10 MS. HUTCHENS:
 11 A. Yes, it was, yes, The methodology in
 12 Undertaking 139 from that order – from that
 13 hearing.
 14 GREENE, Q.C.:
 15 Q. At the time that the appropriateness of the
 16 fee was considered in the last rate
 17 application, Hydro filed evidence to support
 18 the value that it was receiving in exchange
 19 for paying the fee. Has Hydro updated that
 20 analysis that was done by Scotia Bank at
 21 that time that that fee is continuing to be
 22 appropriate, first in terms of the value for
 23 2018 and 2019?
 24 MS. HUTCHENS:
 25 A. No, we did not update the Scotia Bank

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1 analysis. I think we relied on the Order of
 2 the Board at the time, who indicated that
 3 the Scotia Bank analysis had been presented
 4 and there was also alternate analysis
 5 provided by, I believe, Grant Thornton.
 6 GREENE, Q.C.:
 7 Q. Yes.
 8 MS. HUTCHENS:
 9 A. And that resulted in the calculation in
 10 Undertaking 139. So we accepted that and
 11 moved ahead with that.
 12 GREENE, Q.C.:
 13 Q. And that analysis was with respect to the
 14 capital market conditions that existed at
 15 that time, is that correct?
 16 MS. HUTCHENS:
 17 A. I would have to go back and check that, but
 18 that would be my expectation, yes.
 19 GREENE, Q.C.:
 20 Q. To your knowledge, did Hydro consider
 21 undertaking a new analysis to determine
 22 whether the fee continues to be appropriate?
 23 MS. HUTCHENS:
 24 A. We did consider it and chose not to, and
 25 relied upon the prior one. When we filed

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1 the general rate application, you know, we
 2 had not decided to go down this road. So
 3 there's a little bit of a time gap here as
 4 well that's at play.
 5 GREENE, Q.C.:
 6 Q. You have changed your approach to borrowing.
 7 You will borrow directly from the province
 8 instead of the capital markets?
 9 MS. HUTCHENS:
 10 A. Yes.
 11 GREENE, Q.C.:
 12 Q. Did you consider whether it was appropriate
 13 to have any analysis done to determine the
 14 value of that approach versus directly to
 15 the capital markets?
 16 MS. HUTCHENS:
 17 A. Yes, we did complete some analysis on that.
 18 We actually looked at the capital market
 19 data, and filed that analysis with the
 20 application to borrow the funds that were
 21 included in the test year. So we filed an
 22 application with the Board last fall to do
 23 those borrowings. So the analysis was
 24 included there that justified the 7 basis
 25 point differential.

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1 GREENE, Q.C.:
 2 Q. That was with respect to the actual interest
 3 costs, but did you do any analysis with
 4 respect to whether the fee that the
 5 government directed you to pay here is the
 6 appropriate fee to pay for what you are
 7 receiving?
 8 MS. HUTCHENS:
 9 A. No, we did not do further analysis.
 10 GREENE, Q.C.:
 11 Q. Okay. From your perspective, how would the
 12 Board determine the value that Hydro does
 13 receive is proportionate to the fee that is
 14 now being paid?
 15 MS. HUTCHENS:
 16 A. I think any kind of value determination in
 17 that fee is difficult to do, and I think
 18 that was one of the underlying concerns with
 19 the evidence we put forward last time.
 20 Ideally, if you want to do that analysis,
 21 you need to sort of look at what Hydro would
 22 be able to borrow at if it did not have the
 23 benefit of the government guarantee versus
 24 what we could borrow with the benefit of the
 25 government guarantee, and that's difficult

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1 to do in absence of a credit rating, and the
 2 credit rating agencies are, you know, sort
 3 of automatically attaching us to the
 4 government credit by virtue of where we've
 5 been. So it is a bit of a difficult
 6 analysis to do, and I think the analysis
 7 that we did in 2015 was done with that in
 8 mind, but I think the Board felt that the
 9 analysis provided by the consultant to the
 10 Board was – they relied upon that analysis
 11 in the process.
 12 (12:45 p.m.)
 13 GREENE, Q.C.:
 14 Q. Moving on to another area which is the
 15 performance contract payments, I believe
 16 you've already testified that you are
 17 familiar with the Board's Order from its
 18 last general rate application, is that
 19 correct?
 20 MS. HUTCHENS:
 21 A. Yes.
 22 GREENE, Q.C.:
 23 Q. So that you are aware that the Board
 24 expressed concerns with respect to the
 25 composition of Hydro's performance contract

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1 arrangements, and did not allow inclusion of

2 any amount for performance contracts in the

3 revenue requirement in the last rate case,

4 is that correct?

5 MS. HUTCHENS:

6 A. Correct.

7 GREENE, Q.C.:

8 Q. And, in fact, in that Order, and we can go

9 to it if necessary, the Board said that

10 before any amounts will be included for

11 future revenue requirements, Hydro would

12 have to demonstrate that the performance

13 contracts in place at Hydro were of benefit

14 to ratepayers, is that correct?

15 MS. HUTCHENS:

16 A. Yes.

17 GREENE, Q.C.:

18 Q. Hydro didn't file any evidence when it filed

19 its rate application with respect to

20 addressing those concerns the Board had

21 addressed. I wondered if –

22 MS. HUTCHENS:

23 A. I can't recall, so I'll trust your –

24 GREENE, Q.C.:

25 Q. Well, subject to check.

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1 MS. HUTCHENS:

2 A. Yes, yes.

3 GREENE, Q.C.:

4 Q. And I was going to ask you was there any

5 reason why Hydro had not responded to the

6 Board's direction in the Order to address

7 the concerns?

8 MS. HUTCHENS:

9 A. I'm afraid I can't answer the question. It

10 wasn't within my realm. Ms. Dalley was

11 dealing with that.

12 GREENE, Q.C.:

13 Q. Okay, so if we could bring up PUB-NLH-60,

14 please. So here we see, and there has been

15 no adjustment in this, has there, the amount

16 included in the 2018 test year for

17 performance contract payments is

18 \$829,852.00, and in 2019 is \$856,029.00, is

19 that correct?

20 MS. HUTCHENS:

21 A. That is correct.

22 GREENE, Q.C.:

23 Q. Also in the Board Order arising from the

24 last rate case, the Board referred to the

25 Newfoundland Power Order where it had found

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1 that only 50 percent of the payments related

2 to financial performance and regulatory

3 performance were appropriate to recover from

4 ratepayers. Do you recall that?

5 MS. HUTCHENS:

6 A. Generally, yes. Not the specific details,

7 but, yes, generally.

8 GREENE, Q.C.:

9 Q. And what we have just looked at here in PUB-

10 NLH-060 included the full amount of Hydro's

11 performance forecast payments, is that

12 correct?

13 MS. HUTCHENS:

14 A. Yes, that is correct. That's my

15 understanding.

16 GREENE, Q.C.:

17 Q. I wonder if we go to Undertaking 19, please.

18 So, this was in response to an undertaking

19 that I had asked for and does this

20 demonstrate that if the same treatment is

21 taken for payments related to financial

22 performance and regulatory performance, the

23 amounts included in the 2018 and 2019 test

24 year should be reduced shown in that

25 response. Is that correct?

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1 MS. HUTCHENS:

2 A. I believe yes, that's what the calculation

3 is showing.

4 GREENE, Q.C.:

5 Q. Is there any reason from your perspective

6 that the Board would treat Hydro differently

7 with respect to these types of payments and

8 what is allowed to be recovered from

9 ratepayers than it would Newfoundland Power?

10 MS. HUTCHENS:

11 A. I believe some of the concerns at the last

12 hearing were associated with the fact that

13 we had items in our performance, or a piece

14 of it anyway, in our performance contracts

15 associated with Nalcor objectives, and we

16 have removed all Nalcor objectives from our

17 performance contracts going forwards. So,

18 all of the measures in the performance

19 contracts, all the targets are associated

20 solely with Hydro's activities and

21 objectives. So, I think that's one of the

22 back-drop pieces there. I haven't been

23 really close, Ms. Greene, to the

24 Newfoundland Power piece for a number of

25 years and I just don't have the comparison

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1 in my head to make and I, you know, I
 2 believe there was some commentary on the RFI
 3 we just looked at too in the bottom
 4 paragraph there that sort of reinforces that
 5 a little bit.
 6 GREENE, Q.C.:
 7 Q. I'm sorry, what are you referring to?
 8 MS. HUTCHENS:
 9 A. Yeah, can we just go back to the RFI that we
 10 had there last time, please.
 11 GREENE, Q.C.:
 12 Q. PUB-NLH-060?
 13 MS. HUTCHENS:
 14 A. Yeah, so we have undertaken to change our
 15 performance contracts from lines 11 there.
 16 So, the redesign of the plans addresses the
 17 concerns presented. Hydro has redesigned
 18 its short-term incentive plan to ensure
 19 clear and demonstrable benefit to the
 20 customer and it is focused only on Hydro
 21 measures of performance related to the areas
 22 of safety reliability, financial cost
 23 management, integration and regulatory. And
 24 then we included the 100 percent on that
 25 basis.

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1 GREENE, Q.C.:
 2 Q. Yes, and I took it from that response and
 3 from the performance contracts that we're
 4 filed in another RFI response that you have
 5 removed the connection to Nalcor's financial
 6 performance or Nalcor's reliability
 7 performance or safety, but that you still
 8 have in there 100 percent of your payments
 9 related to Hydro's financial performance and
 10 Hydro's regulatory performance. That is
 11 correct, is it?
 12 MS. HUTCHENS:
 13 A. Yes, it is, yes.
 14 GREENE, Q.C.:
 15 Q. Yesterday, Mr. Browne took you to the Grant
 16 Thornton report with respect to incentive
 17 payments, where the payments indicated were
 18 less than the payments we just looked at
 19 from the forecast from PUB-NLH-60. The
 20 primary reason for that difference is due to
 21 the fact that Grant Thornton only looked at
 22 executive positions; whereas your
 23 performance contract payments are to a
 24 broader group of people?
 25 MS. HUTCHENS:

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1 A. Yes, I would agree with that
 2 characterization.
 3 GREENE, Q.C.:
 4 Q. Okay, and if we go to PUB-NLH-125, and if
 5 you scroll down, are these--can you explain
 6 what levels of management there are at Hydro
 7 that are listed there in Table 1 as
 8 positions that would be entitled to
 9 performance contracts?
 10 MS. HUTCHENS:
 11 A. I would characterize those positions as the
 12 executive group and the group of individuals
 13 that report to the executive group, not
 14 necessarily all of them, but that would be a
 15 general characterization.
 16 GREENE, Q.C.:
 17 Q. And are you aware if there's been any change
 18 in the list of positions that have been
 19 filed in response to that undertaking? And
 20 if not, we can take it as an undertaking to
 21 file a revised table.
 22 (12:54 p.m.)
 23 MS. HUTCHENS:
 24 A. Yeah, I'd like to take it away and just
 25 confirm the positions there. You know, we

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1 have changed some things going forwards, but
 2 not for the 2018 or '19 years.
 3 GREENE, Q.C.:
 4 Q. Okay. Turning to the last area, which is
 5 vacancies. You testified earlier this week
 6 that you're on track to achieve your
 7 vacancies for 2018, is that correct?
 8 MS. HUTCHENS:
 9 A. Yes, we are working hard towards that, but
 10 yes.
 11 GREENE, Q.C.:
 12 Q. Do you know what the vacancies are as of the
 13 end of June? June 30th, 2018?
 14 MS. HUTCHENS:
 15 A. No, I do not.
 16 GREENE, Q.C.:
 17 Q. Could I have that as an undertaking to
 18 provide that?
 19 (12:54 p.m.)
 20 MS. HUTCHENS:
 21 A. Yes, absolutely.
 22 GREENE, Q.C.:
 23 Q. Thank you, Ms. Hutchens, that finishes all
 24 my questions.
 25 MS. HUTCHENS:

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1 A. Thank you, Ms. Maureen.
 2 CHAIR:
 3 Q. Thank Ms. Maureen. Any redirect?
 4 MR. YOUNG:
 5 Q. Yes, just one, Madam Chair, thanks.
 6 MR. O'BRIEN:
 7 Q. I wonder, Madam Chair, I did have a couple
 8 of questions on the undertakings this
 9 morning and it should only take a couple of
 10 minutes. I wonder if I should ask those, if
 11 I could ask those if there's no objection
 12 before Mr. Young does his re-direct?
 13 MR. YOUNG:
 14 Q. I don't think there's a problem with that.
 15 MR. O'BRIEN:
 16 Q. No? I'd just, rather than go back and
 17 forth, then if anything arises from that'll
 18 give you the opportunity on that.
 19 CHAIR:
 20 Q. Sure.
 21 MR. O'BRIEN:
 22 Q. I just had a couple of questions for you,
 23 Ms. Hutchens. On the executive plan, and
 24 that's Undertaking 65, there's a mention and
 25 I'm going to get the page here, but there's

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1 a mention of a target; it's page 23. I just
 2 wanted to get some clarification. There's
 3 three bullets at the top of Appendix two
 4 there. Identify initiatives, efficiencies
 5 with a projected annual documented savings
 6 of 5 million dollars. Is that a target
 7 which was given to the productivity,
 8 innovation and productivity team?
 9 MS. HUTCHENS:
 10 A. Yes, it was.
 11 MR. O'BRIEN:
 12 Q. It was? And when is that expected to start,
 13 I guess, those annual savings. Is that
 14 expected to start into the future?
 15 MS. HUTCHENS:
 16 A. Yes, into the future. So, the expectation
 17 here is that efficiencies and initiatives be
 18 identified that with projected annual
 19 documented savings of five million dollars.
 20 So, we would expect, you know, as we work
 21 through the initiatives, we would expect to
 22 start to see savings associated with that.
 23 So, you know, start in 2018, you know, and
 24 as we move through. The, you know, or I
 25 very much expect that the savings in 2018

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1 will start in 2018, will grow in 2018, but,
 2 you know, in any sort of initiative like
 3 this, I think you'd expect to see some of
 4 the smaller, sort of easier hits early and
 5 then when you get at the real structural
 6 changes going forwards that you could see
 7 savings there as well. So, it would be a
 8 combination, it would come in over the next
 9 number of years would be my expectation.
 10 And it depends on the individual initiatives
 11 and how we work through them.
 12 MR. O'BRIEN:
 13 Q. And in the Undertaking 66 there's a number
 14 of bi-weekly reports that are provided and
 15 Mr. Browne took you through some of the
 16 projected annualized savings, and there were
 17 a couple that talked about immediate
 18 savings. I wonder if you could undertake
 19 just to provide us with those areas where
 20 you'd expect immediate savings and the
 21 amounts that might be reflected in the test
 22 years?
 23 (12:57 p.m.)
 24 MS. HUTCHENS:
 25 A. Yes, and the timing thereof, yes.

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1 MR. O'BRIEN:
 2 Q. And the timing thereof?
 3 MS. HUTCHENS:
 4 A. Yes, I'd be happy to do that. What we've
 5 got on our deck today.
 6 MR. O'BRIEN:
 7 Q. Right, and the only other question I had,
 8 there was a mention of, with respect to the
 9 budgets and the financial updates, maybe we
 10 could go to Undertaking 66, Page 8 as an
 11 example.
 12 MS. GLYNN:
 13 Q. We'll note that last undertaking on the
 14 record.
 15 MR. O'BRIEN:
 16 Q. Okay, thank you. The financial updates
 17 there, and that's the budget for--the annual
 18 budget for this team, is that right?
 19 MS. HUTCHENS:
 20 A. Yes, it is.
 21 MR. O'BRIEN:
 22 Q. Okay. There's a cost hike there for
 23 consultants, budgeted cost of \$25,000
 24 annually. Mr. Browne had asked you just
 25 about having involvement of an outside

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1 consultant. Could you tell me what that
 2 cost is related to?
 3 MS. HUTCHENS:
 4 A. That cost was a cost that we built in, it's
 5 not a large bill from a consultant
 6 perspective. It's intended to provide the
 7 team with some flexibility to take advice if
 8 there's any particular technical areas that
 9 need some advice on. So, it's not intended
 10 to replace the work of the team, it's
 11 intended to supplement the work of the team
 12 if there's any particular initiative that
 13 could aid with some technical assistance
 14 there.
 15 MR. O'BRIEN:
 16 Q. And do you know if there's been any actuals
 17 to date with respect to that cost hike?
 18 MS. HUTCHENS:
 19 A. No, there have been no costs incurred to
 20 date.
 21 MR. O'BRIEN:
 22 Q. Okay. That's all the questions I have,
 23 Madam Chair.
 24 CHAIR:
 25 Q. Thank you, Mr. O'Brien.

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1 MS. HUTCHENS:
 2 A. Thank you, Mr. O'Brien.
 3 CHAIR:
 4 Q. Mr. Young?
 5 MR. YOUNG:
 6 Q. Thank you, Madam Chair. I just have one on
 7 re-direct, and first we'd have a transcript
 8 reference, because it arose this morning
 9 within the last half hour or so and it arose
 10 from a question asked by Ms. Greene, and you
 11 were discussing the borrowings in 2018 and
 12 2019 and you said in--this is the way I
 13 heard it. You said in 2018 there was 300
 14 million dollars expected and then you said
 15 in 2019 an additional amount for a total of
 16 600,000.
 17 MS. HUTCHENS:
 18 A. Oh, that should be 600 million.
 19 MR. YOUNG:
 20 Q. That's what I thought, thank you.
 21 MS. HUTCHENS:
 22 A. Thank you for that catch.
 23 MR. YOUNG:
 24 Q. Lean year.
 25 MR. HAYES:

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1 Q. Hardly worth the effort.
 2 CHAIR:
 3 Q. I wrote 600 million.
 4 MR. YOUNG:
 5 Q. I did too, actually, I thought it was 600
 6 million.
 7 CHAIR:
 8 Q. Any questions?
 9 COMMISSIONER OXFORD:
 10 Q. No questions.
 11 CHAIR:
 12 Q. And I have no questions. Thank you, Ms.
 13 Hutchens, to use Mr. Fitzgerald's term,
 14 thank you for your fortitude.
 15 MS. HUTCHENS:
 16 A. Thank you all very much.
 17 CHAIR:
 18 Q. It's been a long week. Ms. Glynn, I guess
 19 you'll have to tell us what happens next.
 20 MS. GLYNN:
 21 Q. We are adjourned until August 6th, we will
 22 not sit next week, and we will start with
 23 Mr. Kevin Fagan anxiously awaiting, at 9:00
 24 a.m.
 25 CHAIR:

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1 Q. At 9:00 a.m., so we'll adjourn until a week
 2 from Monday at 9:00. Thank you.
 3 MS. GLYNN:
 4 Q. Thank you.
 5
 6 Upon Conclusion: 1:02 p.m.
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CERTIFICATE

I, Judy Moss, hereby certify that the foregoing is a true and correct transcript in the Newfoundland and Labrador Hydro 2017 General Rate Application, heard on the 26th day of July, 2018 before the Board of Commissioners of Public Utilities, 120 Torbay Road, St. John's, Newfoundland and Labrador and was transcribed by me to the best of my ability by means of a sound apparatus.

Dated at St. John's, Newfoundland and Labrador this 26th day of July, 2018

Judy Moss

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