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February 25, 2015

Mr. D. Christle
Secretary and Executive Director
Public Utilities Board
400-330 Portage Avenue
Winnipeg, Manitoba
R3C 0C4

Dear Mr. Christle:

RE: Manitoba Hydro 2015/16 & 2016/17 General Rate Application- Scope of Round 1 Information Requests

In its February 23, 2015 letter, Manitoba Hydro provided its initial and general concerns on the first round Information Requests ("IRs") received from all parties with respect to its 2015/16 & 2016/17 General Rate Application ("GRA").

Based on its initial, high-level review, Manitoba Hydro brought to the attention of the PUB and all parties the following:

- IRs that appear to be out of scope given the procedural direction in Order 18/15;
- IRs where Manitoba Hydro is unable to provide a response; and,
- IRs where Information is not available but Alternatives are being proposed.

In its February 23rd letter, Manitoba Hydro advised that it would bring to the attention of the PUB any additional concerns identified by Manitoba Hydro based upon its further assessment of the first round IRs. A summary of these additional IRs is provided below. A summary of all IRs identified by Manitoba Hydro in its February 23rd letter as well as this letter, is included in Appendix A.

Additional IRs that appear to be out of scope given the procedural direction in Order 18/15

- **Coalition/MH I-75, 77, 78, 79, & MKO/MH I-6** relate to Manitoba Hydro's Diesel Settlement Agreement. On page 22 of Order 18/15, the PUB approved MKO's intervention with respect to "*The finalization of Diesel Rates, provided MKO has provided Manitoba Hydro and Canada with all settlement documents*". It is premature and unwarranted for Manitoba Hydro to be responding to these IRs as the documents have not yet been produced by MKO.

- **MKO/MH I-9** relates to “the ‘2 meters per Manitoba Hydro employee house north of the 53rd parallel issue” in Order 18/15. The PUB determined that MKO was not approved to intervene on this issue as the evidence from the NFAT was dispositive.

IRs that appear to be out of scope given the PUB Rules on Information Requests

As noted in its February 23rd letter, Manitoba Hydro understands that the PUB’s Rules of Practice and Procedure, and its practice, is to look at the relevance of the information sought, the significance, and the reasonableness of the request when the PUB considers its discretion of permitting IRs.

Manitoba Hydro seeks the PUB’s direction with respect to the reasonableness, relevance, significance and value that the following IRs would provide to the PUB in making its determinations, in light of the total number of IRs and the significant amount of time and effort that Manitoba Hydro would have to spend in responding to each IR.

- **PUB/MH I- 42(b), 66(b)**
- **Coalition/MH I-14(c), 32(c), 45(b), 62(a)&(b), 64(a), 81(a)**
- **MIPUG/MH I-16(a)&(b), 33(a)**

IRs that request Materials provided to the Manitoba Hydro-Electric Board (“MHEB”)

Manitoba Hydro’s filing in this proceeding reflects the position of the Corporation on the matters addressed. The requested presentations, agendas and other materials are not public, nor do they necessarily represent the position of the corporation. The questioning of materials provided to the MHEB as opposed to questioning the materials filed with the PUB in this proceeding would be a detour and distraction for the purposes of this proceeding.

As such, Manitoba Hydro is will not provide a response to the following IRs that request information provided to the MHEB:

- **MMF/MH I-54**
- **GAC/MH I-39 & 40**

IRs where Manitoba Hydro is unable to provide a Response

Manitoba Hydro is unable to provide the requested information in the following IRs, for the reasons set forth below.

- **Coalition/MH I-6(g) & 37(a)** – Manitoba Hydro does not possess, or is not in a position to disclose specific and confidential information, for individual utilities of the Canadian Electrical Association.
- **MIPUG/MH I-5** – This IR requests an update to Manitoba Hydro’s response to the Review of BC Hydro, filed as Exhibit #28 at the 2012/13 & 2013/14 Electric GRA. An update to Exhibit #28 from the last Electric GRA is not necessary as the cost saving initiatives being undertaken

by Manitoba Hydro to manage its overall operating and capital expenditure are sufficiently outlined in Section 5.14 of Tab 5 of the current GRA.

- **MIPUG/MH I-10(c) & 13(a)** - Manitoba Hydro cannot disclose cabinet confidences nor does it disclose advice, opinions, recommendations, analyses or policy options developed by or for a minister.
- **PUB/MH I-78, 79 & 80** - The information requested in the referenced IRs with respect to the Lake Winnipeg Regulation is currently being reviewed through a separate regulatory proceeding before the Clean Environment Commission ("CEC"). No copies of the participation funding documents have been filed with the CEC. Manitoba Hydro is not seeking any change to the license, and as such, any review of potential alternatives to the license is premature and unwarranted until such time as a license is issued and its impacts, if any, can be assessed.

Additional IRs where Information is not available but an Alternative Approach is being Proposed

In accordance with Section 16 b) of the PUB's Rules of Practice and Procedure, Manitoba Hydro proposes an alternate response, based on available information, to the following IRs outlined below:

- **Coalition/MH I-4, 9(a)&(b), 10(a),(b),(c), 18(a)&(b), 23** – As noted in its February 23rd letter, Manitoba Hydro identified a number of IRs that requested comparisons of MH's current forecast against previous forecasts. The referenced IRs request similar comparisons. Manitoba Hydro will respond to these IRs by providing a comparison of its current forecasts (namely IFF14, CEF14, 2014 Load Forecast and the November 2013 Corporate Strategic Plan ("CSP")) against IFF12, CEF12, the 2012 Load Forecast and the 2012/13 CSP, which was filed as part of MH's last GRA and relied upon by the PUB to render its decision in Order 43/13.
- **MKO/MH I-1 through 6 (inclusive)** – Manitoba Hydro notes that the referenced IRs are identical to those posed as part of Manitoba Hydro's April 1, 2014 Interim Filing. The information provided in response to the IRs asked as part of the April 1, 2014 interim filing was prepared based upon 2013/14 fiscal year-end data, which is the most current information available. Manitoba Hydro will re-file the information provided as part of the last interim proceeding in response to the referenced IRs.

Conclusion

Manitoba Hydro is requesting the PUB confirm:

- 1) That the alternative responses being proposed by Manitoba Hydro are acceptable;
- 2) That the IRs identified as out of scope are in fact out of scope as per Order 18/15 and the PUB's Rules of Practice and Procedure; and,
- 3) That no response is required for those IRs where MH is unable to provide a response.

Should you have any questions with respect to the foregoing, please do not hesitate to contact the writer at 204-360-3633.

Yours truly,

MANITOBA HYDRO LAW DIVISION

Per:



ODETTE FERNANDES

Barrister & Solicitor

Att.

cc. All Registered Intervenors

IRs that appear to be out of scope given the procedural direction in Order 18/15

- MMF/MH I-18
- Coalition/MH I-16(c) & (d), 75, 76, 77, 78, 79, 80
- MKO/MH I-5, 6 & 9
- PUB/MH I-84(d)

DSM IRs that are Out of Scope in accordance with Order 18/15

- Coalition/MH I-23, 66, 67, 68
- MIPUG/MH I-1, 2, 3, 39
- MMF/MH I-16, 17, 19, 20, 21, 22, 23, 27, 32, 35, 39, 40,
- MKO/Coalition MH I-6, 7, 8, 10, 11

IRs where Manitoba Hydro is unable to provide a Response

- PUB/MH I-1(c), 11(a), 36(b), 14(b), 16(a), 18 (h), 32(b) & (c), 56(d), 62(a)&(b), 64(c), 78, 79 80, 81(c)
- Coalition/MH I-6(g), 35, 37(a), 85(e)
- MMF/MH I-49
- MIPUG/MH I-5, 10(c) & 13(a), 14(d), 19(c) 29(b) & 43(a)

IRs where Information is not available but an Alternative Approach is being Proposed

- PUB/MH I-5(b) & (c), 83(c)
- Coalition/MH I-4, 9(a)&(b), 10(a),(b),(c), 13, 14, 15, 18(a)&(b), 19, 23, 24, 26, 28, 39, 61(a), 63(a), 103(e)
- MIPUG/MH I-34
- GAC/MH IRs on Residential Low-Income Needs & Responses
- MMF/MH I-45(a), 50, 51, 52, 54, 53(a), 55, 56
- MKO/MH I-1 through 6 (inclusive)

IRs that appear to be out of scope given the PUB Rules on Information Requests

- Coalition/MH I-14(c), 32(c), 45(b), 62(a)&(b), 64(a), 81(a), 104, 105, 107, 108 & 111
- PUB/MH I- 42(b), 66(b)
- MIPUG/MH I-16(a)&(b), 33(a)

Requests for Electronic Models

- PUB/MH I-41(a)(b)
- Coalition/MH I-82 to 93 (inclusive), 97, 100
- MMF/MH I-16, 17, 19, 20, 40, 52
- GAC/MH I-1(a), 20(a-m), 21(a-m)
- MKO/Coalition I-1, 4, 6, 7, 8 & 16

IRs that request Materials provided to the Manitoba Hydro-Electric Board ("MHEB")

- MMF/MH I-54
- GAC/MH I-39 & 40