



MANITOBA PUBLIC UTILITIES BOARD

Re:

MANITOBA HYDRO
NEEDS FOR AND ALTERNATIVES TO
REVIEW OF MANITOBA HYDRO'S
PREFERRED DEVELOPMENT PLAN

Regis Gosselin	- Chairperson
Marilyn Kapitany	- Board Member
Larry Soldier	- Board Member
Richard Bel	- Board Member
Hugh Grant	- Board Member

HELD AT:

Public Utilities Board
400, 330 Portage Avenue
Winnipeg, Manitoba
March 27, 2014
Pages 4094 to 4342

1 APPEARANCES

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25

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10	JANE KIDD-HANTSCHER, Previously Affirmed	
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6		have been blacked out in Exhibit	
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1 --- Upon commencing at 9:14 a.m.

2

3 MR. SVEN HOMBACH: Okay, the system is
4 back up, so we're ready to resume at any time.

5 THE CHAIRPERSON: Mr. Williams,
6 please.

7 MR. BYRON WILLIAMS: Yes, and good
8 morning, members of the Public Utilities Board panel
9 and the Hydro panel, as well as the representatives
10 from the Cree Nation Partners, York Factory, and Fox
11 Lake. Mr. Chair, just I -- I think I'm able to
12 provide to the panel an update, in terms of time
13 estimates by Intervenor counsels as well as counsel
14 for the IEC.

15 I believe Mr. Orle has advised that it
16 will be -- his will be about fifteen (15) minutes
17 because much of his work has been canvassed by Ms. --
18 by -- by some of the people who've gone ahead of him.
19 I -- I believe Mr. Gange will be substantially less
20 than one (1) hour. And I -- I think the last
21 information we had from M. Monnin was that it would
22 certainly less than half an hour.

23 I'm more reluctant to give an estimate
24 of mine, but -- but I certainly expect I will go to
25 the break. And I would -- I would think that I would

1 be more likely to go to somewhere between 11:00 and
2 11:30, in that range. There's been a couple new
3 things come up this morning that -- that may take a
4 bit longer, if that's satisfactory to the panel.

5 THE CHAIRPERSON: Given the relative
6 minimal amount of time being used by the other
7 Intervenor here, feel free to take as much time as
8 you need, Mr. Williams.

9

10 MANITOBA HYDRO PANEL 6 CONTINUED:

11 KAREN ANDERSON, Previously Sworn

12 TED BLAND, Previously Sworn

13 NORMAN BRANDSON, Previously Sworn

14 JANE KIDD-HANTSCHER, Previously Affirmed

15 SHAWNA PACHAL, Previously Affirmed

16 IAN PAGE, Previously Sworn

17 MARV SHAFFER, Previously Sworn

18 VICTOR SPENCE, Previously Sworn

19 ED WOJCZYNSKI, Previously Sworn

20 BILL HAMLIN, Previously Sworn

21

22 CONTINUED CROSS-EXAMINATION BY MR. BYRON WILLIAMS:

23 MR. BYRON WILLIAMS: And just a heads
24 up. Mr. Wojczynski, later -- later on, Mr.
25 Wojczynski, in our discussion I'm going to be

1 referring you to a transcript from the technical
2 conference, page 353. That won't be for at least an
3 hour though. So if you want to have your page 353.

4

5 (BRIEF PAUSE)

6

7 MR. BYRON WILLIAMS: If we could start
8 though. If we could turn to the undertaking that was
9 provided this morning, Mr. Wojczynski, the 104-8, page
10 3 of 7. If you would turn there, sir.

11

12 (BRIEF PAUSE)

13

14 MR. BYRON WILLIAMS: And, Mr.
15 Wojczynski, just I'm going to try and break this into
16 small pieces. But in terms of what you've done with
17 this undertaking, it -- it contains, of course, the
18 updated capital cost for Keeyask and Conawapa,
19 correct?

20 MR. ED WOJCZYNSKI: Yes.

21 MR. BYRON WILLIAMS: It contains the
22 updated probability weightings associated with the
23 capital cost factors, agreed?

24 MR. ED WOJCZYNSKI: Yes.

25 MR. BYRON WILLIAMS: And it contains

1 the updated treatment of common factors?

2 MR. ED WOJCZYNSKI: Yes.

3 MR. BYRON WILLIAMS: And this isn't
4 meant as a critical way, but for clarification
5 purposes, would this be premised on the Power Smart
6 2012, Mr. Wojczynski, or Power Smart 2013?

7 MR. ED WOJCZYNSKI: It -- the Power
8 Smart '12 and Power Smart '13 were not much different,
9 but it was based on Power Smart '12. It -- it does
10 not have the updated DSM.

11 MR. BYRON WILLIAMS: Okay. So -- and
12 -- and just so -- just to be clear here then, this is
13 based on the 2012 base assumptions?

14 MR. ED WOJCZYNSKI: Yes, except it has
15 2012 base assumptions such as in the IFF, except it
16 has 10 percent lower export prices, which ultimately
17 in 2013 were increased.

18 MR. BYRON WILLIAMS: Okay. And that's
19 helpful, sir. What is missing from here, not in --
20 again in a derogatory way, we won't have an insight
21 into the effect of a DSM Scenario 2, for example, on
22 the relative plans, agreed?

23 MR. ED WOJCZYNSKI: We -- we don't
24 have a DSM 2 that would replace this quilt. We do
25 have the reference values for DSM 2 with all the other

1 assumptions. And when you combine the information
2 provided in this quilt with the information on the ref
3 -- ref/ref/ref for the -- the updated DSM 2 and 3, and
4 1, and pipeline load, then you can -- together you
5 have a good body of information.

6 MR. BYRON WILLIAMS: Yes. And, sir,
7 I'm not -- I'm just trying to make sure that when we
8 look at this -- these particular results, they're
9 based on the 2012 Power Smart and do not reflect the
10 implications of the various DSM scenarios that you've
11 examined, at least on a ref/ref/ref basis, elsewhere.

12 Would that be fair?

13 MR. ED WOJCZYNSKI: Yes.

14 MR. BYRON WILLIAMS: And I'd like to
15 refer you, if I could, sir, to -- to the bottom of
16 this -- this table. Keep scrolling down, please.
17 Thank you.

18 And, Mr. Wojczynski, for organizational
19 purposes I'm going to be comparing various plans
20 against Plant 14. And so just as a starting point, if
21 we could, let's take Plan 6, which is K19/Gas31 and
22 750 megawatts.

23 Is my understanding of that plan
24 correct, sir?

25 MR. ED WOJCZYNSKI: Yeah.

1 MR. BYRON WILLIAMS: And am I correct
2 in suggesting that that does not contain the WPS sale,
3 sir?

4 MR. ED WOJCZYNSKI: Correct.

5 MR. BYRON WILLIAMS: So let's take the
6 -- first of all, the expected value of -- of this Plan
7 6 of three eighty-six (386).

8 And I could compare that then, sir, to
9 the one twenty (120) for the Preferred Plan?

10 MR. ED WOJCZYNSKI: Yes.

11 MR. BYRON WILLIAMS: Okay. Similarly,
12 sir, if I took the ref/ref/ref for Plan 6 as compared
13 to Plan 14, I'd see there that the NPV is relatively
14 similar, being six hundred and sixty-two (662) for the
15 Plan 6, somewhat larger but generally in the same
16 range as for Plan 14, of 614 million.

17 Would that be fair?

18 MR. ED WOJCZYNSKI: That's correct.
19 And that's the trend you'd expect to see.

20 MR. BYRON WILLIAMS: Okay. And again,
21 the -- the expected value for Plan 6 of 386 million
22 would be superior to the expected value for Plan 14?

23 MR. ED WOJCZYNSKI: Yes. And I -- I
24 think it's also important to look at the -- at the
25 upsides and the downsides, the risks and the -- and

1 the upside potentials.

2 MR. BYRON WILLIAMS: And fair enough,
3 sir. And would it be fair to say in terms of the
4 downside risk that the downside risk for Plan 14 would
5 be approximately three (3) times as much --

6 MR. ED WOJCZYNSKI: Yes, that's
7 correct.

8 MR. BYRON WILLIAMS: -- as the
9 downside risk --

10 MR. ED WOJCZYNSKI: Yeah.

11 MR. BYRON WILLIAMS: -- for Plan 6?

12 MR. ED WOJCZYNSKI: Which is what
13 brings down the expected value.

14 MR. BYRON WILLIAMS: And on the upside
15 it's roughly twice as much, Plan 14 --

16 MR. ED WOJCZYNSKI: Yes.

17 MR. BYRON WILLIAMS: -- versus Plan 6?

18 Now, a plan that has attracted my client's attention
19 of late, Mr. Wojczynski, is Plan 8. And Plan 8, sir,
20 has gas and then it has Conawapa coming in, in 2026.

21 Is that correct, sir?

22 MR. ED WOJCZYNSKI: Yes.

23 MR. BYRON WILLIAMS: And the expected
24 value for Plan 8 is \$143 million.

25 Is that right, sir?

1 MR. ED WOJCZYNSKI: Yes.

2 MR. BYRON WILLIAMS: So it's
3 relatively competitive at that level with the expected
4 value of Plan 14, agreed?

5 MR. ED WOJCZYNSKI: Yes.

6 MR. BYRON WILLIAMS: The ref/ref/ref
7 for Plan 8 is 403 million, as compared to the
8 ref/ref/ref for plan -- the Preferred Plan of 614
9 million.

10 Am I correct, sir?

11 MR. ED WOJCZYNSKI: Yes.

12 MR. BYRON WILLIAMS: Let's just move
13 up to the 10th percentile risk for Plan 8.

14 Would I be correct in suggesting to you
15 that it is half as much as Plan 14, sir?

16 MR. ED WOJCZYNSKI: Yes.

17 MR. BYRON WILLIAMS: And on the --
18 that relationship holds as well for -- well, the
19 opposite for the upside potential with the -- the 90th
20 percentile result for Plan 14, being roughly twice as
21 much as for Plan 8?

22 MR. ED WOJCZYNSKI: Yes.

23 MR. BYRON WILLIAMS: Sir, let's turn,
24 if we could, to Plan 12 and compare it to Plan 14.

25 And Plan 12, you'll agree, is

1 K19/Conawapa31 and a -- a 750 megawatt
2 interconnection, sir?

3 MR. ED WOJCZYNSKI: Yes.

4 MR. BYRON WILLIAMS: And again, that
5 would be without the Wisconsin Public Service sale,
6 sir?

7 MR. ED WOJCZYNSKI: Yes.

8 MR. BYRON WILLIAMS: And the expected
9 value for Plan 12 at 115 million would be fairly
10 comparable to the expected value of Plan 14 of 120
11 million.

12 Would that be fair, sir?

13 MR. ED WOJCZYNSKI: Yes.

14 MR. BYRON WILLIAMS: And in terms of
15 the ref/ref/ref NPV for Plan 12 at 536 million, it
16 would be somewhat lower than the Preferred Plan at
17 614.

18 Would that be fair?

19 MR. ED WOJCZYNSKI: Yes.

20 MR. BYRON WILLIAMS: And then we get
21 to the Plan 5, sir. That is Keeyask in 19 -- or 2019,
22 gas in 2025, and 750 megawatt interconnection.

23 Is that correct, sir?

24 MR. ED WOJCZYNSKI: Yes.

25 MR. BYRON WILLIAMS: And it does

1 include the Wis -- Wisconsin Public Service sale.

2 Would that be correct?

3 MR. ED WOJCZYNSKI: Yes.

4 MR. BYRON WILLIAMS: And if I look at
5 that, I see the expected value of Plan 5 is a fair bit
6 higher at 268 million than the expected value of Plan
7 14 of 120 million?

8 MR. ED WOJCZYNSKI: Yes.

9 MR. BYRON WILLIAMS: On the other
10 hand, when I look at the ref/ref/ref NPV, Plan 5 comes
11 in at 584 million, as compared to the results for Plan
12 14, again, of 614 million?

13 MR. ED WOJCZYNSKI: Yes.

14 MR. BYRON WILLIAMS: Just a last
15 thing, sir, if I were to compare Plan 6 and Plan 5,
16 the -- the differences between Plan -- Plan 6 and 5,
17 one is that Plan 6 has no Wisconsin Public Service
18 sale.

19 Is that correct, sir?

20 MR. ED WOJCZYNSKI: Yes.

21 MR. BYRON WILLIAMS: And the other
22 difference would be a timing difference, in terms of
23 the timing for -- for gas.

24 Would that be fair?

25 MR. ED WOJCZYNSKI: Yes, the two (2)

1 are inextricably linked. Because we don't have the
2 WPS sale in Plan 6, you don't have the need for the
3 gas as early, so you can defer it, yes.

4 MR. BYRON WILLIAMS: And what we see
5 there, if we compare these plans, sir, is that the
6 expected value for Plan 6 of 386 million is superior
7 to the expected value for Plan 5.

8 Would that be fair?

9 MR. ED WOJCZYNSKI: Yes.

10 MR. BYRON WILLIAMS: And if we look at
11 the ref/ref/ref for Plan 6 of 662 million, again, it
12 is superior to the ref/ref/ref value for Plan 5.

13 Would that be fair?

14 MR. ED WOJCZYNSKI: Yes.

15 MR. BYRON WILLIAMS: And, sir, just a
16 last point, recognizing the position of Manitoba Hydro
17 is that Plan 4, in terms of its current results, is no
18 longer viable, we see in terms of the expected value,
19 Plan 4 would have the highest expected values of any
20 of the -- the plans presented, sir?

21 MR. ED WOJCZYNSKI: Yes, it does. And
22 that's why I said the other day from Manitoba Hydro's
23 point of view we would have -- well, I'm going to use
24 the word 'preferred' here -- we would have preferred
25 that Plan 4 and the 250 megawatt interconnection as

1 we've envisaged here, was available -- still available
2 as an option because it -- it -- if you have a -- it
3 would be good to have that in the remaining portfolio
4 of feasible options, because it does have some
5 attractive qualities. But as we've indicated, it is
6 not a feasible option.

7 MR. BYRON WILLIAMS: And -- and,
8 again, sir, in terms of the -- taking your point again
9 for the ref/ref/ref values, again Plan 4 in its
10 current incarnation dominates the other plans, agreed?

11 MR. ED WOJCZYNSKI: It is much larger
12 than the other plans. 'Dominate' is a word you use
13 when you're comparing the S-curves or the range rather
14 than just a single value, so.

15 MR. BYRON WILLIAMS: Fair enough, sir.
16 The -- now, finally, before we leave Plan 6, if memory
17 serves me right, sir, if I was incorporating DSM
18 scenario or Level 2, we would put -- be putting the
19 need date for gas out to 2040.

20 Is that right, sir?

21 MR. ED WOJCZYNSKI: That's correct.
22 And also, if you're talking about the DSM Level 2, you
23 would see that the economics of Plan 5 versus Plan 6
24 are modified, and actually Plan 5 ends up being more
25 attractive than Plan 6. Not by a large amount, but

1 unlike what you see in here, where Plan 6 was less
2 attractive by, call it, 90 million or 70 mi -- no,
3 more like 70 million...

4 Pardon me. In this quilt right now, on
5 the expect -- the in the reference you had Plan 6
6 looking better than Plan 5 by close to 200 million.
7 You now actually see that Plan -- that it's reversed
8 and Plan 5 is slightly better than Plan 6 with DSM 2.

9 MR. BYRON WILLIAMS: And we'll come to
10 that from your other slide, sir.

11 But that'll be about a \$30 million
12 difference?

13 MR. ED WOJCZYNSKI: Yes. The
14 important thing is you don't have any more -- the --
15 the big factor in favour of Plan 6. But we -- we --
16 but our plan -- the Preferred Plan would be -- involve
17 keeping all of those plans, 5 and 6 and 12 and 14,
18 available as options down the road.

19 The other thing I need to add, and as
20 Ms. Flynn has indicated previously, when we're
21 comparing these upsides on the rew -- what we call
22 reward or the upside benefit, or if we're looking at
23 the expected value what these do not include is that
24 we have these opportunities that Mr. Cormie has talked
25 about extensively, and that's the SaskPower sale;

1 there's the GRE and the NSP extension.

2 And as Mr. Cormie has indicated and Ms.
3 Flynn has indicated, if we ha -- if we do proceed with
4 those down the road, one (1) or two (2) or three (3)
5 or more, because there are some other players we're
6 talking to, we would expect we would see the bi -- a
7 bigger upside than what we're seeing in this chart.

8 This chart presents the upsides using
9 the scenarios with the forecast. They do not include
10 an -- a provision -- a specific provision for those
11 major export contracts that are under negotiation.
12 Those -- those would provide a greater benefit than
13 shown in these expected values or upsides.

14

15 (BRIEF PAUSE)

16

17 MR. BYRON WILLIAMS: Mr. Wojczynski,
18 if you can keep your hand on a paper copy of this
19 exhibit, and -- and then if we could just pull up just
20 for a second, for comparative purposes, Manitoba Hydro
21 Exhibit 95, page 123.

22 MR. ED WOJCZYNSKI: Yes.

23 MR. BYRON WILLIAMS: And, sir, at the
24 bottom of page 123 we see the results for the
25 Preferred Development Plan. It's in comparison in

1 terms of incremental NPV over the All Gas Plan
2 presented at -- towards the bottom of that page.

3 Do you see that reference, sir?

4 MR. ED WOJCZYNSKI: Yes.

5 MR. BYRON WILLIAMS: And --

6 MR. ED WOJCZYNSKI: Mr. By -- Mr.

7 Williams, you've been successful in this hearing
8 getting the most yeses in the -- in half an hour of
9 anybody. Congratulations.

10 MR. BYRON WILLIAMS: That will change
11 quite soon, sir. But just I -- I want to understand,
12 for comparative purposes, sir, as we work our way
13 through this, when I look at the results here for Plan
14 14 compared to All Gas, this is based upon the 2013
15 results, sir, and it excludes the WPS investment but
16 it does include the 2014 costs for Keeyask and
17 Conawapa.

18 Am I right, sir?

19 MR. ED WOJCZYNSKI: Yes, you're --
20 yes.

21 MR. BYRON WILLIAMS: Oh, okay. Maybe
22 we'll have a couple more yeses, and then we'll get to
23 it. And the discount rate employed was 5.4 percent,
24 sir, in this analysis?

25 MR. ED WOJCZYNSKI: For the last

1 comparison at the bottom, yes.

2 MR. BYRON WILLIAMS: Okay. And -- and
3 so we see the NPV of 374 million for the Preferred
4 Plan using 2013 assumptions, excluding the WPS
5 investment but included -- including the updated
6 capital cost --

7 MR. ED WOJCZYNSKI: Yes.

8 MR. BYRON WILLIAMS: -- of Keeyask and
9 Conawapa, agreed?

10 MR. ED WOJCZYNSKI: Yes.

11 MR. BYRON WILLIAMS: And that's the
12 three hundred and seventy-four (374) figure?

13 MR. ED WOJCZYNSKI: Yes.

14 MR. BYRON WILLIAMS: And, sir, just if
15 I -- if I go back to the Plan 14 as presented on page
16 3 of 7 of Manitoba Hydro Exhibit 104-8, I see a
17 ref/ref/ref NPV of \$614 million for this plan, sir,
18 under these assumptions, right?

19 MR. ED WOJCZYNSKI: Yes.

20 MR. BYRON WILLIAMS: And so one
21 difference in the assumption, sir, presumably would be
22 what we see in Exhibit 104-8 before us is based upon
23 the 2012 base assumptions?

24 MR. ED WOJCZYNSKI: Yes.

25 MR. BYRON WILLIAMS: And -- and those

1 would differ from the 2013 base assumptions, I'll
2 suggest to you, in two (2) or three (3) ways.

3 One would be the discount rate
4 employed?

5 MR. ED WOJCZYNSKI: Yes.

6 MR. BYRON WILLIAMS: Would -- secondly
7 would -- would be the expectation in terms of natural
8 gas -- or export prices, agreed?

9 MR. ED WOJCZYNSKI: They're higher in
10 the '13 than this '12 here, yes.

11 MR. BYRON WILLIAMS: And so, sir,
12 essentially, can -- when we look at the figure of six
13 hundred and fourteen (614) as an NPV based upon the
14 2012 assumptions and 374 million based upon the 2013
15 assumptions, are those apples-to-apples comparisons,
16 sir, in all other factors other than -- than one is
17 using the 2012 base and one is using the 2013 base?

18 MR. ED WOJCZYNSKI: I -- I think to a
19 great degree you can say that it's like comparing
20 Granny Smiths to Galas. There's a lot -- they're very
21 similar but not -- not fully, but close enough.

22 MR. BYRON WILLIAMS: Okay. And so
23 when you pointed out to me quite properly that within
24 the 2012 base case there were higher export revenues
25 than in the -- the 2013 base case, a countervailing

1 effect to that would be the -- the higher discount
2 rate employed in the 2013 analysis, agreed?

3 MR. ED WOJCZYNSKI: What you're trying
4 to say is the right thing, you -- you just got it
5 flipped. The 2013 was higher than the 2012. And --

6 MR. BYRON WILLIAMS: In terms of
7 discount rates?

8 MR. ED WOJCZYNSKI: No, no, no, you --

9 MR. BYRON WILLIAMS: Export prices,
10 yes.

11 MR. ED WOJCZYNSKI: Yes. You -- you
12 had got that backwards. But, yes, the -- the fact
13 that the 2013 export price was higher than the 2012
14 export price was more than offset by the fact there
15 was a higher discount rate. There were some other
16 second-order changes which also caused a reduction in
17 that that Ms. Flynn explained at an earlier date.

18 But I think probably for this
19 conversation that's -- that's -- enough said.

20 MR. BYRON WILLIAMS: Yes, and probably
21 enough yeses, as well, Mr. Wojczynski. I thank you.
22 It's hard work, but it's very helpful to our -- our
23 team, and I appreciate it.

24 Moving to a total --

25 MR. RICHARD BEL: Could I ask one (1)

1 simple question. It's counterintuitive that Plan 6
2 and Plan 5, one (1) with the WPS sale has got a lower
3 expected value.

4 Is there -- how did that happen?

5 MR. ED WOJCZYNSKI: So if you go to
6 the quilt, and we're on it right now actually, and if
7 you just give me a moment -- well, if we could --
8 actually, if you could go down a little bit to the --
9 get the -- the summary table at the bottom.

10 If you compare 5 and 6, 6 has an upside
11 of -- the downside, the 10th percentile risks are
12 similar; they're only \$100 million different. And if
13 you go to the upside, in this one your upside is
14 higher by 300 million. And if you go to the 75th
15 percentile, it's higher by 200. And what you're
16 getting is that when you don't -- when -- when you
17 have a -- a firm sale, WPS in this case, you do two
18 (2) things -- well, three (3) things, compared to the
19 forecast.

20 The first is under ref/ref/ref you --
21 you have the actual contract price compared to the
22 forecast price. And that will cause some change
23 there, depending if it's higher or lower. And we, of
24 course, prefer that our actual contract prices are
25 higher than the forecast.

1 The second is that when you have the
2 downside risk, what the export contract does is give
3 you a floor, because you've nailed that down. And if
4 export prices go down, you're protected, because
5 you're -- at least for that energy you're selling you
6 know your price, whereas if you leave it wide open
7 under Plan 6, you don't have that -- that energy being
8 sold firmed up in price.

9 So when -- but if -- so if you -- if
10 that world evolves and you do get low export prices,
11 you're exposed to those low export prices. If you
12 have a contract, you're protected. Your downside is
13 protected. But the converse of that is if export
14 prices are higher and you've locked in that price --

15 MR. RICHARD BEL: Okay. Okay.

16 MR. ED WOJCZYNSKI: -- then -- so in -
17 - in this circumstance there was more upside than
18 downside. And -- and that was an imp -- that was one
19 of the drivers here.

20 MR. RICHARD BEL: Okay. Thank you.

21

22 CONTINUED BY MR. BYRON WILLIAMS:

23 MR. BYRON WILLIAMS: Mr. Wojczynski,
24 just to follow up on that for just a couple last
25 points and then I will get to Ms. Pachal and -- and

1 her colleagues, but...

2 MR. ED WOJCZYNSKI: Yeah, they're
3 feeling neglected.

4 MR. BYRON WILLIAMS: I'm sure. In --
5 in terms of Plan 6 -- or when -- when Hydro's doing
6 its projections, it is assuming for -- for all the
7 plans, I'll suggest to you that it is able to sell its
8 dependable power at long-term export prices.

9 Would that be fair, sir?

10 MR. ED WOJCZYNSKI: Yes.

11 MR. BYRON WILLIAMS: And if I -- and
12 so built into both -- built into Plan 6 and -- there
13 will be an expectation that any dependable power can
14 be sold at long-term export prices?

15 MR. ED WOJCZYNSKI: Yes.

16 MR. BYRON WILLIAMS: Okay. And if I'm
17 getting into CSI with this next question, you'll just
18 chastise me and we'll -- we'll move on.

19 MR. ED WOJCZYNSKI: I haven't yet had
20 an opportunity to chastise you. I would look forward
21 to that.

22 MR. BYRON WILLIAMS: Speak to my
23 client, sir, she's...

24 When I go to the -- either the expected
25 value or the ref/ref/ref value for Plan 6 versus Plan

1 5, does that suggest to me that the long-term
2 expectations of export prices built into Plan 6 are
3 somewhat higher than the results of the Wisconsin
4 Public Service sale?

5 MR. ED WOJCZYNSKI: No. You have to -
6 - in Plan 5 you're advancing the gas turbines. And
7 although their capital costs are less than hydro,
8 they're still significant.

9 MR. BYRON WILLIAMS: Thank you for
10 that. Ms. Pachal, a couple questions for you, and
11 then I think a number -- the next thirty (30) minutes
12 or so we'll be going to the -- your colleague --
13 colleague to your left.

14 But you spoke yesterday both with My
15 Learned Friend Mr. Hombach, as well as with My Learned
16 Friend Ms. Saunders, about the -- the work that Hydro
17 is doing with the Northern Manitoba Sectoral Council?

18 Is that right?

19 MS. SHAWNA PACHAL: Sector Council.

20 MR. BYRON WILLIAMS: I still can't
21 read my handwriting, I apologize for that. And -- and
22 that -- that work relates to efforts to enhance the
23 apprentice opportunities.

24 Is that fair?

25 MS. SHAWNA PACHAL: That's correct.

1 MR. BYRON WILLIAMS: And I've tried to
2 brief myself both in conversations with others who are
3 in the room, but has this program begun, or is it yet
4 to begin?

5 MS. SHAWNA PACHAL: It is just about
6 to be begin. I believe the final negotiations of the
7 contract with the Northern Manitoba Sector Council are
8 just -- just being finalized --

9 MR. BYRON WILLIAMS: And --

10 MS. SHAWNA PACHAL: -- details of the
11 contract.

12 MR. BYRON WILLIAMS: -- do we have
13 expectations in terms of how many participants will be
14 in this program, Ms. Pachal?

15 MS. SHAWNA PACHAL: It's a pilot
16 project, and I believe it's between twenty (20) and
17 thirty (30), and I think they're trying to figure that
18 out, too, in terms of -- because as I mentioned we're
19 going to guarantee that every individual that's
20 brought into the program will have a placement so they
21 can get their hours.

22 So I think they're just doing -- making
23 sure they've got the employers in place and -- and
24 figuring out how many they can cover, given the
25 placements they can get plus the budget.

1 MR. BYRON WILLIAMS: And, Ms. Pachal,
2 so is the expected intake twenty (20) to thirty (30)
3 persons overall, or twenty (20) to thirty (30) persons
4 annually?

5 MS. SHAWNA PACHAL: Well, it's a pilot
6 project, so we're starting with twenty (20) to thirty
7 (30), and we'll see how it goes.

8 MR. BYRON WILLIAMS: And in terms of
9 your expectation of twenty (20) to thirty (30) persons
10 is -- I take it that's based upon a gaps analysis or a
11 market analysis of some sort?

12 Or what is the basis for that estimate?

13 MS. SHAWNA PACHAL: It's -- it's
14 primarily a combination of the people who understand
15 what the industries are up there of how many
16 placements we can guarantee, combined with the
17 available people, and combined with a budget of how
18 much money we're willing to spend for a pilot project.

19 MR. BYRON WILLIAMS: What would be the
20 expected duration -- let's say I'm -- I'm a person who
21 enters in 2014; how long would it take me to get
22 through the program?

23 MS. SHAWNA PACHAL: Well, generally
24 they're approximately four (4) year apprenticeships,
25 but the -- one of our intention is if we still have

1 HNETI trainees who aren't through their full
2 apprenticeship, maybe their at apprenticeship level 2
3 or 3, we'd want to get them into the program to help
4 them finish and get their journeyman ticket.

5 And, so it will depend on who applies,
6 who we select, and what levels they're starting at.
7 So the amount of time it takes may vary.

8 MR. BYRON WILLIAMS: And just for
9 reference purposes, perhaps we could pull up CAC
10 Exhibit 45-7, page 119. That should be Appendix E.
11 That's fabulous. And, Ms. Pachal -- oh, sorry, Ms.
12 Pachal.

13

14 (BRIEF PAUSE)

15

16 MS. SHAWNA PACHAL: What page are you
17 on, please?

18 MR. BYRON WILLIAMS: Page 119.

19

20 (BRIEF PAUSE)

21

22 MR. BYRON WILLIAMS: Oh, in the bottom
23 right-hand corner of the Deloitte report. I apologize
24 for this. It should be page 119. It's Appendix E.
25 And -- and I really -- you could probably work off the

1 screen for this one, but it's up to you.

2 MS. JANE KIDD-HANTSCHER: The
3 complication, I think, is the book of documents didn't
4 go through the entire report. So it's okay, I have it
5 for Ms. Pachal here. It stopped at page 80 or so.

6 MR. BYRON WILLIAMS: Oh, we didn't put
7 in the -- I think you may have the wrong exhibit.
8 It's 45-7.

9 MS. SHAWNA PACHAL: Yes, we're good.

10 MR. BYRON WILLIAMS: Okay. So, Ms.
11 Pachal or Ms. Kidd-Hantscher, you see here
12 descriptions of the -- the various categories of
13 apprentices that were considered in the course of
14 Wuskwatim.

15 Would that be fair?

16 MS. SHAWNA PACHAL: Yes.

17 MR. BYRON WILLIAMS: And in -- in
18 terms of the pilot project with the Northern Manitoba
19 Sector Council, do you have expectations in terms of
20 what the relative mix of job descripti -- descriptions
21 for apprentices will be?

22 MS. SHAWNA PACHAL: We have tried to
23 work on -- focus on trades that are plentiful that
24 will have the most opportunities to get hours, that
25 are transferable across industries and that are

1 transferable outside of the -- well, transferable
2 across industries, so they -- they aren't just
3 focussed on the Hydro projects. And there was a lot
4 of discussion and debate about what those would be.

5 MR. BYRON WILLIAMS: Would you be
6 able, by way of undertaking -- like, so you have an
7 anticipated list of the hot topic apprentice opp --
8 opportunities that will be available under this pilot
9 project?

10 MS. SHAWNA PACHAL: Yes, we do.

11 MR. BYRON WILLIAMS: And could you, by
12 way of undertaking, provide that list?

13 MS. SHAWNA PACHAL: I absolutely can
14 undertake to provide the list of the designated trades
15 we'll be focussing on in the Northern Construction
16 Trades Pilot Project.

17 MR. BYRON WILLIAMS: Thank you very
18 much. And thank you for a better undertaking than the
19 question that was posed as well.

20 MS. SHAWNA PACHAL: Always like to
21 help you out.

22

23 --- UNDERTAKING NO. 76: Manitoba Hydro to provide
24 the list of the designated
25 trades focussed on in the

1 Northern Construction
2 Trades Pilot Project
3

4 CONTINUED BY MR. BYRON WILLIAMS:

5 MR. BYRON WILLIAMS: Well, we're on a
6 roll. Let's just continue. Perhaps we can turn to
7 Exhibit CAC-45-7, pages 78 and 79, marked in the
8 bottom right-hand corner, this being the Deloitte
9 report.

10 MS. JANE KIDD-HANTSCHER: Mr.
11 Williams, I didn't reprint because I have my own copy.
12 So could you just tell me the page number on the
13 bottom that I can look at?

14 MR. BYRON WILLIAMS: Yeah, that's --
15 that is the page, page 78.

16 MS. JANE KIDD-HANTSCHER: Of the
17 actual report?

18 MR. BYRON WILLIAMS: Yes. And I think
19 that's how we paginate it in the exhibit as well. So
20 -- but I could be -- I'm not in charge of that. I'm
21 not trusted.

22

23 (BRIEF PAUSE)

24

25 MR. BYRON WILLIAMS: And we don't know

1 -- need to go into detail, but on pages 78 and 79
2 there is a discussion of challenges that arose in the
3 course of the Wuskwatim generating station
4 construction in terms of the interpretation of the
5 Burntwood Nelson Agreement.

6 Is that fair?

7 MS. SHAWNA PACHAL: I think that's
8 fair.

9 MR. BYRON WILLIAMS: And ju -- we're
10 going to come back to this point later, but if we turn
11 to the top of page 79, the second paragraph there. We
12 will see, and you'll agree with me that there was a
13 renegotiation of the interpretation of Article 12.42
14 of the BNA which came into effect on or about June
15 10th -- June 6th, 2010.

16 Would that be fair?

17 MS. SHAWNA PACHAL: Yes.

18 MR. BYRON WILLIAMS: So my question to
19 you is: Since that point in time -- time and apart
20 from this specific renegotiation referenced on -- on
21 page 79 of the Deloitte report, have there been any
22 additional elements of the Burntwood Nelson agreement
23 renegotiated?

24 MS. SHAWNA PACHAL: Well, I think that
25 we would have to do an undertaking specifically to let

1 you know that. So we'll undertake to let you know
2 what other specific -- if there have been any
3 additional things undertaken.

4

5 --- UNDERTAKING NO. 77: Manitoba Hydro to indicate
6 if there been any
7 additional elements of the
8 Burntwood Nelson agreement
9 renegotiated

10

11 MS. SHAWNA PACHAL: I -- I would like
12 to point out that we've learned a lot from Wuskwatim
13 in terms of the Burntwood Nelson Agreement and other
14 issues associated with the hiring. And so a number of
15 things are underway for Keeyask.

16 For example, we just recently got the
17 province who runs the job referral system supported by
18 the BNA to accept a letter from chief in council that
19 verifies the membership and residency of the members
20 applying into the program. So that was a bit of a
21 hurdle for some of our partners and other Aboriginal -
22 - Northern Aboriginal individuals or other Aboriginal
23 individuals because they had to find all this
24 paperwork and -- as opposed to just getting a letter
25 from chief in council.

1 We've got -- for Keeyask we have
2 liaison officers job seeker -- job seeker managers in
3 each of the communities. There's a member of each of
4 our partner communities who has the job of job seeker
5 manager to assist their members in registering with
6 the job referral service. And also, they keep track
7 of -- there was also a concern that the registration
8 in the job referral system times out after six (6)
9 months and you have to renew it. And that was
10 becoming a bit of an issue.

11 So now the job referral -- or the job
12 seeker managers are able to keep track of when these
13 renewals are required. And it's their job to work
14 with their members to make sure they're renewed and
15 kept up to date.

16 We're also revisiting -- like we're
17 revisiting the six (6) month renewal, although it's a
18 really important requirement because it's not -- if
19 things aren't updated at least every six (6) months,
20 we don't have the most current information and it --
21 it can cause issues. So some people would like us to
22 remove it, but we're -- we're not really keen on doing
23 that. We're taking a look at it again, but we're
24 hoping that the job seeker managers and the -- and the
25 notification that the -- that renewals are coming due

1 will assist and -- and address some of those issues.

2 We'll have an Aboriginal union rep
3 working with the HPMa, the Allied Hydro Council, to
4 assist Aboriginal members on the project with
5 interpreting the BNA and understanding the BNA and
6 some of the union requirements and some of the issues.

7 So we've tried to learn from the
8 Deloitte report and from our experience on Wuskwatim
9 and put in a number of things to address what the
10 major concerns were on Wuskwatim.

11 MR. BYRON WILLIAMS: And thank --

12 MS. SHAWNA PACHAL: But Jane might be
13 able to add to the list. She's probably more informed
14 on that than I am.

15 MR. BYRON WILLIAMS: This is important
16 information for -- for all of us, so please feel
17 welcome to do so.

18 MS. JANE KIDD-HANTSCHER: In addition
19 to what Ms. Pachal mentioned there, other measures are
20 the -- we're going to also have Keeyask Cree Nation
21 site representative positions on the project, so those
22 will be a couple of positions.

23 We did have a similar position on the
24 Wuskwatim Project, but it came in late, sort of
25 midstream. So these, again, will be another place --

1 or people that community members can access, in terms
2 of issues, challenges, positives on the project.
3 They're there to liaise between the project manager,
4 being Hydro, and the communities.

5 We're also going to have -- which we
6 did have on Wuskwatim. We have the employee retention
7 and support contract for Keeyask. We did have a
8 various similar contract on Wuskwatim. And that --
9 this one is really critical because this is where you
10 have the counselling services, cross-cultural
11 activities, ceremonies; so the components that are
12 exceptionally important to the community, and building
13 a bridge between the individuals who work on that
14 contract and all employees on site, but very
15 specifically, Aboriginal employees on site.

16 So I think those in addition to what
17 Ms. Pachal mentioned -- actually, one other, as well,
18 is we are going -- there will be implementation
19 offices within each of the communities. And this is
20 something that we also had at the Nelson House for the
21 Wuskwatim Project. So this is an office that exists
22 in each of the communities that access the main
23 liaison between Hydro and the partner communities
24 throughout the life of the project.

25 But I think, more importantly, it's

1 that other central location where individuals from the
2 communities can go and talk to people who work very
3 closely with the Corporation on the project, express
4 concerns, issues.

5 So between what Ms. Pachal mentioned
6 and what I've indicated, there are all -- a number of
7 measures and mechanisms, some of which certainly we
8 had on Wuskwatim, others are a little bit different or
9 being enhanced for Keeyask.

10 MR. BYRON WILLIAMS: Thank you to --
11 to both of you. Mr. Wojczynski, I told you the yeses
12 were going to be ending soon, and --

13 MS. SHAWNA PACHAL: And I'm going to
14 keep going.

15 MR. BYRON WILLIAMS: Well, if you --
16 that's fine, because -- okay, go ahead, and then I --
17 because this is important for our client to
18 understand. And I'll ask Diane (sic) to scroll down
19 to page -- or up to page 78 while you're doing that.

20 MS. SHAWNA PACHAL: Excellent. One
21 (1) other thing that I remembered too is one (1) of
22 the things that -- I think it's human nature that you
23 often hear of the things that don't work as opposed to
24 all the things that do. And so there's quite a few
25 success stories associated with Wuskwatim, which

1 hopefully Jane will get a chance to talk to you about
2 this morning.

3 But one (1) of the other things we're
4 doing is -- you know there -- there was a num --
5 instances where -- I shou -- I'm not -- I shouldn't
6 say a number of instances, there were a few instances
7 where people felt that the job qualifications that
8 were being requested by the contractor were too
9 stringent. So Manitoba Hydro -- just to understand,
10 that Manitoba Hydro and the unions use a national
11 occupation -- occupational classification code. So
12 they use a standardized code of what the
13 qualifications should be for a -- for a certain
14 position.

15 But having said that, we're not just
16 relying on that. Manitoba Hydro is reviewing all of
17 the -- the standard template qualifications to make
18 sure that there's no unreasonable or stringent
19 qualifications that will exclude somebody from a
20 position that they should otherwise have.

21 So an example would be if they say
22 somebody needs WHMIS training, well, you can get WHMIS
23 training in a CBT module in a day. So it's not a
24 reason to say somebody can't get a job because they
25 don't have that training. So making sure there's

1 nothing like that on the -- on the qualifications and
2 nothing that there's (sic) unreasonable that are
3 popping people out of the system that would be
4 otherwise qualified.

5 MR. BYRON WILLIAMS: Thank you. And I
6 should have said Diana, instead of Diane, I'm sorry
7 for that.

8 MS. JANE KIDD-HANTSCHER: And I just -
9 - just to further -- sorry, Mr. Williams, we're --
10 we're going to let you come back to us in just one (1)
11 minute.

12 MR. BYRON WILLIAMS: You're going to
13 let me ask some questions.

14 MS. JANE KIDD-HANTSCHER: No, we're --

15 MR. BYRON WILLIAMS: That's very
16 generous of you.

17 MS. JANE KIDD-HANTSCHER: We just -- a
18 lot of what we are referencing is -- or I'm
19 specifically looking at and was hoping to get a chance
20 to talk more about this morning is that it's a
21 fantastic newsletter that NCN put out throughout --
22 they did a number of them throughout the life of the
23 project, just as our Keeyask partners certainly do on
24 this project.

25 But this was documented in April of

1 2011, and we can certainly have copies of this made
2 for the Board if you would like. And it's -- it's an
3 amazing snapshot of the employment situation on the
4 project and it covers all aspects. There's -- there's
5 assumptions in here, there's challenges, there's
6 positives, there's success stories, training,
7 employment outcomes, so the gamet from -- for five (5)
8 years of the project.

9 So if that's of interest we can
10 certainly talk to our people on the 9th floor and get
11 them to make copies and we can have those ready later
12 on.

13 MR. BYRON WILLIAMS: Ms. -- Ms. Kidd-
14 Hantscher, I know our client would be interested in --
15 in seeing that. So certainly I'll request that as an
16 -- this will be the one (1) undertaking Hydro has no
17 problems offering, clearly.

18 So I would ask you to undertake to file
19 that specific document. And for the court reporter,
20 if you can just name the document for her by way of
21 the undertaking.

22 MS. JANE KIDD-HANTSCHER: Shawn is
23 helping me with my mic. The name of the document is:

24 "MCN Wuskwatim Employment, The
25 Picture As The Project Nears

1 Completion, and CN Member Update
2 Newsletter April 2011."

3 So we will undertake to have copies of
4 that provided.

5

6 --- UNDERTAKING NO. 78: Manitoba Hydro to provide
7 copies of MCN Wuskwatim
8 Employment, The Picture As
9 The Project Nears
10 Completion, and CN Member
11 Update Newsletter April
12 2011

13

14 CONTINUED BY MR. BYRON WILLIAMS:

15 MR. BYRON WILLIAMS: And we -- I -- we
16 certainly want to hear about this. I do have to --
17 I'm going to start exercising a bit of control in
18 terms of the answers, but that's -- I had my run with
19 Mr. Wojczynski, so I -- I knew we were going to go
20 into a bit more detail here.

21 And we thank you for the -- the good
22 news from Wuskwatim. Without asking you to elaborate,
23 I will ask you to confirm that there was tension
24 associated with Wuskwatim in terms of the hiring. And
25 indeed, at one point in time there were some protests.

1 Would that be fair?

2 MS. JANE KIDD-HANTSCHER: That would
3 be fair.

4 MR. BYRON WILLIAMS: No, Ms. Pachal,
5 you've generously undertaken to review -- to see
6 whether there is any subsequent re-negotiation of the
7 Burntwood Nelson Agreement, other than the 12.4.2 that
8 we've discussed previously.

9 Is that correct?

10 MS. SHAWNA PACHAL: That's correct.

11 MR. BYRON WILLIAMS: Would it be fair
12 to say that one of the messages from Deloitte in terms
13 of its report, as referenced at page 78, was that
14 there were challenges noted both by Hydro and Union
15 planners that Clause 12.4.1.2 allowed the contractor
16 to layoff whomever they wanted as long as the
17 contractor determined the worker being retained had
18 better skills, abilities, or work performance than
19 those being laid off.

20 Would that be fair?

21 MS. JANE KIDD-HANTSCHER: That's a
22 direct quote from the report --

23 MR. BYRON WILLIAMS: And --

24 MS. JANE KIDD-HANTSCHER: -- yes.

25 MR. BYRON WILLIAMS: -- that's Hydro's

1 understanding?

2 MS. JANE KIDD-HANTSCHER: My

3 understanding is what's in the report.

4 MR. BYRON WILLIAMS: Yes. And so, Ms.

5 Pachal, in particular, our client is interested in

6 understanding whether 12.4.1.2 has been renegotiated,

7 okay. So I'll ask you to report back on that.

8 MS. SHAWNA PACHAL: I will.

9 MR. BYRON WILLIAMS: Thank you.

10 MS. SHAWNA PACHAL: And I can also

11 report back on my undertaking that the Northern

12 Construction Trades Training Pilot Program is focussed

13 on training industrial mechanics, industrial

14 electricians, steamfitters, and pipefitters.

15 MR. BYRON WILLIAMS: Could you repeat

16 those four (4), Ms. Pachal?

17 MS. SHAWNA PACHAL: Industrial

18 mechanics, industrial electricians, steamfitters, and

19 pipefitters.

20

21 (BRIEF PAUSE)

22

23 MR. BYRON WILLIAMS: Thank you for

24 that. If we can scroll up page 78 for just one (1)

25 second and, Ms. Pachal, I believe you adverted to this

1 in your -- in your response previously, but there was
2 a concern expressed that some contractors were using
3 skills to reduce the number of jobs -- qualified job
4 seekers referred from the JRS, or job referral
5 service; would that be fair?

6 MS. SHAWNA PACHAL: Yes.

7 MR. BYRON WILLIAMS: And, so some of
8 the activities you've under -- you discussed
9 previously would be aimed at addressing at least part
10 of that issue?

11 MS. SHAWNA PACHAL: Yes, and there's a
12 number of mechanisms at the project for individuals to
13 -- if there is a concern that that's happened, there's
14 numerous mechanisms for people to raise concerns. And
15 when people raise concerns, our construction people go
16 back and check the -- the hiring process and what the
17 qualifications were to verify that it was a legitimate
18 -- that somebody wasn't hired.

19 MR. BYRON WILLIAMS: Okay. Now, we're
20 going to, at a higher level, run through a bit of the
21 Deloitte report. Just for memory purpose and, Mr.
22 Wojczynski, you've probably been around longer than
23 some of your other panel members, can -- and -- and I
24 meant that -- I meant that in a laudatory way, sir.

25 MR. ED WOJCZYNSKI: I accept that, and

1 thank you for the complement.

2 MR. BYRON WILLIAMS: Am I correct in
3 suggesting to you that Limestone was completed in the
4 early 1990s? Would that be fair?

5 MR. ED WOJCZYNSKI: Yes.

6 MR. BYRON WILLIAMS: Ms. Kidd-
7 Hantscher and Ms. Pachal, we're going to turn towards
8 the -- the start of the Deloitte report, being page 4
9 in the -- marked in the bottom right-hand corner.
10 And, Ms. Kidd-Hantscher, I -- I'm going to use a few
11 acronyms during our discussion, so I just want to make
12 sure we're using the acronyms in the same way.

13 So if I use the acronym or the -- H-N-
14 T-E-I, or HNTEI, you'll understand me to be referring
15 to the Hydro Northern Training and Employment
16 Initiative?

17 MS. JANE KIDD-HANTSCHER: Yes, and we
18 refer to it as HNTEI.

19 MR. BYRON WILLIAMS: HNTEI, and I want
20 to call it Nettie (phonetic), so you'll apologize.
21 I'll try and call it HNTEI, but I'm promising. HNTEI.

22 Also PPT you'll understand to refer to
23 pre-project training, agreed?

24 MS. JANE KIDD-HANTSCHER: Agreed.

25 MR. BYRON WILLIAMS: And OJT which Ms.

1 Pachal talked about extensively yesterday relates to
2 on-the-job training, correct?

3 MS. JANE KIDD-HANTSCHER: Yes.

4 MR. BYRON WILLIAMS: And yesterday
5 certainly both -- well, actually two (2) days ago in
6 your direct evidence but yesterday Hydro discussed the
7 extensive investment of Hydro, its Cree Nation
8 partners, the province and federal government, MKO and
9 -- and the MMF, in training programs related to -- to
10 northern opportunities.

11 Would that be fair?

12 MS. JANE KIDD-HANTSCHER: Yes.

13 MR. BYRON WILLIAMS: And if we think
14 of the objective of the pre-project training, an
15 important goal was to train and prepare northern
16 Aboriginal workers for employment in a wide range of
17 occupations during the construction of Wuskwatim and
18 Keeyask.

19 Would that be fair?

20 MS. SHAWNA PACHAL: Yes.

21 MR. BYRON WILLIAMS: And we'll get to
22 HNTEI in a moment, but pre-project training for
23 Wuskwatim actually started in 2001.

24 Would that be fair?

25 MS. SHAWNA PACHAL: Yeah, Manitoba

1 Hydro actually started working with its Keeyask Cree
2 Nation partners and Nisichawayasihk Cree Nation in
3 around 2001. We started flowing dollars for training
4 initiatives around that time. And those dollars that
5 we started to flow were part of the \$10 million that
6 eventually got rolled into the 60 million that became
7 the overall HNTEI initiative.

8 MR. BYRON WILLIAMS: Thank you for
9 that. And that's -- that's helpful. And then the --
10 you -- the HNTEI -- what eventually became the HNTEI
11 initiative -- HNTEI itself was formally established in
12 2005, agreed?

13 MS. SHAWNA PACHAL: That's right. And
14 just to help people understand, in order to access the
15 \$20 million from the Aboriginal Skills and Employment
16 Program from the federal government they -- the
17 federal government had very strict guidelines about
18 what the mechanisms and the structure had to be. So
19 we had to -- as funders we had to have a separate
20 entity that was overseeing and administering the
21 initiative which is why we had to set up the Wuskwatim
22 and Keeyask Training Consortium; that was a
23 requirement of the federal government.

24 So they had a lot of rules that were
25 somewhat awkward for us based on how we were set up

1 and all our partners. But in order to access those
2 dollars we had to jump through those hoops to -- to
3 set up. So the initiative was somewhat complex, I
4 would say, from an administrative perspective in order
5 to meet the requirements of the federal government to
6 access that \$20 million.

7 MR. BYRON WILLIAMS: And thank you.
8 And HNTEI completed its mandate in 2010.

9 Would that be fair?

10 MS. SHAWNA PACHAL: That's correct.

11 MR. BYRON WILLIAMS: And, indeed, it
12 was extended for about a year to allow for the
13 utilization of some funds that hadn't previously been
14 expended.

15 Would that be accurate?

16 MS. SHAWNA PACHAL: That's correct.
17 About 99 percent of the funds had been expended.
18 There was a little bit left over and we created a
19 different mechanism for people to try and use up what
20 was left.

21 MR. BYRON WILLIAMS: And when one
22 thinks of OJT, or on-the-job training, we can presume
23 that that would have continued throughout the -- the
24 life of the -- the Wuskwatim construction?

25 Would that be fair?

1 MS. JANE KIDD-HANTSCHER: That's fair.

2 MR. BYRON WILLIAMS: And following the
3 completion of -- well, HNTEI, at some point in time
4 Deloitte was hired to evaluate the -- the program.

5 MS. JANE KIDD-HANTSCHER: Yeah. The
6 engagement of Deloitte as Ms. Pachal, I think, maybe
7 alluded to yesterday or the day before, was a decision
8 made by the partnership, the Wuskwatim Power Limited
9 Partnership - so Hydro and NCN. And it was a -- there
10 -- it was a tough decision, because we -- it's easy to
11 look at yourself, but then to -- to say, Well, let's -
12 - let's get a third party to come in and look at all
13 aspects of the project for training -- or from a
14 training and employment perspective.

15 So that was a decision taken by the
16 Board, given a lot of thought. Because we wanted to
17 learn; we wanted to see what we had done well, what we
18 could do better in terms of both Hydro and our
19 partners, and so that was that decision that was
20 taken. And that was over two (2) years ago. It was a
21 very long undertaking to complete this evaluation.

22 MR. BYRON WILLIAMS: Thank you for
23 that. And when you speak of 'partners' we can use
24 them in -- in two (2) senses. I want to use the term
25 'partners' to focus for a second on the Wuskwatim

1 Keeyask Training Consortium.

2 And would I be correct in suggesting to
3 you that Fox Lake, TC -- Tataskweyak Cree Nation, War
4 Lake, and York Factory were all -- all part --
5 partners of that consortium?

6 MS. SHAWNA PACHAL: As -- as was the M
7 -- the MKO, and the Manitoba Metis Federation.

8 MR. BYRON WILLIAMS: And presumably
9 Nisichawayasihk?

10 MS. SHAWNA PACHAL: And NCN, right.

11 MR. BYRON WILLIAMS: And I'm sorry for
12 -- to the court reporter for talking over your answer.
13 I apologize for that.

14 Ms. Pachal, we're going to come to the
15 -- or Ms. Kidd-Hantscher, we're going to come to the
16 addendum to the Deloitte report in a second. But I'm
17 wondering if I could ask you, first of all, to turn to
18 CAC Exhibit 45-7, the Deloitte report, page 10, marked
19 in the bottom right-hand corner. And if we could
20 scroll down just to that first paragraph there.

21 And, Ms. Kidd-Hantscher, just in terms
22 of flowing from the Wuskwatim EIS, the initial
23 projection from the Wuskwatim EIS was that the project
24 would contribute one thousand one hundred and nine
25 point one (1,109.1) person years of employment to the

1 Manitoba economy. But we should note that that
2 prediction did not include Hydro and supervisory
3 persons onsite.

4 Would that be fair?

5 MS. JANE KIDD-HANTSCHER: That would
6 be fair.

7 MR. BYRON WILLIAMS: And so just to be
8 clear, the focus of the prediction of one thousand one
9 hundred and nine point one (1,109.1) person years of
10 employment would be focussed on the designated trades,
11 the non-designated trades, and the construction
12 support, agreed?

13 MS. JANE KIDD-HANTSCHER: Agreed.
14 Yeah, that prediction was based upon assumptions and -
15 - you know, that Hydro made, as well a lot of
16 community information to formulate these predictions
17 which it's important to note, you know, we hadn't
18 built a generation station, as Mr. Williams referred
19 to, in quite some time, and we had never built one
20 with a partner.

21 So the predictions behind the Wuskwatim
22 EIS were pretty groundbreaking at -- at that time and
23 as we're going to -- I'm sure we're going to get to.
24 The outcome ended up quite different from where we
25 started in terms of a prediction.

1 MR. BYRON WILLIAMS: Yeah. And I --
2 and I -- and we'll do that. Let's -- let's turn, if
3 we could, to page 45-7 of -- excuse me, CAC Exhibit
4 45-7, page 126. And we can scroll down to see Table
5 1. Stop there, please, thank you, the very last page
6 of the -- of the exhibit.

7 Ms. Kidd-Hantscher, this is a one (1)
8 page addendum to the Deloitte Report prepared on or
9 about February 27th, 2014, agreed?

10 MS. JANE KIDD-HANTSCHER: Agreed.

11 MR. BYRON WILLIAMS: And what it does
12 is, in the second column, provide the original values
13 in terms of total person years of employment, and then
14 subdivided into some categories that were presented in
15 the -- the Deloitte Report of November of 2013,
16 agreed?

17 MS. JANE KIDD-HANTSCHER: Agreed.

18 MR. BYRON WILLIAMS: And then over on
19 the right-hand column we see the updated values that
20 were presented in this addendum, agreed?

21 MS. JANE KIDD-HANTSCHER: Agreed.

22 MR. BYRON WILLIAMS: And so -- and --
23 and just for continuity, Ms. Kidd-Hantscher, you'll
24 just remind us that in the EIS you are predicting
25 around eleven hundred (1,100) person years of

1 employment with the proviso that that was excluding
2 Manitoba Hydro and supervisory positions, agreed?

3 MS. JANE KIDD-HANTSCHER: Agreed.

4 MR. BYRON WILLIAMS: And then the
5 original values in the Deloitte Report were around
6 twenty-eight (28) or twenty-nine hundred (2,900) as
7 presented in November of -- of 2013, agreed?

8 MS. JANE KIDD-HANTSCHER: Yes.

9 MR. BYRON WILLIAMS: And what you've
10 done in the addendum is update that to three thousand
11 five hundred and thirty-five (3,535) person years of
12 employment associated with Wuskwatim.

13 Would that be fair?

14 MS. JANE KIDD-HANTSCHER: Yes. And I
15 think it's important right now to clarify the basis of
16 that reconciliation as we're referring to it. So the
17 twenty-eight fifty-nine (2,859) in the original
18 value~~◆~~s column was based upon information that was
19 provided in contractor reports, and that's how we
20 captured the information throughout the life of the --
21 the project, and we used that for our reporting
22 purposes.

23 It did include some supervisory and
24 out-of-scope employment, but -- and Manitoba Hydro
25 employees but certainly not very many because it was

1 based upon the contractors' employment reporting. The
2 updated value of thirty-five thirty-five (3,535) and
3 all of the corresponding numbers underneath that, so
4 twenty-two thirty (2,230), et cetera, that's based on
5 the -- what we refer to as the contractor employee
6 database, which is a hydro database. And that is a
7 database that is capturing information throughout the
8 life of the project.

9 But you can't report on the total
10 person years until -- out of that database until an
11 employee finishes their work or separates, as we call
12 it, their -- their term is complete on the project.
13 So the majority of the difference between the twenty-
14 eight fifty-nine (2,859) and the thirty-five thirty-
15 five (3,535) is due to the contractor labour reports
16 that were used throughout the life of the project
17 essentially understating the amount of out of scope or
18 -- or supervisory employment.

19 So when we completed the Deloitte
20 report we knew there would be a difference. We
21 weren't sure, of course, of the nature of the
22 difference given it was between twenty-eight fifty-
23 nine (2,859) and the thirty-five thirty-five (3,535).
24 That is why we issued the addendum, because it did
25 provide a significant increase to the number, and then

1 change the corresponding percentages below.

2 So I -- I know that's a lot of
3 information in a short -- but it's important to
4 clarify the basis of the reconciliation.

5 MR. BYRON WILLIAMS: And I thank you
6 for that. And, so if one were inclined to compare the
7 updated values with the original EIS predictions, you
8 would -- you would offer two (2) caveats in that
9 analysis, one (1) being that the original predications
10 did not contain contract and supervisory provisions or
11 estimates, and the second being that this was your
12 first project in twelve (12) years.

13 MS. JANE KIDD-HANTSCHER: I think you
14 may have -- you said, "contract," but I -- it didn't
15 include supervisory. I think that's what you meant,
16 as well as, yes, it was the first project in a very
17 long time. I think the -- a really important thing to
18 remember, and I mentioned it earlier is, the estimate
19 -- the predication was much lower than where we ended
20 up.

21 So we predicated eleven hundred and
22 nine (1,109) person years, and the project realized
23 thirty-five hundred (3,500) person -- three (3) times
24 the person years. So that's very significant in terms
25 of the number of person years increased over what we

1 had projected.

2 MR. BYRON WILLIAMS: Thank you for
3 that. And if I could direct Manitoba Hydro's
4 attention, you might want to keep your -- your finger
5 on this page, but if I could -- on a paper copy of it,
6 but if I could direct Manitoba Hydro's attention to
7 CAC Exhibit 45-8, the last tab, Tab 11, and in -- and
8 that would be page 76.

9 MS. JANE KIDD-HANTSCHER: I have it.

10 MR. BYRON WILLIAMS: And, Ms. Kidd-
11 Hantscher, you understand that this is my effort to
12 take the information provided in the Addendum to the
13 Deloitte report, and present it dis-aggregated between
14 non Manitobans, other Manitobans excluding northern
15 Manitobans, and northern Manitoba Aboriginals, and
16 then subsequently between northern Manitobans and
17 northern Manitoba Aboriginals.

18 Do you see that?

19 MS. JANE KIDD-HANTSCHER: Oh, I see,
20 and I -- I checked your math while I was sitting here
21 yesterday afternoon. That's why I asked Ms. Pachal,
22 'cause I marked up her copy. So I -- I've seen what
23 you've done, and I understand the presentation.

24 MR. BYRON WILLIAMS: And -- and how
25 was my math, Ms. Kidd-Hantscher?

1 MS. JANE KIDD-HANTSCHER: It adds in
2 this case, yes.

3 MR. BYRON WILLIAMS: The "in this
4 case," was a little hurtful, Ms. Kidd-Hantscher, but I
5 will proceed undaunted.

6 And, so just to -- to be clear,
7 starting --starting from the -- you -- you'll accept
8 the -- the validity of my frail mathematical
9 calculations in this case, is that right?

10 MS. JANE KIDD-HANTSCHER: I will.

11 MR. BYRON WILLIAMS: Okay. And just
12 starting from the bottom of the first column, in
13 essence, you'll -- you'll see that we start out with
14 looking at the bottom with total person years of
15 employment, correct?

16 MS. JANE KIDD-HANTSCHER: Correct.

17 MR. BYRON WILLIAMS: We work our way
18 up to northern Manitoba Aboriginals, agreed?

19 MS. JANE KIDD-HANTSCHER: Agreed.

20 MR. BYRON WILLIAMS: And then we look
21 at northern Manitobans excluding northern Manitoba
22 Aboriginals. Would that be fair?

23 MS. JANE KIDD-HANTSCHER: Yes.

24 MR. BYRON WILLIAMS: And then we look
25 at other Manitobans leaving aside northern Aboriginals

1 and -- and north -- and northern Manitobans, as well,
2 correct?

3 MS. JANE KIDD-HANTSCHER: Yes.

4 MR. BYRON WILLIAMS: And finally we
5 look at non Manitobans, correct?

6 MS. JANE KIDD-HANTSCHER: Correct.

7 MR. BYRON WILLIAMS: And you see in
8 the second column over -- over, we present the
9 Deloitte original values, agreed?

10 MS. JANE KIDD-HANTSCHER: Agreed.

11 MR. BYRON WILLIAMS: And then in the
12 third column we present the Deloitte updated values,
13 correct?

14 MS. JANE KIDD-HANTSCHER: Correct.

15 MR. BYRON WILLIAMS: And then in the
16 fourth column we take the Deloitte updated values as a
17 percentage of the total. Would that be fair?

18 MS. JANE KIDD-HANTSCHER: Yes, this is
19 the math I checked.

20 MR. BYRON WILLIAMS: And I can give
21 you a reference later but just, subject to check,
22 would you agree that the percentage of northern
23 Aboriginals employed in Limestone was -- was roughly
24 25 percent of the labour force?

25 MS. JANE KIDD-HANTSCHER: Could you

1 provide me with the reference, please?

2 MR. BYRON WILLIAMS: I'm going off of
3 memory.

4

5 (BRIEF PAUSE)

6

7 MR. BYRON WILLIAMS: Page 71 of 45-7.
8 We don't need to turn there. I'll just let Ms. -- Ms.
9 Kidd-Hantscher turn there. I'm suggesting to you --
10 to you that the total hires on Limestone of northern
11 Manitoba Abor -- Aboriginals was 25 percent?

12 MS. JANE KIDD-HANTSCHER: So this is
13 specific to hires --

14 MR. BYRON WILLIAMS: Yeah.

15 MS. JANE KIDD-HANTSCHER: -- which was
16 25 percent. Yes, I found that on page 71.

17 MR. BYRON WILLIAMS: Okay. And I
18 realize that this is distinct in employment years.

19

20 (BRIEF PAUSE)

21

22 MR. BYRON WILLIAMS: In terms of -- in
23 terms of the updated Deloitte report, we see that
24 about 27.5 percent of the employment years went to
25 northern Manitoba Aboriginals, agreed?

1 MS. JANE KIDD-HANTSCHER: Yes, agreed.

2 We've rounded that up to 28 in our addendum.

3 MR. BYRON WILLIAMS: I'm not being
4 critical in any way. Northern Manitobans, 5.7
5 percent, correct?

6 MS. JANE KIDD-HANTSCHER: Correct.

7 MR. BYRON WILLIAMS: And non-
8 Manitobans were about 37 percent. Fair enough?

9 MS. JANE KIDD-HANTSCHER: Yes.

10 MR. BYRON WILLIAMS: And when one
11 looks at the updated values as compared to the
12 original Deloitte values, am I correct in suggesting
13 to you that the biggest difference is between the --
14 the calculated non-Manitobans being roughly four
15 hundred and forty-seven (447) more on the addendum
16 than in the original Deloitte report?

17 MS. JANE KIDD-HANTSCHER: Yes, and
18 that would be logical given the explanation I just
19 gave in terms of the basis of the reconcilliation
20 pulling from the contractor reports originally and
21 then the con -- the Hydro database, which captured all
22 of the supervisory and out-of-scope. So, naturally it
23 flows to that.

24 MR. BYRON WILLIAMS: And just
25 focussing on northern Manitoba Aboriginals, you'll

1 agree with me that the difference between the original
2 values and the updated values was only -- was -- was
3 twenty-nine (29) additional person years of
4 employment, agreed?

5 MS. JANE KIDD-HANTSCHER: I'm sorry,
6 Mr. Williams, you were at northern Manitoba
7 Aborigines?

8 MR. BYRON WILLIAMS: Yes.

9 MS. JANE KIDD-HANTSCHER: Yes, the
10 nine forty-four (944) to the nine seventy-three (973),
11 yes.

12 MR. BYRON WILLIAMS: And so just to --
13 to belabour that point, perhaps unduly, the update in
14 terms of northern Manitoba Aborigines was twenty-nine
15 (29)? Twenty-nine (29) additional person years of
16 employment?

17 MS. JANE KIDD-HANTSCHER: Yes. Again,
18 for the same reasons that I've just indicated.

19 MR. BYRON WILLIAMS: So when we go and
20 review the information, Ms. Kidd-Hantscher, and the
21 rest of the Deloitte report, we -- we will realize
22 that there was a significant upwards revision in the
23 overall number of employment years, but when we focus
24 on the northern Manitoba original -- Aborigines in
25 the original Deloitte report, there's not that much of

1 a difference as compared to the updated values?

2 MS. JANE KIDD-HANTSCHER: You're still
3 speaking specifically about person years? Because we
4 have to be careful. This is the only place that we
5 reconciled infor -- was the person years.

6 MR. BYRON WILLIAMS: My point though,
7 Ms. Kidd-Hantscher, is that in terms of person years
8 of employment, the figures in the main Deloitte report
9 for northern Manitoba Aboriginals will be very similar
10 to the actual updated figures, agreed?

11 MS. JANE KIDD-HANTSCHER: Agreed.

12 MR. BYRON WILLIAMS: Mr. Chair, just
13 seeing the -- the time, I'll -- I wonder if -- I can
14 keep going, or I could take a brief break?

15

16 (BRIEF PAUSE)

17

18 THE CHAIRPERSON: I think we'll take a
19 break right now. Let's take ten (10) minutes, please.

20

21 --- Upon recessing at 10:29 a.m.

22 --- Upon resuming at 10:45 a.m.

23

24 THE CHAIRPERSON: Do we dare continue
25 if Mr. Wojczynski isn't here, or...?

1 MS. PATTI RAMAGE: I think we
2 absolutely should.

3 THE CHAIRPERSON: Okay, let's do that.

4 MS. PATTI RAMAGE: I'll have a little
5 fun. And before we start, Manitoba Hydro has the --
6 the NCN member update newsletter that was referenced
7 earlier this morning. It can be distributed and
8 marked as Manitoba Hydro Exhibit 134. I believe Ms.
9 Fernandes is just getting them up to the panel.

10

11 --- EXHIBIT NO. MH-134: MCN Wuskwatim Employment,
12 The Picture As The Project
13 Nears Completion, and CN
14 Member Update Newsletter
15 April 2011

16

17 THE CHAIRPERSON: Mr. Williams, I
18 wonder if you don't mind if I might ask a question in
19 relation to the addendum that we were looking at, 126.
20 And this is addressed to Dr. Shaffer.

21 I'm looking at the addendum that's
22 shown here where Keeyask was going to be -- Keeyask
23 realized Manitoba employment of 63 percent. And
24 looking at your report, you were estimating 40 to 45
25 percent of the positions will be filled by Manitobans.

1 So I'm wondering, can I adduce from
2 that, from -- from the addendum, that your data
3 perhaps is underestimating the amount of available
4 Manitoba positions?

5 DR. MARVIN SHAFFER: In -- in our
6 first estimate before we revised our -- our estimate
7 of the employment net benefits, we used the 70 percent
8 Manitoba share. And then in subsequent discussions
9 with Manitoba Hydro officials we reduced that based on
10 further study and further consideration of the
11 employment requirements.

12 So the 70 percent was based on -- this
13 is Wuskwatim, I believe. Is that correct?

14 THE CHAIRPERSON: For Wuskwatim.

15 DR. MARVIN SHAFFER: Yes. We -- we
16 started with the monitoring information from
17 Wuskwatim, the November 2012, with the 70 percent. We
18 revised it down with Keeyask because of it being a
19 larger project with much larger requirements and based
20 on the information that was provided to me.

21 But I think what you're suggesting is
22 quite right, that because we reduced it to just, I
23 don't have the figure in front of me, but somewhat
24 below 50 percent, just slightly low -- below 50
25 percent, it is a conser -- another area where it's a

1 conservative estimate.

2 THE CHAIRPERSON: That -- and I guess
3 the -- you know, we've talked extensively this morning
4 already about the initiatives that are being done to
5 address the hiring of Aboriginal Manitobans.

6 And I guess the question is: What
7 initiatives will be undertaken to ensure that the jobs
8 related to Keeyask if it proceeds can be secured by
9 Manitobans, if possible?

10 MS. SHAWNA PACHAL: Well, the primary
11 mechanism for that is under the Burntwood Nelson
12 Agreement in terms of the preferences, so you have to
13 file -- follow the hiring preferences. So the -- the
14 people from out-of-province would be the very last
15 preference you'd go to if you can't find somebody
16 within the province, so if there's nobody in the
17 database.

18 And, you know, we meet regular with all
19 the unions. I mean, everybody's aware of this project
20 and the -- and the skills that are required. They
21 know our workforce estimates. They're well aware of
22 what we need. And I don't think -- I don't think
23 that's a surprise to anyone.

24 So the -- the primary protection is
25 through the BNA and through the hiring preferences.

1 MR. BYRON WILLIAMS: Mr. Chair, I'm --
2 I'm a little bit behind schedule. I will -- I think
3 we have a bit more grinding on Deloitte, and then the
4 other things I expect will move more smoothly, but I
5 will -- I am behind schedule, so I'll -- I'll update
6 you at twelve o'clock. And I expect I'll -- I will
7 not be quite done at 12:00 but I'll take the Board's
8 guidance at that point in time, if that's appropriate.

9 THE CHAIRPERSON: Thank you for that,
10 Mr. Williams.

11

12 CONTINUED BY MR. BYRON WILLIAMS:

13 MR. BYRON WILLIAMS: And, Dr. Shaffer,
14 just a couple questions of follow up to the -- the
15 Chair's questions. In terms of the lower estimate for
16 Keeyask employment related to Manitobans, am I correct
17 in suggesting to you that it -- it would be a function
18 of at least two (2) matters, one being, the larger
19 size of the Keeyask project, and, the second being,
20 limits to the size of the skilled labour pool in
21 Manitoba?

22 DR. MARVIN SHAFFER: I think general
23 labour market conditions throughout western Canada
24 bear on this. And -- and I should say, as well, we're
25 talking about percentages here, not specifically

1 numbers, so there's still going to be a large number
2 of Manitobans hired.

3 And I also wanted to say that the --
4 the ratio of northern Aboriginal to other Manitobans
5 hired, we -- we maintain the same as the -- the 50/50
6 split in -- in terms of person years, not -- not in
7 terms of wages, person years that was shown in the
8 Wuskwatim November 2012. So we did retain that but we
9 reduced the percentage from our initial estimate,
10 which was the 70 percent that's -- that's shown in --
11 in that report.

12 It's just based on subsequent
13 consideration, as well as -- as -- as I've said over
14 the last couple of days, an effort to be conservative
15 and not overstate the benefits. That isn't to say you
16 wouldn't try to maximize those benefits, it's simply
17 for analytical purposes, not -- trying not to
18 exaggerate them.

19 MR. BYRON WILLIAMS: And in terms of
20 the limits, just to make sure that I understand them,
21 am I correct in suggesting to you that there would be
22 three (3) that might have led to the downward revision
23 in the estimate? One (1) is the overall size of the
24 project, the second is heightened demand in western
25 Canada, and third, limits to the size of the skilled

1 labour pool in northern Manitoba and in Manitoba.

2 Would that be fair?

3 DR. MARVIN SHAFFER: Well -- well,
4 there are limits, of course. As I said, I would -- I
5 would describe it more generally as -- as the -- the
6 labour market conditions, particularly for certain
7 skilled types, with the competition out of Alberta,
8 and possibly in the future in British Columbia.

9 MR. BYRON WILLIAMS: Okay. Thank you.

10 THE CHAIRPERSON: I don't want to
11 belabour this point, but it seems to me that if
12 there's an opportunity in northern Manitoba, you'd
13 want to make sure that you maximize the efforts to
14 secure employment for Manitobans in general. I -- you
15 know, I --

16 DR. MARVIN SHAFFER: I -- I don't
17 disagree with that at all, and -- and I'm sure you
18 would. And that's why I wanted to make the
19 distinction about, you know, what we assume for
20 purposes of -- of trying to provide an assessment of
21 the relative advantages and disadvantages of different
22 plans.

23 And this still shows a significant
24 advantage with -- with the Hydro plans, but we didn't
25 want to exaggerate it based on labour market

1 conditions, the size of the project, the challenges of
2 -- of achieving the maximum possible employment in
3 Manitoba by Manitobans.

4

5 CONTINUED BY MR. BYRON WILLIAMS:

6 MR. BYRON WILLIAMS: Ms. Pachal -- and
7 -- and thank you, Dr. Shaffer, I'll -- I'll be back to
8 you a bit later.

9 DR. MARVIN SHAFFER: I can hardly
10 wait.

11 MR. BYRON WILLIAMS: Ms. Pachal, you
12 spoke a couple of days ago about the -- your
13 expectations that in the event that Conawapa proceeds
14 there -- there may be a skills program focussed on the
15 designated trades.

16 Am I correct on that?

17 MS. SHAWNA PACHAL: Yes, we're still
18 thinking through what the training -- working -- we
19 just started initial discussions, and we haven't even
20 talked with all of our partners yet on Conawapa about
21 what the training initiative may look like for
22 Conawapa, but we -- we are to the extent that we can
23 wanting to focus on the designated trades as much as
24 possible.

25 But again, our partners -- we haven't

1 even started talking to our partners yet. We don't
2 know what that will look like for Conawapa.

3 MR. BYRON WILLIAMS: Fair enough. Mr.
4 Wojczynski, if you could remind me, in -- if Conawapa
5 were to proceed for 2026, am I correct in suggesting
6 to you that you -- you'd have to start work in, what,
7 2019 or so?

8 MR. ED WOJCZYNSKI: 2018. We'd start
9 with the camp and remaining infrastructure.

10 MR. BYRON WILLIAMS: Okay. Thank you
11 for that. Ms. Pachal, am I corre -- or would you
12 agree that since the completion of HNTEI in 2010,
13 there has been no program of comparable magnitude in
14 northern Manitoba?

15 MS. SHAWNA PACHAL: Yes, I would
16 agree. And I think I mentioned the other day that's
17 always the challenge, right, is that when we started
18 HNTEI in 2005, when it officially started -- I'm
19 trying to remember, I think it was -- the in-service
20 date for Keeyask at that time was 2014. And so that's
21 always a challenge. So we -- you want to start a
22 training program. And I think you see in the
23 Wuskwatim Deloitte report that one (1) of the -- the
24 concerns is starting a program early enough, because
25 individuals in the communities need a -- a significant

1 amount of upgrading and additional stuff in order to
2 get ready for some of the more skilled jobs.

3 So you need to start those programs
4 five (5), six (6), seven (7) years before construction
5 starts. So when we started the in -- when we started
6 the training initiatives we were planning to have an
7 in-service date of 2014. So we would have been
8 starting construction in whatever, 2000 and something.
9 So we thought we were five (5) or six (6) years ahead
10 of when we were going to start construction of
11 Keeyask.

12 Subsequently, as you know, the in-
13 service date for Keeyask has continued to slip over
14 the years. And now we're protecting an in-service
15 date of 2019. But it's always a challenge with these
16 large projects. You're always balancing off what
17 kinds of things you should be doing and what you
18 should be preparing for for projects of this
19 magnitude, given their long duration and also given
20 the amount of time it would take to prepare -- or --
21 the individuals from some of the northern Aboriginal
22 communities for the skilled -- skilled jobs, so.

23 MR. BYRON WILLIAMS: That's very
24 helpful. And let me just parse that answer for -- for
25 a second. Let's say one is looking at developing a

1 larger pool of skilled -- can I use the word
2 'journeywomen' as well as journeymen?

3 MS. SHAWNA PACHAL: Since we always
4 use journeymen, let's just use journeywomen.

5 MR. BYRON WILLIAMS: Okay. Well,
6 let's do that. Ms. Menzies has been chastising me
7 quite appropriately for that, so.

8 MS. SHAWNA PACHAL: Well done.

9 MR. BYRON WILLIAMS: And so what I
10 believe you've told us, and we'll break it into
11 pieces, is that even -- for some of the labour pool
12 even before one gets to the actual apprenticeship
13 stage, there may be the netce -- necessity of life
14 skill and educational upgrades prior to that.

15 Would that be fair?

16 MS. SHAWNA PACHAL: Yeah, and I think
17 again, our -- my colleagues from -- my -- the partners
18 are right behind me and they're probably in the best
19 position to speak to what happens in their community
20 with respect to getting their members ready.

21 MR. BYRON WILLIAMS: And I would
22 certainly invite them to -- to chip in at any time,
23 but certainly we saw in Wuskwatim, for example, some
24 of the Cree Nations were arguing that to prepare for
25 the -- even to entrance into the skilled trades one

1 would need at -- at least fifty-two (52) weeks of
2 preparation prior -- prior to that.

3 Mr. Bland, or other members, would --
4 would that be your understanding as well?

5 It wasn't really well -- well worded,
6 and I don't -- but certainly to any of the -- the
7 partners, in the course of Wuskwatim it was suggested
8 that even prior to entresc -- entering the
9 apprenticing programs, there was the necessity of
10 educational and -- and life skills upgraded for some
11 of the -- upgrading for some of the labour pool of up
12 to a year.

13 Would that be your understanding as
14 well, sir?

15 MR. TED BLAND: I would -- I -- I
16 would say that there was programs that were -- there
17 was programs that were delivered that were a year, but
18 they were year after year, so it wasn't just a one (1)
19 year program. So yeah, yeah.

20 MR. BYRON WILLIAMS: Thank you, Mr.
21 Bland. And -- and, Ms. Pachal, back to you; and --
22 and certainly I invite anyone else from the panel to
23 chip in.

24 But it would be reasonable to expect --
25 sorry. Oh, and Ms. Anderson, I didn't mean to cut you

1 off.

2 MS. KAREN ANDERSON: Sorry, I -- I
3 turned it on and I didn't -- I just wanted to comment
4 on the last question that you just asked. For our
5 community, it is true that, like, we did need time to
6 prepare our members.

7 And some of the history that I gave
8 yesterday regarding our members not being -- like,
9 having great 12 and that, that's part of the reason
10 that we needed the life skills and upgrading programs
11 for our members. And that was part of the -- it was
12 ongoing also because it did start, like, back in 2001.
13 And, you know, as the time goes the -- the younger
14 generations come -- get older, and so it has to
15 continue on in those same courses, so. Thank you.

16 MR. BYRON WILLIAMS: And thank you,
17 Ms. Anderson. And, Ms. Anderson, if I could ask just
18 one (1) follow-up question to that. As one were --
19 was -- would be preparing for Keeyask, or perhaps for
20 Conawapa, what I believe you're telling -- telling me
21 is that there will be a need for an annual or a
22 regular upgrading of life skills and education for
23 some of the younger members of your community.

24 Would that be fair?

25 MS. KAREN ANDERSON: Yes, but I'm not

1 sure of the magnitude of it. That -- because we have
2 a grade 12 -- a school that goes to grade 12 now, and
3 import -- and education is really important right now,
4 and so most of our younger people are come -- going
5 through that to grade 12 just --

6 MR. BYRON WILLIAMS: Okay.

7 MR. TED BLAND: As for York Factory, I
8 -- I would think so. I think that it's been a little
9 while since the program has been run. And, you know,
10 as Karen pointed out we do have a lot of younger
11 people that are interested in -- in the projects, and
12 especially the upcoming project. So they're asking
13 about different types of training that might become
14 available.

15 MR. BYRON WILLIAMS: And, Elder
16 Spence, is there anything you'd like to add on this?
17 If not, that's fine.

18 MR. VICTOR SPENCE: Elder Spence is
19 not here.

20 MR. BYRON WILLIAMS: Mr. Spence? Mr.
21 Spence, the younger?

22 MR. VICTOR SPENCE: Good -- good
23 morning. Victor Spence, TCN. Like I said yesterday,
24 I'm not directly involved in the actual employment and
25 training. There are others that -- however, education

1 is important and prepare -- to prepare our -- our
2 young men and men that are employable to -- that's
3 much better -- for training.

4 And -- but we seem to concentrate on
5 employment in relation to Hydro projects. I think
6 that we should be -- we should be able to utilize
7 other industries to train our -- our members and
8 through negotiations and -- and not just concentrating
9 deeply on with Manitoba Hydro. And I think that would
10 be -- would expedite our members getting a
11 apprenticeship and getting their hours in different
12 fields of -- we're trying to provide employment. Not
13 just with -- to get them ready -- everything.

14 MR. BYRON WILLIAMS: I -- I thank you
15 for that. If we can turn -- and, again, I invite
16 members of the partners at any time to -- to jump in -
17 - to -- to page 4 of the Deloitte report, Tab 1 of CAC
18 Exhibit 45-7. And, Ms. Kidd-Hantscher and Ms. Pachal,
19 you went through some of this with -- you can scroll
20 just a little bit, please, Diana. We went through
21 some of this with -- over the last couple of days.

22 But would I be correct in suggesting to
23 you that in terms of the pre-project training that two
24 thousand six hundred and seventy (2,670) individuals
25 participated -- two thousand and -- six hundred and

1 seventy (2,670) northern Aboriginal residents
2 participated in PPT? Would that be fair?

3 MS. SHAWNA PACHAL: That's fair.

4 MR. BYRON WILLIAMS: And of that
5 number, one thousand eight hundred and seventy-six
6 (1,876) successfully completed at least one (1)
7 course.

8 Would that be correct?

9 MS. SHAWNA PACHAL: Correct.

10 MR. BYRON WILLIAMS: And am I -- am I
11 right in suggesting that courses can range in length,
12 some being a day to -- to four (4) days and some of
13 them a more extensive length, as well?

14 Would that be fair?

15 MS. SHAWNA PACHAL: Yeah, that's one
16 (1) of the challenges with the way we had to track the
17 outcomes associated with it; again, partially due to
18 some of the restrictions we have with the Federal
19 Government and the system we had to track in. But
20 that's right, it could be -- I don't think there were
21 any one (1) day courses. I'm not a hundred percent
22 sure. But, you know, there could have been a week or
23 a month of a life skills course. And then there could
24 have been a four (4) year program of a journey person.
25 So, yeah, it -- but it's -- they're counted equally in

1 terms of completions.

2 MR. BYRON WILLIAMS: Okay. And I'll
3 ask you to revisit the suggestion that you don't think
4 there were any one (1) day courses. I'm not asking
5 for an undertaking, but you'll --

6 MS. SHAWNA PACHAL: I'll double check.

7 MR. BYRON WILLIAMS: -- you'll double
8 check that. And of the one thousand eight hundred and
9 seventy-six (1,876) individuals completing at least
10 one (1) course, would I be correct in suggesting that
11 one hundred and eighty-nine (189) HNTEI participants
12 obtained employment at Wuskwatim?

13 MS. SHAWNA PACHAL: That's correct.

14 MR. BYRON WILLIAMS: It would be fair
15 to say that a number of those participants went back
16 to their home communities and -- and obtained some
17 employment, as well?

18 Would that be correct?

19 MS. SHAWNA PACHAL: That's correct.

20 MR. BYRON WILLIAMS: Now --

21 MS. SHAWNA PACHAL: Sixty percent,
22 actually.

23 MR. BYRON WILLIAMS: And it would also
24 be fair to say that twenty-seven (27) HNTEI trainees
25 obtained certi -- certification as journey women or

1 journey persons, correct?

2 MS. SHAWNA PACHAL: Correct.

3 MR. BYRON WILLIAMS: And I think I'm
4 going to stick with journey persons. That's working
5 for me.

6 Now, just -- you'll note as well that
7 there were one hundred and forty (140) active
8 apprentices at the -- participating in the HNTEI
9 program at the time that its funding concluded.

10 Would that be fair?

11 MS. SHAWNA PACHAL: Yeah, that's what
12 the data shows, correct.

13 MR. BYRON WILLIAMS: And do we know
14 where those one hundred and forty (140) persons are --
15 are now? Like does Hydro track them or...?

16 MS. SHAWNA PACHAL: Well, we track
17 them if they're working on our projects. And so if
18 they come back into our program, like onto one (1) of
19 our projects or into the -- the employ of Manitoba
20 Hydro, we ask them when they're -- and it's not a
21 perfect system because of, again, privacy issues -- we
22 ask them to identify if they were a HNTEI trainee. So
23 if they come back, we ask them to tick off a box to
24 say whether or not they were in the program.

25 So if they've come back to work on our

1 projects with us we track that to the extent that we
2 can, and they self-declare. And the others, we -- we
3 do not have the ability to track.

4 MR. BYRON WILLIAMS: Has there been
5 any sort of outcome assessment to try and determine
6 whether they completed their journey to journey
7 person?

8

9 (BRIEF PAUSE)

10

11 MS. SHAWNA PACHAL: Not that I -- not
12 that I know of. And I'm also being told that there
13 were -- there were a couple instances where we had one
14 (1) day courses in life skills, upgrading; and one (1)
15 of the -- one (1) of the things that often prevented
16 people from getting employment was they didn't have a
17 driver's licence, so we actually did driver's
18 training. So the communities held driver's licence
19 training.

20 So they're one (1) day courses in those
21 three (3) categories.

22 MR. BYRON WILLIAMS: Okay. Turning to
23 page 6 of Deloitte. And if the panel's starting to
24 worry, we will move through Deloitte a lot quicker.
25 But scroll down towards the last paragraph, please.

1 Ms. Kidd-Hantscher, just we had a bit
2 of this discussion towards the end of yesterday. But
3 I'm correct in suggesting to you that, in terms of the
4 prediction in terms of how many -- the percentage of
5 apprentices who would be hired in the designated
6 trades, the original EIS prediction was about 20
7 percent.

8 Would that be fair?

9 MS. JANE KIDD-HANTSCHER: We had a
10 chance to go back and check the EIS prediction --

11 MR. BYRON WILLIAMS: Yeah.

12 MS. JANE KIDD-HANTSCHER: -- from
13 yesterday and, unfortunately, there is a typo in the
14 Deloitte Report. So Ms. -- I've got some information
15 that that sentence should read: This was below the
16 EIS prediction, that 20 percent of all positions in
17 designated trades would be apprentices.

18 The Wuskwatim EIS was based strictly on
19 position predictions and person year predictions. And
20 there's a definite distinction between a hire -- or
21 between hires and positions, because somebody could be
22 hired, you know, multiple times. So that's a key
23 point, and it's unfortunate we didn't catch it in our
24 review of the Deloitte report.

25 MR. BYRON WILLIAMS: In terms of the -

1 - am -- am I correct in suggesting that in terms of
2 the hires of apprentices as a percentage of designated
3 trades, it turned out to be about just under 15
4 percent?

5 MS. JANE KIDD-HANTSCHER: So you're
6 looking the twenty forty (2,040) and the two ninety-
7 seven (297), Mr. Williams, that -- yes, that'd be 15
8 percent, or just under.

9 MR. BYRON WILLIAMS: Okay.

10 MS. JANE KIDD-HANTSCHER: Yeah, the
11 first -- the first statement is -- is accurate --

12 MR. BYRON WILLIAMS: Okay

13 MS. JANE KIDD-HANTSCHER: -- in terms
14 of actual results.

15 MR. BYRON WILLIAMS: Thank you. If we
16 could turn to page 39 of CAC Exhibit 45-7. Page 39 is
17 marked in the bottom right-hand corner. And, Mr.
18 Chair, if I could be -- I just want to have a brief
19 discussion with -- in terms of what's on
20 electronically, and if I could just stand down for one
21 (1) second.

22

23 (BRIEF PAUSE)

24

25

1 MR. BYRON WILLIAMS: We were just
2 making sure that the entire electronic is in the
3 possession of the -- Diana.

4 If we scroll to the top of the page,
5 Ms. Kidd-Hantscher, at a high level you'll agree this
6 paragraph is discussing some of the barriers to
7 accessing training experienced by HNTEI participants.

8 Would that be fair?

9 MS. JANE KIDD-HANTSCHER: That's fair.

10 MR. BYRON WILLIAMS: And some of those
11 barriers involved: access to childcare, transportation
12 logistics, and training location.

13 Agreed?

14 MS. JANE KIDD-HANTSCHER: Agreed.

15 MR. BYRON WILLIAMS: And in
16 particular, training location was a challenge in that
17 it wasn't always possible to have training for the
18 designated trades offered in the community.

19 Would that be fair?

20 MS. SHAWNA PACHAL: Again, I think I
21 have to remind everyone that these initiatives, these
22 programs, were designed, developed, and implemented by
23 the communities. So you would need to ask the
24 community representative who are here with me about
25 that, so -- about those issues.

1 MR. BYRON WILLIAMS: And I'll be happy
2 to do that, but before I get there, does -- does
3 Manitoba Hydro disagree with the assertion by Deloitte
4 that there were some challenges in training for the
5 designated trades in that not all the courses for
6 those could be offered in the communities?

7 MS. SHAWNA PACHAL: No, absolutely
8 not. And when you recognize the size of the
9 communities and the number of people in each community
10 available to do a particular type of designated
11 training, it would be, from a cost perspective, to
12 bring in one (1) instructor for one (1) individual
13 would be cost prohibitive. So, I mean, it wouldn't
14 be, from a management or administrative perspective,
15 reasonable to do that.

16 So, for a number of instances, people
17 would have to come out to Red River Community College
18 or University College of the North, or -- so they'd
19 have to go to Thompson or Winnipeg in order to access
20 designated trades training.

21 In some instances, I -- there was
22 designated trade training in the communities where
23 there were large enough groups. I think, in -- in
24 terms of carpenters, in some instances there could be
25 some -- there was some training in the community. But

1 in lots of instances there was -- the --the economics
2 weren't there to -- to do that in the -- in the
3 community.

4 MR. BYRON WILLIAMS: And certainly, to
5 Ms. Anderson or Mr. Bland, if there's anything you --
6 you want to add on this point, I -- I invite you to --
7 to speak up.

8 MR. TED BLAND: Yes. Shawna is
9 correct. We didn't have the -- in York Factory
10 specifically, we didn't have the facilities to -- to
11 train a lot of our members in certain areas. We did
12 have people going out to Red River College to take
13 things like welding, or millwrights, you know, those -
14 - those kinds of programs. But we did have the
15 interest.

16 Shawna also mentioned that we were able
17 to run programs in our communities, things such as
18 construction, you know, operating, carpentry. We also
19 ran manage -- a management program in our community as
20 well. And that was business management and, you know,
21 preparing our members to -- to take on those
22 responsibilities and roles in our direct negotiated
23 contracts.

24 MR. BYRON WILLIAMS: Thank you, Mr.
25 Bland. Ms. Anderson, I -- I know you had carpentry

1 offered in -- as one (1) of the courses in -- in Fox
2 Lake.

3 Is that right?

4 MS. KAREN ANDERSON: There were -- we
5 had several courses in the community itself, like, one
6 of them was the level 1, level 2 cook courses. And
7 those were -- those were mainly female dominated. So
8 it was easier to have those in the community due to
9 child care and that. And we supported our trainees
10 with child care -- assisting them with child care.

11 We also had security courses done in
12 the community itself. I can't remember if we had the
13 actual carpentry course in the community. I know we
14 had the skilled labour -- skilled labour, which
15 included those one (1) day courses like the -- such as
16 the WHMIS cha -- sorry, first aid and transportation
17 of dangerous goods, those types of things.

18 But I guess, for me, the one (1) area
19 that we required our trainees to get was those skilled
20 -- or the work experience to get their hours towards
21 different, like, carpentry. I'll use that as an
22 example. We had some of our members go out of the
23 community, but there was -- there was when they left
24 the community due to, you know, being on a student
25 allowance, being -- being transportation to the work

1 site itself and, you know, and moving to another
2 community and living on a student allowance and just
3 having those types of issues.

4 So the -- that's where part of the life
5 skills training come in, like, what to expect when you
6 leave the reserve or the community and move to a
7 larger centre. And, of course, like I'm always
8 mentioning that there's always another issue which is
9 -- which is prevalent, I find, in the mainstream is
10 the racism. And that is always another barrier that
11 our members, you know, experience even today. So
12 those types of things make it a little bit harder for
13 them to get the work experience outside of the
14 community, so. Thank you.

15 MR. BYRON WILLIAMS: And one (1) last
16 question to each, Ms. Anderson and -- and Mr. Bland.

17 Ms. Anderson, would it be fair to say
18 that there was some disappointment that more community
19 members were not able to complete training in the
20 designated trades through HNTEI?

21 MS. KAREN ANDERSON: I think from the
22 people who showed interest in it, yes. I think, you
23 know, when you come on -- when you take the training
24 near the end of the whole program that's when the --
25 you know, when you run out of time is -- is -- was the

1 disappointment that there was no more funding to
2 complete what they wanted to complete, you know, to
3 get through all their levels to get the designation,
4 yes. That's -- that's the area, I think, when -- when
5 they started at near the end of the program. Thanks.

6 MR. BYRON WILLIAMS: Okay. Thank you.
7 And, Mr. Bland, the same question to you. I can
8 repeat it, or if you...

9 MR. TED BLAND: I think when we were
10 developing our plan Shawna -- Shawna pointed out, the
11 First Nation members looked at what was important.
12 And for York Factory we focussed on what were our
13 direct negotiated contracts. In our case, we had the
14 security training; we had catering. But we also had
15 the employment retention contract which required a
16 different skill.

17 So for those other opportunities that
18 became available, the focus was there. You know, the
19 rea -- the reality of being able to get into those
20 types of programs, you know, it -- it wasn't that
21 easy. You know, you -- you had to go out for it, of
22 course. As -- as Karen pointed out, being out in --
23 away from your community for a lot of our members was
24 a difficult transition.

25 We did have some members go out and --

1 and do the training but, again, the -- the interest
2 wasn't as high as we would have liked. And the
3 reality of it is, once the programs -- or once the
4 contracts that we have or the work opportunities that
5 we have with Keeyask or potentially Conawapa were
6 over, then, you know, it meant for members having to
7 leave the community to, you know, explore or look for
8 work in their fields.

9 MR. BYRON WILLIAMS: Thank -- thank
10 you. And, Mr. Spence, if you don't wis -- wish to
11 answer this question that's fine, but I asked it of
12 your -- your colleagues.

13 Would it be fair to say that there was
14 some disappointment in your communities that more
15 community members were not able to complete their
16 training in the designated trades through HNTEI?

17 MR. VICTOR SPENCE: Disappointment,
18 yes. And again, it has to do with the -- the
19 contract, the timing, the schedules. It -- they're
20 there for a few months, but, you know, the number of
21 hours required to become an apprentice there's just
22 not the time. It's not available to them through the
23 opportunities that are there at the period during the
24 contracts.

25 MR. BYRON WILLIAMS: Thank you, Mr.

1 Spence. I think a number of the answers have -- I was
2 going to go through the report in a bit more detail.
3 I -- I do want to turn to page 46 though. And --
4 excuse me, yes, page 46 and scroll down to the --
5 towards the bottom of the page.

6 And, Ms. Kidd-Hantscher, you'll agree
7 with me that this table is a -- an assessment of -- by
8 Deloitte of the apprentice and journeyperson hires for
9 Wuskwatim, agreed?

10 MS. JANE KIDD-HANTSCHER: Yes.

11 MR. BYRON WILLIAMS: And what it
12 essentially breaks down -- breaks out is the number of
13 apprentice hires and then the relative percentage of
14 hires that came from different sources including
15 northern Aboriginal, Manitoban, and outside of
16 Manitoban.

17 Would that be generally correct?

18 MS. JANE KIDD-HANTSCHER: Yes.

19 MR. BYRON WILLIAMS: And it does the
20 same for journeyperson hires as well, agreed?

21 MS. JANE KIDD-HANTSCHER: Yes.

22 MR. BYRON WILLIAMS: And if we look at
23 the breakdown of apprentice hires associated with
24 Wuskwatim, you'll agree with me that 20 percent were
25 related to northern Aboriginals, agreed?

1 MS. JANE KIDD-HANTSCHER: Agreed.

2 MR. BYRON WILLIAMS: Of the total of
3 two hundred and ninety-seven (297) apprentices hired,
4 65 percent came from Manitoba.

5 Would that be fair?

6 MS. JANE KIDD-HANTSCHER: Yes.

7 MR. BYRON WILLIAMS: And when we look
8 at the population outside of Manitoba, about 35
9 percent of apprentice hires came from outside of
10 Manitoba, agreed?

11 MS. JANE KIDD-HANTSCHER: Agreed.

12 MR. BYRON WILLIAMS: Turning to the
13 journeyperson hires, Ms. Kidd-Hantscher, can we agree
14 that in terms of northern Abor -- Aboriginals it was 5
15 percent?

16 MS. JANE KIDD-HANTSCHER: Yes.

17 MR. BYRON WILLIAMS: And in terms of
18 Manitobans it was 52 percent?

19 MS. JANE KIDD-HANTSCHER: Yes.

20 MR. BYRON WILLIAMS: And when we look
21 to the population outside of Manitoba of journeyperson
22 hires it was 48 percent?

23 MS. JANE KIDD-HANTSCHER: Yes.

24 MR. BYRON WILLIAMS: And, Dr. Shaffer,
25 just back to you for a moment. And we -- and when we

1 look at the journeyperson hires, in particular, we see
2 roughly a 50/50 split between Manitobans and outside
3 of Manitoba, close to that?

4 DR. MARVIN SHAFFER: Yes.

5 MR. BYRON WILLIAMS: And recognizing
6 that the lar -- the largest single classification of
7 positions for Keeyask, you'll agree with me that the -
8 - when we look at Keeyask, the largest single
9 percentage of hires will be in that designated trades
10 category?

11 DR. MARVIN SHAFFER: I believe that's
12 correct.

13 MR. BYRON WILLIAMS: And when we look
14 at the kind of relative percentage of journeyperson
15 hires, that again may be -- from Wuskwatim that may be
16 one (1) of the sources for caution in terms of
17 estimating the journeyperson hires from within
18 Manitoba as compared to outside of Manitoba looking
19 towards Keeyask.

20 Would that be fair?

21 DR. MARVIN SHAFFER: I -- I can't say
22 that we looked at this specific information, but
23 talking with the experts, I'm sure they took that into
24 account.

25 MR. BYRON WILLIAMS: Thank you.

1 DR. MARVIN SHAFFER: And that is
2 broadly consistent -- somewhat -- we're -- we're even
3 a bit more conservative than that, but -- in the
4 analysis that we did --

5 MR. BYRON WILLIAMS: Okay.

6 DR. MARVIN SHAFFER: -- but broadly
7 consistent.

8 MR. BYRON WILLIAMS: And flipping very
9 quickly to page 49 of Deloitte, Ms. Kidd-Hantscher,
10 you'll see Table 10 presents some key findings for the
11 pre-program training.

12 Do you see that?

13 MS. JANE KIDD-HANTSCHER: Yes.

14 MR. BYRON WILLIAMS: And I'm not going
15 to take the panel through it but you'll agree with me
16 that this would be a useful cheat sheet if you're
17 trying to get a sense of the conclusions of Deloitte
18 with regard to the pre-project training?

19 Would that be fair?

20 MS. JANE KIDD-HANTSCHER: Yes, this in
21 combination with the executive summary would be very
22 helpful.

23 MR. BYRON WILLIAMS: If we could turn
24 to page 71 of the electronic version. And again, this
25 is CAC Exhibit 45-7 of the Deloitte Report. And under

1 Section 4.24, we'll stop right there, thank you, we
2 see a quick overview of a comparison of Wuskwatim to -
3 - to Limestone, Ms. Kidd-Hantscher.

4 Is that correct?

5 MS. JANE KIDD-HANTSCHER: The
6 narrative or the chart, sorry?

7 MR. BYRON WILLIAMS: The narrative.

8 MS. JANE KIDD-HANTSCHER: The
9 narrative, yes.

10 MR. BYRON WILLIAMS: And when we look
11 at the percentage of northern Aboriginal hires at --
12 at Wuskwatim, you'll agree with me it was calculated
13 to be 28 percent, agreed?

14 MS. JANE KIDD-HANTSCHER: Yes.

15 MR. BYRON WILLIAMS: And as compared
16 to Limestone where it was -- the percentage of
17 northern Aboriginal hires was about 25 percent,
18 agreed?

19 MS. JANE KIDD-HANTSCHER: Agreed.

20 MR. BYRON WILLIAMS: When we look at
21 the turnover rates on Wuskwatim for northern
22 Aboriginals, you'll agree with me, it was 41 percent
23 as compared to 50 percent on Limestone?

24 MS. JANE KIDD-HANTSCHER: Yes.

25 MR. BYRON WILLIAMS: And that would be

1 a reflection, in part, of some of the services that
2 you -- you spoke of in terms of working to -- once
3 people -- men and women got in the door, trying to --
4 to make the labour force -- that position -- helping
5 to -- hoping to keep them to stay in the position for
6 a longer period of time?

7 MS. JANE KIDD-HANTSCHER: Yes, the
8 various retention services and mechanisms that both
9 myself and Ms. Pachal spoke of would -- we believe,
10 would have had a positive influence on that number.

11 MR. BYRON WILLIAMS: And it would be -
12 - Ms. Anderson spoke of this and -- and as did Mr.
13 Bland, you would expect there to be as we -- as we
14 move towards Keeyask as well ongoing challenges and
15 opportunities in -- in terms of turnovers? There are
16 particular barriers that northern Aboriginals have
17 faced in -- in -- with these projects.

18 Would that be fair?

19

20 (BRIEF PAUSE)

21

22 MR. BYRON WILLIAMS: And certainly if
23 the Keeyask partners want to speak up on this, please
24 -- please do.

25

1 (BRIEF PAUSE)

2

3 MS. KAREN ANDERSON: Thank you. I
4 guess for us are kind of double-edged. Like we're --
5 we're fortunate that we live in the area, so there's
6 opportunities for our members to come home sometimes
7 in the evenings, weekends. But at the same time,
8 there are challenges due to, I guess for me, in how
9 the -- the members are when they're hired, like what
10 type of classification or what type of level that they
11 are at.

12 That's the issue at times for me, that
13 they aren't provided, I guess, the comparable wage to
14 other skill workers, and they do have those skills.
15 And if you don't have a certificate from whoever is
16 the -- whoever is the certified person to provide that
17 training, then that's when their experience sometimes
18 is not taken into account.

19 So that -- that -- to me that's the
20 barrier there for -- for the employment portion.
21 Earlier we were talking about barriers to training,
22 so. Thank you.

23 MR. BYRON WILLIAMS: Mr. Spence or Mr.
24 Bland, please, feel free to chip in.

25 MR. TED BLAND: I just wanted to talk

1 about some of the -- some of the programs or
2 contracts, or one (1) of the contracts that we have to
3 help alleviate some of the barrier issues.

4 Most of the barrier issues, just so I
5 can point out, would be, you know, a lot of our
6 members are young, specifically from York Factory. We
7 have a lot of twenty (20) -- twenty-one (21) year olds
8 to twenty (20) -- twenty-seven (27). I think we have
9 probably around a 80 or 90 percent rate.

10 So for them, it's -- it's pretty --
11 it's different, you know, living a camp lifestyle is
12 something that you need adjusting to. But we also
13 have an unemployment retention worker that we have
14 hired out there, and we provide employment retention
15 services along with Fox -- Fox Lake, who is our
16 partner.

17 We have a manager that -- that runs the
18 program. It's an ERS manager. We also have a
19 cultural coordinator. And, you know, they -- they
20 bring a lot of the -- the services such as cultural --
21 cultural sensitivity. You know, they -- they provide
22 workshops to members that are non Aboriginal, cultural
23 sensitivity workshops where they provide history of
24 the Keeyask project, and we talk about some of the
25 things such as our land, our medicines, and our water

1 and our traditional uses.

2 So in a sense that helps out our First
3 Nation members, and these are all members that are
4 from our First Nations. They also provide counselling
5 services. So there's a bit of a -- you know,
6 something that helps them adjust to the program. And
7 this program is -- is fairly successful right now.

8 We also have an employment retention
9 worker who's there to help, you know, members -- not
10 only our First Nation members but members from any of
11 the communities in -- in Manitoba, or any -- any non
12 Aboriginals as well in -- in terms of conflict
13 resolution.

14 If -- if there's issues that are
15 happening with employers and -- and employees, you
16 know, they can come to our staff and, you know, ask
17 for help. And we have people there that are trained
18 in conflict resolution to try and help alleviate some
19 of the stresses, or problems that are happening, or
20 occurring at work, or on the site itself.

21 We also work directly with one of
22 Hydro's liaison workers who's very helpful to our
23 staff that are -- that are working there. He always
24 has a open ear for us, and he doesn't -- he doesn't
25 just leave us there. He'll try to accommodate what --

1 what we need and, you know, if we need help doing
2 something then they're there to help us right away,
3 so.

4 These programs help out with our
5 membership quite a bit. You know, as I pointed out
6 there are barriers but we also have people that will
7 help alleviate some of those problems.

8 MR. BYRON WILLIAMS: Mr. Bland, I'll -
9 - I'll come back to you in a second and I'll
10 acknowledge that I have three (3) of those twenty (20)
11 to twenty-seven (27) year olds in my family, too, so.

12 Mr. -- Mr. Spence, is there anything
13 you want to add, or...

14 MR. VICTOR SPENCE: In regards to our
15 experience, TCN's experience with ongoing training and
16 employment, that -- that, you know, there are
17 challenges, limitations. And generally the -- the
18 people, our -- our members that go to work in the camp
19 are satisfied with the accommodations and -- and the
20 running of the camp. I just made a couple of calls
21 because I -- like I said earlier, I'm not directly
22 involved in employment and training, and I would like
23 to under -- take an undertaking to provide more
24 information to the NFAT -- to the Chairman, I guess --

25 MR. BYRON WILLIAMS: So -- so Mr. --

1 MR. VICTOR SPENCE: -- on -- on -- the
2 experiences in relations to employment and ongoing
3 jobs. However, the -- one (1) of the things that do
4 require to be looked at seriously by partners and
5 Manitoba Hydro jointly is the -- the funding of these
6 trainings.

7 My understanding is that training
8 dollars have somewhat dried up which is an obstacle to
9 -- for -- for the -- the training, and that there are
10 means -- there are some discussions on that. But, you
11 know, again, I'll -- I'll have to provide the -- some
12 information and answers.

13 MR. BYRON WILLIAMS: And the -- I --
14 I'll leave this to legal counsel, but I would say that
15 we'll -- Mr. -- I don't think we need to make a formal
16 undertaking. We'll take Mr. Spence -- we understand
17 that he'll be coming back when he feels appropriate
18 with some more information in terms of the experience
19 in -- in the workplace. And we -- we look forward to
20 it. So unless you feel the need for a formal
21 undertaking, we -- we thank Mr. Spence for that. And
22 --

23 MR. SVEN HOMBACH: Mr. Williams, if I
24 may, just -- just to clarify in terms of coming back.
25 This is the last day currently scheduled for this

1 panel. So I'd just like to get an understanding of --
2 of --

3 MR. BYRON WILLIAMS: What I -- I
4 certainly understand. Mr. Spence may choose to do it
5 in writing, or otherwise. I'll leave that to them,
6 so.

7 MR. DOUGLAS BEDFORD: It will be in
8 writing. No, I think Mr. Williams has fairly
9 characterized it as some further information that Mr.
10 Spence, no doubt in consultation with other members of
11 his community, believes it important that the Public
12 Utilities Board have in hand. So it will be in
13 writing. It will be, as Mr. Spence said, providing
14 further information about his community members'
15 experiences with jobs, and some of the challenges that
16 they currently face with respect to training.

17 Have I captured that, Mr. Spence?
18 Yeah.

19 MS. JANE KIDD-HANTSCHER: Mr.
20 Williams, I'm not sure if you're switching topics or
21 not. So I just wanted to...

22 MR. BYRON WILLIAMS: I -- I'm -- I
23 just want to finish this -- this up, so I -- I am
24 coming back to you.

25 MS. JANE KIDD-HANTSCHER: I just --

1 could I make a point, then, on -- while we're on this?

2 MR. BYRON WILLIAMS: Indeed.

3 MS. JANE KIDD-HANTSCHER: Then thank
4 you. Because I think when we -- when we look at the
5 Deloitte report and we're -- we're looking at certain
6 pages and certain details, in terms of turnover we're
7 talking about the difference from Limestone. But a
8 real key -- a -- a couple of other key points is the
9 turnover rate for the project overall was 29 percent.

10 So, you know, if you just take 41
11 percent out of the air, abstract it, yeah, it seems
12 like a fairly high number. But when you compare it to
13 the overall turnover on the project it was, you know,
14 only a 12 percent differential. And in the newsletter
15 that you've now received a copy of, although it was a
16 couple of years ago, there's a -- one (1) of the
17 articles that's in there talks about the duration of
18 employment for NCN members specifically on the
19 project.

20 And that at that point they were
21 tracking, actually, the longest of -- of duration. So
22 that's another key factor in terms of -- although by
23 the -- the Deloitte report indicates at the end that
24 the average duration for northern Aboriginals was a
25 little bit less than the project average. It wasn't

1 that far off and we can see illustratively in the
2 newsletter how well, you know, NCN did in that regard.
3 So I just wanted to add those couple of points.

4

5

6 CONTINUED BY MR. BYRON WILLIAMS:

7 MR. BYRON WILLIAMS: Ms. Kidd-

8 Hantscher, if you can turn with me to page 89 of the
9 report. I -- I wasn't going to go there, but just to
10 clarify. If we are going to look at the rate of
11 turnovers we would see that northern Aboriginal hires
12 are -- were almost -- close to twice as -- as much as
13 among non Aboriginals.

14 Would that be fair?

15 MS. JANE KIDD-HANTSCHER: Where are
16 you looking specifically, Mr. Williams?

17 MR. BYRON WILLIAMS: Section 4.4.3.2.

18

19 (BRIEF PAUSE)

20

21 MR. BYRON WILLIAMS: Do you see that,
22 Ms. Kidd?

23 MS. JANE KIDD-HANTSCHER: I do, and
24 that number's not aligning with another number I have
25 in front of me. So I'd like to be able to go back and

1 check that, please.

2 MR. BYRON WILLIAMS: And my simple
3 point is that this would suggest, at least in the
4 Wuskwatim labour work -- workplace, that there were
5 significant barriers faced by northern Aboriginal hire
6 -- hires with a disproportionate impact in terms of
7 their turnover rate.

8 You'll agree with me?

9

10 (BRIEF PAUSE)

11

12 MS. JANE KIDD-HANTSCHER: Sorry, I was
13 just reading to catch up. So could you just restate
14 that, please?

15 MR. BYRON WILLIAMS: I'll suggest to
16 you that a comparison between the rate of turnover
17 among northern Aboriginal hires versus non-Aboriginal
18 hires suggests disproportionate barriers at -- in the
19 labour market faced by northern Aboriginal hires,
20 resulting in disproportionate turnovers as compared to
21 the non-Aboriginal population.

22 Would that be fair?

23 MS. SHAWNA PACHAL: I don't -- I
24 actually don't think it's fair to characterize it
25 particularly that way. I think that there's no

1 question that northern Aboriginal people face
2 different challenges on a construction site. First of
3 all, they have to want to have to work on a
4 construction sit -- site. And as Mr. Bland mentioned,
5 a lot of them have never done that before. So they go
6 and they test that out and they realize that's not for
7 them.

8 A lot of the other individuals who come
9 to the construction site have come from another
10 construction site. They've worked in other parts of
11 the province or other places in Canada and they come
12 to those projects and they work on that construction
13 site as -- as people who have worked on construction
14 sites their whole lives.

15 So I think that that's one (1) -- just
16 to re-enforce what Mr. Bland said. And there is no
17 question, as well, that there's cultural differences
18 and cultural issues. You know, one (1) that's -- I've
19 been in this business for a long time now and it's --
20 you know, I think it's so amazing and beautiful how in
21 the Aboriginal communities if somebody dies that's a
22 really important event.

23 You know, in -- in our culture we're
24 all fighting in our schedules to see if we can make it
25 to the funeral for an hour-and-a-half and get back to

1 work. But that's not how it works for our partners or
2 other Aboriginal people. So there's significant
3 differences, or when they want to go on the land and
4 hunt, and fish, and trap. So there's completely
5 different issues that they face on a construction
6 site.

7 So on a construction site we work
8 sixteen (16) hours a day. Sometimes we go twenty-four
9 (24) hours a day in different shifts. And so for
10 those individuals to continue to practice the cultural
11 sort of -- in their experience life as they culturally
12 experience it and line up with the culture on a
13 construction site, it's completely different worlds.

14 And so I wouldn't say it's
15 disproportionate barriers. I would say they're
16 different worlds and so there are different
17 challenges. And -- and Mr. Bland talked about a
18 number of the things that they've put on site. One of
19 the direct negotiated contracts, the Employment
20 Retention Support Services Contract, which is held by
21 York Factory and Fox Lake. And -- and Mr. Bland
22 talked about all the things associated with that
23 contract. It's specifically there to try and deal
24 with those cultural differences.

25 And we've tried to as well, because all

1 the managers and supervisors, and all employees must
2 have cultural awareness training on the projects so
3 that people become sensitized to some of these issues
4 and -- and can see if they can't structure some of
5 their work and leaves to accommodate Aboriginal people
6 on the project to go back home to attend funerals, and
7 -- and to go back on the land to hunt, or trap, or
8 fish.

9 So barriers to me is -- is not the
10 right way to characterize it.

11 MR. BYRON WILLIAMS: Okay. Thank you.
12 Just one (1) last point before we leave Deloitte. Ms.
13 Kidd-Hantscher, you spoke of average duration of
14 employment. Do you recall that? Just a couple
15 minutes ago?

16 MS. JANE KIDD-HANTSCHER: Yes, I did.

17 MR. BYRON WILLIAMS: Can you turn to
18 page 70 of the Deloitte report. That's perfect there.
19 Ms. -- Ms. Kidd-Hantscher, do you -- does Manitoba
20 Hydro take issue with Deloitte's calculation of
21 average duration of employment?

22 MS. JANE KIDD-HANTSCHER: No.

23 MR. BYRON WILLIAMS: So what this
24 suggests is the project average was one hundred and
25 fifty (150) days?

1 MS. JANE KIDD-HANTSCHER: Yes.

2 MR. BYRON WILLIAMS: Okay.

3 MS. JANE KIDD-HANTSCHER: I was just
4 referencing the NCN newsletter specifically where that
5 time was speaking about NCN's average duration of
6 employment.

7 MR. BYRON WILLIAMS: So if we're
8 looking at the -- the project average as compared to
9 northern Aboriginal or other Aboriginal, Manitoba
10 Hydro considers this to be an appropriate reflection
11 of that reality?

12 MS. JANE KIDD-HANTSCHER: We consider
13 it accurate as reported by -- by Deloitte.

14 MR. BYRON WILLIAMS: Thank you. On to
15 a totally different topic, Mr. Chair and members of
16 the panel.

17 Dr. Shaffer, one (1) of the elements of
18 your analysis was you -- was looking at the net return
19 and other benefits for Manitoba Hydro's project
20 partners.

21 Would that be fair?

22 DR. MARVIN SHAFFER: It's a component
23 of the benefits.

24 MR. BYRON WILLIAMS: And obviously you
25 regarded this as providing insight into an important

1 distributional consequence?

2 DR. MARVIN SHAFFER: That's correct.

3 MR. BYRON WILLIAMS: And I'll come
4 back to you in just a second. Ms. Pachal, I know that
5 Hydro was not a party to this agreement but I -- am I
6 correct in suggesting that NCN cur -- or the
7 Nisichawayasihk Cree Nation currently has an
8 arrangement with the province in which it receives
9 about \$1 million in water rentals annually?

10 MS. JANE KIDD-HANTSCHER: Yes, they
11 have an agreement with the province that we're -- as
12 you say, we're not a party to, and that number sounds
13 roughly in the range of what I believe they are
14 receiving, or have been.

15 MR. BYRON WILLIAMS: To Manitoba
16 Hydro's knowledge, is any other First Nation on the
17 Nelson River or the Burntwood River currently in
18 receipt of water rental revenues from the province?

19 MS. SHAWNA PACHAL: No. However,
20 there is preliminary arrangements in place that,
21 again, Hydro is not party to between the Keeyask Cree
22 Nations and the province in the event that Keeyask did
23 proceed.

24 MR. BYRON WILLIAMS: And to Hydro or
25 the partners, if you feel able to answer, do you have

1 any insight into the relative magnitude of the water
2 rental revenues that are anticipated in the
3 preliminary arrangements?

4 MS. SHAWNA PACHAL: No.

5 MR. BYRON WILLIAMS: Dr. Shaffer, in
6 preparing your analysis were you aware that NCN was
7 receiving a portion of the water rentals?

8 DR. MARVIN SHAFFER: No. No, it
9 wasn't particularly relevant to my analysis.

10 MR. BYRON WILLIAMS: Did your -- did
11 you contemplate in your analysis any ways to enrich
12 the distributional value of any of the plans through a
13 distribution of water rentals between the province and
14 --

15 DR. MARVIN SHAFFER: My -- my --

16 MR. BYRON WILLIAMS: -- and the Cree
17 Nations?

18 DR. MARVIN SHAFFER: -- the scope of
19 my work was to assess alternative plans, not to assess
20 alternative policies that could affect the various
21 aspects of those plans, whether it be pursuing greater
22 employment within Manitoba or pursuing different
23 distributional aspects. I think the question was:
24 How -- what are the advantages and disadvantages to
25 the affected parties by the plans that -- that I was

1 investigating.

2 MR. BYRON WILLIAMS: So you were, in
3 effect, assessing the plans as presented to you by
4 Manitoba Hydro.

5 Would that be fair, sir?

6 DR. MARVIN SHAFFER: Yes.

7 MR. BYRON WILLIAMS: You did not go
8 outside the scope of that engagement to examine ways
9 in which the distributional benefits of any of the
10 particular plans could be enhanced?

11 DR. MARVIN SHAFFER: No. There's a
12 variety of ways -- you know, you could look at this
13 from a policy point of view and say how you could do
14 things differently, but that wasn't my -- my job. And
15 I say that not just with respect to distribution but
16 with respect to -- to all of the consequences.

17 MR. BYRON WILLIAMS: But certainly you
18 were limited in your scope in terms of the
19 conceptualization of the plans as presented by
20 Manitoba Hydro; agreed?

21 DR. MARVIN SHAFFER: Yes. That --
22 that was the purpose of my work.

23 MR. BYRON WILLIAMS: And so you would
24 not, for example, have -- have looked at a way to
25 buttress some of the other plans as compared to the

1 Preferred Plan by looking at enhancing them through a
2 distribu -- distribution of water rentals from the
3 Province back to First Nations on the Nelson or
4 Burntwood Rivers.

5 Would that be fair?

6 DR. MARVIN SHAFFER: That -- that's
7 correct. I looked at the plans as a -- as they
8 represented and the policies of the government as we
9 know them, not -- not as they could be in -- in a
10 different policy environment.

11 MR. BYRON WILLIAMS: And the -- the
12 element of those plans were those as set for you by
13 Hydro, correct?

14 DR. MARVIN SHAFFER: That's correct,
15 and that have been set out for -- for the NFAT panel
16 in this hearing.

17 MR. BYRON WILLIAMS: So would it be
18 accurate to suggest to you that you did not examine
19 ways to enrich the distributional value of any of the
20 planned -- plans through heightened investment in
21 energy efficiency in northern and remote First Nations
22 and other indigenous communities?

23 DR. MARVIN SHAFFER: Yes, I didn't
24 look at that project like that.

25 MR. ED WOJCZYNSKI: I would like to

1 add to that. That I -- I'm involved in and I'm
2 chairing an international working group on project
3 affected peoples. And the particular focus is
4 indigenous peoples and it's related to concepts like
5 free prior and informed consent and distribution of
6 benefits, consultation on project processes.

7 And there's a lot of discussion
8 internationally on benefit sharing and how it's best
9 done. And aside from the fact that Canada's one of
10 the leaders in the world, I think another comment I
11 would make is that, if you look generally around the
12 world, from what I can see, the two (2) general
13 approaches are the people who are in the area of the
14 project. And by "the area," I -- I mean relatively
15 close affinity, there's a direct benefit sharing.

16 But the other way of having benefit
17 sharing to people in the broader regional context is
18 through the government of that context. And so this
19 is coming right back to the whole issue we've been
20 talking about of the transfers to the province,
21 whether it's water rentals, debt guarantee fee, or
22 capital tax. That those provisions of transfers to
23 the province, and that's done in other provinces as
24 well, that it's through those provisions there is a
25 benefit sharing through a greater jurisdiction than

1 just the -- the local community. Thank you.

2 MR. BYRON WILLIAMS: Just certainly if
3 anyone from -- Mr. Bland or Ms. Anderson or Mr.
4 Spence, if -- if you have any comments on the concept
5 of revenue sharing of water rentals as a
6 distributional benefit to First Nations experiencing
7 the ongoing affects of current and future hydro
8 operations, please feel free to share them.

9

10 (BRIEF PAUSE)

11

12 MR. BYRON WILLIAMS: I'm not -- if you
13 -- if there's anything you'd like to share, if not,
14 that's fine.

15 MS. KAREN ANDERSON: So at this time,
16 we're -- Fox Lake is not aware of the details of the
17 agreement yet, so that's all we can comment on.

18 MR. BYRON WILLIAMS: Fair enough. Mr.
19 Chair -- Mr. Spence or Mr. Bland, anything you'd like
20 to add?

21 MR. TED BLAND: Same for York Factory.

22 MR. BYRON WILLIAMS: Mr. Chair, this
23 is the hard part. I -- I've talked with my -- oh,
24 sorry, Mr. Spence. I didn't mean to cut you off.

25 MR. VICTOR SPENCE: No. TCN, no

1 comment at this time.

2 MR. BYRON WILLIAMS: Thank you. And I
3 apologize for interrupting you.

4 Mr. Chair, I've just re-canvassed with
5 my colleagues. I think the time estimates they have
6 are accurate. And I -- I probably have about an hour
7 left. And I'm -- I'm at the panel's guidance.

8 Our client certainly thinks this is
9 important material that we'd -- we'd like to pursue.
10 I'm certainly prepared to come back at 12:30 or
11 whenever the panel -- or at one o'clock, whenever the
12 panel...

13 THE CHAIRPERSON: I think that's
14 appropriate. But I think we would need to take forty-
15 five (45) minutes today. So that would suggest to me
16 that we're back here about twenty (20) to 1:00?

17 MR. BYRON WILLIAMS: Thank you.

18 THE CHAIRPERSON: So let's recess and
19 back here at twenty (20) to 1:00. Thank you.

20

21 --- Upon recessing at 11:56 a.m.

22 --- Upon resuming at 12:42 p.m.

23

24 THE CHAIRPERSON: I believe we're
25 ready to resume the proceedings. The court reporter

1 has advised us that the -- there's some technical
2 issues that were encountered this morning and that
3 we'll have to repeat some of the testimony, so I will
4 be checking my notes against what I hear next round
5 and make sure that they align. But -- no, just
6 kidding.

7 Go ahead, Mr. Bedford, please.

8 MR. DOUGLAS BEDFORD: Well, I'd -- I
9 was going to tell you that the technical difficulty
10 was that we lost Mr. Williams's entire cross-
11 examination from this morning, and that I had
12 volunteered to summarize the meaningful parts of it.
13 However, what we've lost only took us about five (5)
14 minutes this morning or less, so I will ask Ms. Pachal
15 to be -- begin this afternoon by responding to the one
16 (1) undertaking that she responded to this morning.
17 And then we'll turn to Mr. Wojczynski and he assures
18 me he was more than five (5) minutes, so he will redo
19 the undertakings that he addressed this morning.

20 MS. SHAWNA PACHAL: I had the
21 undertaking to confirm that Manitoba Hydro has not
22 done a labour market analysis which broke down
23 construction jobs by roles, and if we did have a -- a
24 market -- labour market analysis to file that. And I
25 indicated that we did not complete a for -- formal

1 market analysis, but I did also indicate that we do
2 keep our finger on the pulse of what is happening in
3 the industry by various research that we do.

4 We also check into BuildForce Canada,
5 which used to be Construction Sector Council, labour
6 market forecast data. We have relationships with
7 other utilities and people in other industries who
8 build large mega-projects; and so we're in touch with
9 them in terms of what some of the issues and trends
10 are from a labour perspective.

11 And so we have a lot of work that we do
12 to keep, as I say, our finger on the pulse of that,
13 but we have not done an official or formal labour
14 market analysis.

15 MR. ED WOJCZYNSKI: So my first
16 undertaking -- all my undertakings are from yest --
17 are from -- the first three (3) are from yesterday.

18 The first one (1) was related to
19 employment, as well. And that was I was asked whether
20 we could provide an updated estimate of the expected
21 labour force and employment at Keeyask, recognizing
22 that with the higher capital cost estimate we now have
23 with Keeyask, and if we use -- let's say on the
24 reference estimate, if we use -- if the actual costs
25 are as high as the estimate, including using the

1 labour productivity, that that means that the labour -
2 - total number of labour hours would also increase,
3 can we give an estimate of that.

4 And the answer is we can't at this
5 point 'cause we need more detailed information on how
6 much of that came from increased labour, and how much
7 from increased costs for commodities or equipment like
8 cement. You know, if cement costs are higher, or
9 we're using more cement, that isn't a labour --
10 directly a labour issue, and that was part -- would be
11 part of the reason the costs went up. But we know
12 that the employment in that case would be higher, or
13 the numbers would be higher.

14 The second undertaking was: Given that
15 the numbers would be higher do we -- and we have
16 better information now than a year ago, or two (2)
17 years ago, would we have any reason to think that the
18 ratios of the employment categories would change. And
19 we have no reason to think those ratios would change.
20 So that was the second undertaking.

21 The third undertaking was related to
22 fish passage, and on that one I report that we -- in
23 the cost estimate for Keeyask, we have no explicit
24 number in it for building a fish passage, a physical
25 fish passage like a concrete and steel kind of

1 facility.

2 What we do have in it is -- are two (2)
3 things: One (1) is a \$3.7 million which is based on
4 doing a capture and truck facility -- not a facility,
5 activity as part of the monitoring and research. And
6 that would be to confirm that -- the understanding
7 that is there now, that we will not need a fish
8 passage of any kind. And that's an understanding DFO,
9 Manitoba -- Conservation and Water Stewardship of
10 Manitoba Hydro have, and the partners, based on the
11 biology and all the work we've been doing, that --
12 that collectively the view is that we will not need a
13 fish passage at Keeyask, and the 3.7 million would be
14 a monitoring research program to confirm that's
15 correct.

16 If it's not correct and we are wrong,
17 and we needed to build some sort of fish passage kind
18 of facility, one (1) option would be -- as you
19 remember from the MNP report the other day, there are
20 a range of options for fish passage. One (1) of the
21 options would be a cap -- a permanent facility for
22 capture and truck, where you capture sturgeon or other
23 fish, and then physically move them upstream somewhere
24 else. And that would be, let's just say, something in
25 the order of \$10 million. That kind of cost increase

1 would be encompassed by the fact we have a systemic
2 risk in -- included now in our cost estimate, and this
3 would be the kind of thing and the kind of quantity
4 that would be covered.

5 If you had a full scale major large
6 fish passage, then -- which is extremely unlikely and
7 we don't think would be required, but if it did that
8 would be a scope change, and that's not in the
9 contingency, or the -- or the reserves. But the
10 important thing is we -- nobody who's involved in this
11 in a major way believes that one is needed or
12 appropriate. So that was the third undertaking.

13 The fourth issue is we had two (2)
14 exhibits that we introduced this morning. It's 104-8
15 and 104-9, and as I'd indicated this morning, this is
16 in a series of -- of exhibits that are all numbered
17 104. And Ms. Flynn has had a series of these, and --
18 and what we've chosen to do for the ease of everybody
19 in this room, and particularly the panel, is that we
20 have all these updates of the -- of the new economic
21 information and the documentation of that on Exhibit
22 104. So this is numbers 8 and 9.

23 Number 8 I will go through briefly.
24 And -- and I'll -- I -- I can't swear I'm going to say
25 exactly the same things I said this morning but it

1 will be essentially the same. I -- I tend not to use
2 written notes. I tend to do everything
3 extemporaneously, so it's kind of fluid, but you will
4 see the truth is all there -- truth, pardon me, my
5 view of the truth.

6 First of all, what this is, Exhibit
7 104-8, it starts off -- I'm not going to go through it
8 in detail. It provides some of the updated
9 information in the new analyses and the new capital
10 cost, the probabilities. I -- I won't repeat all of
11 that. And -- and someone has very helpfully put up
12 the exhibit already.

13 The main piece of new information is
14 this quilt that has been updated in a number of ways.
15 As Ms. Flynn has already indicated earlier, we've
16 updated the 2012 quilt with the new Keeyask and
17 Conawapa capital costs. And in addition to that, we
18 have revised the probabilities so that the ref/ref/ref
19 has -- it's more centred around ref/ref/ref now
20 because we have more confidence in -- in the
21 information we have. The high has a lower probability
22 now than it did previously.

23 And we've also updated the methodology
24 to change how common factors are treated. And that
25 enhances how the quilt treats the upside benefits and

1 the downside risks. And so I think everybody agrees
2 that this is an enhanced approach.

3 What this quilt does in addition to
4 what Ms. Quilt -- Ms. Quilt -- Ms. Flynn did before
5 was add Plans 6 and 12, which are the 750 megawatt
6 interconnection plans without the WPS sale. It has
7 Keeyask/Gas31 and Keeyask/Conawapa31, which Mr.
8 Williams enjoyed crossing me on this morning. And --
9 and you have the expected values and the ref/refs in
10 here. And I won't run through these numbers.

11 The other thing that is new in here is
12 we have removed from the WPS plans the investment by
13 WPS in the transmission, so -- which reduces the
14 benefits from the WPS plans. And now this represents
15 our best information today on the WPS sale in terms of
16 investment on Keeyask/Conawapa cost estimates. And
17 this fulfills a number of requests earlier.

18 There's also the quilts provided in
19 here which I'm not going to go through -- not the
20 quilts, my apologies, the S-curves. I don't think we
21 have time to go through those again.

22

23 --- EXHIBIT NO. MH-104-8: Response to Undertaking 27

24

25 MR. ED WOJCZYNSKI: And the next

1 Exhibit, number 9, provides in detail the cashflows
2 for each of the twenty-seven (27) scenarios for each
3 of four (4) plans, so a hundred and eight (108) new
4 tables which are providing the -- the mo -- the
5 updated information.

6

7 --- EXHIBIT NO. MH-104-9: Economic summary tables

8

9 MR. ED WOJCZYNSKI: I think one (1)
10 other thing I did comment on this morning, and just to
11 make sure I cover the same ground, is that by now
12 providing 6 and 12, we have the full suite of plans
13 associated with the Preferred Plan. In other words,
14 assuming we start with the Preferred Plan number 14
15 and depending on how things evolve, if Conawapa
16 doesn't happen, doesn't proceed for whatever reason,
17 but then we -- we do proceed still with the WPS sale,
18 then we have Plan 5. That was already there before,
19 but that leg associated with the Preferred Plan's
20 there.

21 On the other hand, if Conawapa doesn't
22 proceed in the Preferred Plan and the WPS sale does
23 not proceed either because of Manitoba Hydro deciding
24 or because of WPS in that case, then we have Plan 6.

25 And then lastly, we may still be in a

1 situation where the WPS sale doesn't happen, for some
2 reason, and we ultimately do decide to proceed with
3 Conawapa at 2031, so that's right now the full suite
4 of Preferred Plans available to us with the new
5 capital cost. Thank you.

6

7 CONTINUED BY MR. BYRON WILLIAMS:

8 MR. BYRON WILLIAMS: Yes, good
9 afternoon, members of the panel, and of -- of the
10 Hydro panel and -- and their partners. Just to ease
11 my -- my hysteria, I'm assuming my cross-examination
12 this morning was -- was captured? Or more
13 importantly, Hydro's answers, and the partner's
14 answers? I -- I'm seeing a thumbs up, so. Mr.
15 Wojczynski, I always enjoy talking with you, but I
16 would have dreaded repeating that conversation.

17 I wonder if we can turn to Manitoba
18 Hydro Exhibit 129-7, page 3.

19

20 (BRIEF PAUSE)

21

22 MR. BYRON WILLIAMS: I think 1 -- yes,
23 that's the page. Mr. Wojczynski, this seems like an
24 apt followup to the exhibit filed this morning. And -
25 - and first of all, please pass on from our client our

1 appreciation to the extremely hardworking staff at
2 Manitoba Hydro and the inclusion of Plan 6 is very
3 appreciated.

4 MR. ED WOJCZYNSKI: You and everybody
5 else are most welcome. We're -- we're happy to get it
6 on the record.

7 MR. BYRON WILLIAMS: And what this
8 does for us, sir, is compl -- compares three (3)
9 plans, being Plan 6, Plan 5, and Plan 14 with -- with
10 the assumption being the 2014 DSM Level 2.

11 Would that be fair, sir?

12 MR. ED WOJCZYNSKI: Maybe we'll have
13 another series of "yes." Yes.

14 MR. BYRON WILLIAMS: And -- and just
15 so we understand what Plan 6 involves, this is Keeyask
16 in -- being initiated in 2019, Gas in the year 2040, a
17 750 megawatt inter -- interconnection and no WPS sale.

18 Would that be correct, sir?

19 MR. ED WOJCZYNSKI: Yes.

20 MR. BYRON WILLIAMS: And again, we can
21 see the descriptions both for Plan 5 and Plan 14. And
22 you'll agree with me that they both include a WPS
23 sale.

24 Would that be fair, sir?

25 MR. ED WOJCZYNSKI: Yes.

1 MR. BYRON WILLIAMS: And I am correct
2 in assuming that both Plans 5 and 14 exclude the WPS
3 investment in US transmissions, sir?

4 MR. ED WOJCZYNSKI: Yes.

5 MR. BYRON WILLIAMS: And --

6 MR. ED WOJCZYNSKI: And what they
7 don't include, and I hesitate to mention it, but
8 seeing as we're going to be drilling into them,
9 there's actually some 30 million or so dollars of
10 benefits from the enhanced revenues that are not in
11 those right now.

12 But we don't want to do another round
13 of new numbers, so I mention it and just put it aside.
14 It's -- it's 30 million out of 400 million is not
15 going to drive any answers, but it's just a -- a small
16 tweak that wasn't possible to get in here yet.

17 MR. BYRON WILLIAMS: And that's fine.
18 And just so I understand it, sir, that 30 million in
19 additional revenues would affect Plans 5 and 14.

20 Would that be fair?

21 MR. ED WOJCZYNSKI: Yes.

22 MR. BYRON WILLIAMS: But not Plan 6?

23 MR. ED WOJCZYNSKI: That's correct.

24 MR. BYRON WILLIAMS: Sir, when we --
25 when we look at the NPV and at this discount rate, and

1 this assumed DSM scenario, it would be fair to observe
2 that Plan 6 and 5 are competing fairly closely?

3 MR. ED WOJCZYNSKI: Yes.

4 MR. BYRON WILLIAMS: And I will not
5 use the word 'dominate' for the purposes of this
6 discussion. But in terms of NP -- NPV, this discount
7 rate and this DSM scenario, they are quite a bit
8 stronger relatively than Plan 14.

9 Would that be fair?

10 MR. ED WOJCZYNSKI: Yes, 5 and 6 are,
11 as you put it, stronger than 14 in this scenario,
12 using this metric. And I would just briefly mention
13 and remind everybody that all of this analysis and the
14 one I just presented as an exhibit and a lot of the
15 discussion we had this morning does not include the --
16 the embedded return on equity, the capital tax, water
17 rental, and debt guarantee fee which would reverse
18 that and the Preferred Plan would look better than the
19 others.

20 But the starting point for all of those
21 is always the -- the corporate evaluation which is
22 what we're focussing on now. So I will restrict my
23 answers to that as long as we all keep that context
24 that there's a broader metric that recognizes the
25 other perspectives that we need to include in our

1 final decision-making.

2 MR. BYRON WILLIAMS: And --

3 MR. ED WOJCZYNSKI: I won't repeat
4 that every time I give an answer.

5 MR. BYRON WILLIAMS: -- fair enough --
6 and it would be fair to say that you and I, in terms
7 of the embedded equity discussion, have agreed to put
8 that off to April the 4th in -- in the interest of
9 saving time, sir.

10 Would that be fair?

11 MR. ED WOJCZYNSKI: Yes, and for the
12 record, we agreed that for the efficiency of this
13 process, we will not get into tho -- that in this
14 discussion today, and on the 4th when we come back and
15 I'll -- Manitoba Hydro will also endeavour to provide
16 on some additional plans, the same water rental
17 capital tax embedded return on some of the other plans
18 -- not every single plan, but on some of the other
19 plans.

20 MR. BYRON WILLIAMS: Thank you for
21 that. Just before we leave this slide and with all
22 your ca -- caveats or additional insights - keeping
23 those in mind - you did not perform this analysis for
24 Plan 12, sir?

25 I'm not asking you to, but I'm just...

1 MR. ED WOJCZYNSKI: No.

2 MR. BYRON WILLIAMS: And if you're
3 willing to venture a -- a bit of speculation with me,
4 sir, would it be fair to expect that in terms of NPV
5 at this discount rate and this assumed DSM scenario,
6 you would expect Plan 12 to be quite competitive with
7 the Hydro Preferred Plan?

8 MR. ED WOJCZYNSKI: Could you repeat
9 your question? I was getting out the other exhibit
10 while you were doing that, and I realized I may not
11 have heard your full question.

12 MR. BYRON WILLIAMS: I'm getting
13 tired, sir; I'm sure you are as well, so I'll try and
14 repeat it. But would it be -- would it be fair to
15 anticipate, without doing the analysis, but that in
16 terms of NPV at this discount rate and this assumed
17 DSM sce -- scenario, that we would expect Plan 12 to
18 be relatively competitive with the Hydro Preferred
19 Plan?

20 MR. ED WOJCZYNSKI: Sorry, when you
21 say "relatively competitive," I interpret that to mean
22 roughly equal and in that interpretation my judgment
23 is they would be very roughly competitive, but I -- I
24 -- we haven't done the runs to confirm that.

25 When I say "roughly competitive," say,

1 within a hundred million dollars but I -- I can't
2 swear that that would be -- be the ultimate case.

3 MR. BYRON WILLIAMS: Fair enough, sir.
4 Thank you. Dr. Shaffer and Mr. Wojczynski, we will
5 come back to this a -- a bit later, but for -- for
6 now, Dr. Shaffer, in terms -- if I could ask you to
7 turn to your Exhibit 129-6, page 8 would be a nice
8 page to start, and you have -- lovely.

9 Dr. -- Dr. Shaffer, this was your base
10 scenario as presented in the -- the Chapter 13 of the
11 NFAT business case.

12 Is that right, sir?

13 DR. MARVIN SHAFFER: Yes.

14 MR. BYRON WILLIAMS: And we'll move
15 through this fairly quickly, and I'll just focus, for
16 the purposes of this discussion -- in terms of market
17 valuation, you had the Preferred Development Plan
18 being Plan 14 as well as Plan 4 in a relative wash.

19 Would that be fair -- relatively close?

20 DR. MARVIN SHAFFER: Yes.

21 MR. BYRON WILLIAMS: With the
22 Preferred Development Plan on the reference -- under
23 the reference scenario, out-performing both Plan 2,
24 the K22 Gas, and Plan 1, the All Gas.

25 Would that be fair, sir?

1 DR. MARVIN SHAFFER: That's correct.

2 MR. BYRON WILLIAMS: And this was
3 based upon 2012 assumptions?

4 DR. MARVIN SHAFFER: Yes. The updated
5 evaluations is just later in this -- that same
6 exhibit.

7 MR. BYRON WILLIAMS: Yes, and we'll
8 turn to that if we could, being slide 11. And this,
9 sir, is your updated evaluation for capital cost
10 sensitivity.

11 Is that fair, sir?

12 DR. MARVIN SHAFFER: Yes, as -- as
13 well as the exclusion of the WPS investment.

14 MR. BYRON WILLIAMS: Thank you. And -
15 - and so what you -- you've told us is that you've put
16 in the most recent capital cost updates for Keeyask
17 and Conawapa, agreed?

18 DR. MARVIN SHAFFER: Yes.

19 MR. BYRON WILLIAMS: And you review --
20 removed from Plan 14 the WPS investment in
21 transmission, correct?

22 DR. MARVIN SHAFFER: Yes.

23 MR. BYRON WILLIAMS: And just when I
24 look at this table, would it be accurate to say that,
25 except for the increase in capital costs and the

1 removal of the WPS investment, that slide 11 is based
2 on the 2012 planning assumption, sir?

3 DR. MARVIN SHAFFER: I believe that's
4 correct.

5 MR. ED WOJCZYNSKI: The 2012
6 assumptions with a 10 percent reduction in the export
7 prices.

8 MR. BYRON WILLIAMS: And -- and, of
9 course, the discount -- count rate is 6 percent for
10 this analysis?

11 DR. MARVIN SHAFFER: Yes. It's --
12 it's a higher discount rate.

13 MR. BYRON WILLIAMS: Now, Dr. Shaffer,
14 you probably heard it far too in length both this
15 morning and -- and this afternoon my discussion with
16 Mr. Wojczynski. And you'll recall hearing a
17 discussion regarding the relative comparison between
18 Plan 5 and Plan 14.

19 Do you recall that, sir?

20 DR. MARVIN SHAFFER: Yes.

21 MR. BYRON WILLIAMS: And we just had a
22 discussion, in fact, about a comparison between Plan 5
23 and Plan 14 under DSM scenario 2, agreed?

24 DR. MARVIN SHAFFER: Yes.

25 MR. BYRON WILLIAMS: And certainly in

1 the context of that discussion, at -- looking at NPV
2 under those scenarios, we had Plan 5 outperforming
3 Plan 14, agreed?

4 DR. MARVIN SHAFFER: I believe that's
5 correct.

6 MR. BYRON WILLIAMS: Okay. Sir, my --
7 so my question to you, sir, is: Plan 5 is not
8 included in the analysis that you present on this
9 page. Would I be correct?

10 DR. MARVIN SHAFFER: That's correct.
11 Plan 6 has similar features to it, but, yes.

12 MR. BYRON WILLIAMS: Would one
13 distinguishing characteristic between Plan 5 and Plan
14 6 be the WPS sale, sir?

15 DR. MARVIN SHAFFER: Yes.

16 MR. BYRON WILLIAMS: Sir, would you be
17 prepared by way of undertaking to reproduce this table
18 but including an analysis for Plan 5?

19 DR. MARVIN SHAFFER: I -- I would have
20 to check if the market valuation data would be
21 available for that under the comparable assumptions as
22 all of the other plans in this analysis.

23 MR. ED WOJCZYNSKI: Subject to check,
24 they are. I have jumped in and made a statement, and
25 then being occasionally wrong. So I -- in this one,

1 I'm saying subject to check. But to facilitate this
2 discussion, I -- I believe they are.

3 MR. BYRON WILLIAMS: And so, Dr.
4 Shaffer, on the assumption that the market valuation
5 data for Plan 5 is available, would you undertake to
6 reproduce this table taking that into account, sir?

7 DR. MARVIN SHAFFER: Yes. It might
8 take until early next week to have it, but...

9 MR. BYRON WILLIAMS: That's fine.
10 Thank you. That is an undertaking. And I'll -- I'll
11 repeat the undertaking and ask Dr. Shaffer to confirm
12 it.

13 You are undertaking on -- on the
14 assumption that the -- the base material is available,
15 you will reproduce the capital cost sensitivity table
16 found at slide 11 of Exhibit 129-6 to include a
17 comparative analysis of Plan 5?

18 DR. MARVIN SHAFFER: I will do that.
19 And if -- if it's helpful, I would, from the table,
20 delete Plan 4 since we all agreed it's not relevant,
21 it might be easier, but I can leave it in. I don't
22 want to create an issue.

23 MR. BYRON WILLIAMS: I -- I would be
24 going too far to say that my client would agree with
25 that. Well, I understand your point in Hydro's

1 position. Our client --

2 DR. MARVIN SHAFFER: I -- I -- does it
3 --

4 MR. BYRON WILLIAMS: Our client would
5 -- I apologize. I was getting a little excited.

6 DR. MARVIN SHAFFER: Okay.

7 MR. BYRON WILLIAMS: I'm sorry.

8 DR. MARVIN SHAFFER: Okay. I'll leave
9 it as is. I'll throw in Plan 5.

10 MR. ED WOJCZYNSKI: Can I comment on
11 my earlier comment. I knew that I had to be careful.
12 What I'm confident we have is the market valuation
13 information for Plan 5. We would also have the
14 government information.

15 What I -- the part that I'm not sure
16 about, just so we understand why I said what I said,
17 was that there's the economy and the environment, and
18 that is the area where I have some concerns because
19 like we have the market valuation done, and it's
20 fairly straightforward, to give him the cashflows for
21 that.

22 It's the doing those other adjustments
23 where you need to know all the labour, and do the
24 percentages of labour, and all those things; that's
25 the area, and also for the environment one. So that's

1 why I'm hedging on whether -- it -- it's not all --
2 automatically available. My concern is how long it
3 would take to generate that additional information.
4 So -- just so we understand that my -- my
5 qualification was not a trivial one.

6 MR. BYRON WILLIAMS: The undertaking
7 is subject to that qualification, and Manitoba Hydro
8 and Dr. Shaffer will report back if they assume that
9 it -- if they believe they cannot complete that.

10 DR. MARVIN SHAFFER: Yes.

11

12 --- UNDERTAKING NO. 79: Manitoba Hydro to reproduce
13 the capital cost
14 sensitivity table found at
15 slide 11 of Exhibit 129-6
16 including a comparative
17 analysis of Plan 5 (subject
18 to Mr. Wojcznski's
19 qualification)

20

21 CONTINUED BY MR. BYRON WILLIAMS:

22 MR. BYRON WILLIAMS: Just very quickly
23 on this table, and -- and to make you happy, Dr.
24 Shaffer, I'm just going to focus on the 750 megawatt
25 interconnection plans for the -- and I just want to

1 start with -- at the market valuation level.

2 There under your analysis we have Plan
3 6 as the bright shining star, and with Plans 12 and
4 Plans 4 being relatively competitive under market
5 valuation, sir?

6 DR. MARVIN SHAFFER: Yes.

7 MR. BYRON WILLIAMS: And when we get
8 down to monetized net benefit, sir, your evidence
9 would be that the -- the results for Plan 6, 12, and
10 14 are quite similar, would that be fair?

11 DR. MARVIN SHAFFER: Yes. I -- I
12 would like to point out, however, and I've mentioned a
13 number of times but I think it's -- it's useful to be
14 clear.

15 In the analysis right from the outset
16 with the Preferred Development Plan we were -- we were
17 conservative, and -- and I think it's useful to
18 understand -- understand that when you assess these
19 numbers, and -- and what we're looking at is relative
20 advantages and relative differences.

21 Differences in the reliability benefits
22 weren't taken into account even though 14 certainly
23 had advantages over the others, possibly less relative
24 to 6 and 12 than certainly the All Gas. We didn't --
25 we -- we have been very conservative on the government

1 benefits, particularly with respect to the debt
2 guarantee fee and sales taxes embedded within the
3 project expenditures.

4 On the social cost of carbon, the
5 environment, we've taken a conservative approach in --
6 in two (2) respects; the value that we put on avoided
7 emissions within BC and the fact that we didn't value
8 the benefits of reduced emissions outside BC. And the
9 -- the bequest value which has to do with discounting
10 which I'm happy noone is really happy to talk about,
11 but the fact of -- really, the weighting of -- of the
12 future assets remaining at the end of the period.

13 So I -- I did want to just qualify that
14 so we understand when we're reading these numbers not
15 to get too fixated. You have to read that, and also
16 understand both the qualitative aspects of that.

17 MR. BYRON WILLIAMS: And -- and, sir,
18 and I'm just mindful of time, I won't belabour it.
19 But in -- in terms of the environmental assessment,
20 for example, without going into great detail at that
21 point in time, in that analysis you did rely primarily
22 upon the analysis of -- of Manitoba Hydro and its
23 partners, agreed? And --

24 DR. MARVIN SHAFFER: Yes.

25 MR. BYRON WILLIAMS: -- and, so you've

1 not taken into account, for example -- and you --
2 you've not been able to, any conclusions the Clean
3 Environment Commission might come to in terms of the
4 environmental analysis, that would be fair?

5 DR. MARVIN SHAFFER: Yes, though of
6 course when we're comparing 6, 12, and 14 certainly --
7 well, 12 and 14 we're dealing with very similar
8 projects. That's a project, so the biophysical
9 aspects and social aspects would be the same though
10 somewhat different in time. But -- and with respect
11 to 6 we still have Keeyask in the large --

12 MR. BYRON WILLIAMS: But not Conawapa.

13 DR. MARVIN SHAFFER: But not Conawapa,
14 that's correct.

15 MR. BYRON WILLIAMS: Sir, you -- we
16 are not going to have a long conversation about
17 discount rates, you'll be happy to know. I do have a
18 methodological confirmation that I -- I need to get
19 for my consultant, Mr. Harper.

20 And I wonder if to short-circuit the
21 conversation we can go to your revised evidence
22 Chapter 13, page 64?

23

24 (BRIEF PAUSE)

25

1 DR. MARVIN SHAFFER: Yes.

2 MR. BYRON WILLIAMS: And, Dr. Shaffer,
3 I'm just going to refer you to the -- the first
4 paragraph, starting on line 3, where you see a
5 suggestion that in terms of the Hydro assets, their
6 2047 residual value was calculated at a real discount
7 rate of 5.05 percent, reflecting Manitoba Hydro's
8 weighted cost of capital. And its 2014 present value
9 was calculated with a 6 percent real dis -- discount
10 rate, reflecting the weighted average social
11 opportunity cost.

12 Do you see that reference, sir?

13 DR. MARVIN SHAFFER: Yes.

14 MR. BYRON WILLIAMS: And this was a
15 bit hard for me to understand, but am I correct in
16 suggesting to you that in terms of the Hydro assets,
17 the benefits and costs anticipated after 2047 were
18 discounted back to 2047 using a discount rate of 5.05
19 percent to create a 2047 residual value which was then
20 discounted to 2014 using 6 percent?

21 DR. MARVIN SHAFFER: That's correct.
22 And the rea -- the reason for that is I was using in
23 the market valuation Manitoba Hydro's cash flows, as
24 well as Manitoba Hydro's estimate of the residual
25 value. And then I took all of that, as is fairly

1 common in benefit cost practice, and discounted it as
2 weighted average opportunity cost of capital.

3 MR. BYRON WILLIAMS: Am I correct for
4 the non-Hydro assets that you would have used a
5 discount rate of 6 percent throughout the period that
6 you had considered?

7 DR. MARVIN SHAFFER: The non-Hydro
8 assets?

9 MR. BYRON WILLIAMS: Yeah.

10 DR. MARVIN SHAFFER: I -- I'm not sure
11 which assets you're referring to.

12 MR. BYRON WILLIAMS: Gas.

13 DR. MARVIN SHAFFER: I used --

14 MR. BYRON WILLIAMS: So -- so -- just
15 so I understand, sir, and if I'm interrupting, I -- I
16 understand you did the -- this analysis employing the
17 5.05 percent discount rate for Hydro assets.

18 In terms of the other assets analyzed,
19 would you have -- for example, for the All Gas Plan
20 would you have used a 6 percent discount rate all the
21 way through?

22 DR. MARVIN SHAFFER: No, the -- the
23 residual asset value looked at the value of the assets
24 to Manitoba Hydro in all of the plans. And they were
25 based on the projections beyond 2047 of -- of relative

1 costs that Manitoba would face and -- and revenues it
2 would receive. All of that was discounted back at
3 5.05. And then the differences between the All Gas
4 and the others were -- were used to identify the
5 relative asset value.

6 MR. BYRON WILLIAMS: Okay. And --

7 DR. MARVIN SHAFFER: Residual asset
8 value in that year, which then became my set of cash
9 flows, if you like, except that was a positive one at
10 the end of the period for the Preferred and other --
11 other plans.

12 MR. ED WOJCZYNSKI: Yes, in the
13 economic evaluation we calculated the residual value
14 for the different assets all using the same
15 techniques.

16 MR. BYRON WILLIAMS: Okay. That's --
17 and I had just misunderstood the reference. And I
18 thank you for that clarification.

19 Mr. Wojczynski, back to you for just a
20 -- a moment. At Exhibit 129-7, slide 7...

21

22 (BRIEF PAUSE)

23

24 MR. BYRON WILLIAMS: Mr. Wojczynski, I
25 -- I know you've got this slide memorized, but you're

1 discussing Pathway 5 and its potential implementation.

2

3 That ring a bell, sir?

4 MR. ED WOJCZYNSKI: I dream about
5 Pathway 5.

6 MR. BYRON WILLIAMS: Um...

7 MR. ED WOJCZYNSKI: I hate to say it,
8 all the other ones too. You do not want to have my
9 dreams.

10 MR. BYRON WILLIAMS: Your dreams are
11 unbiased then, sir.

12 MR. ED WOJCZYNSKI: I don't know if my
13 dreams are unbiased, but I take an engineering view of
14 all the plans. And I think my -- my views are not
15 biassed.

16 MR. BYRON WILLIAMS: Fair enough. You
17 mention here at .4 that -- about the importance of
18 deciding by early 2018 if you're building Conawapa for
19 2026.

20 Fair enough?

21 MR. ED WOJCZYNSKI: Yes.

22 MR. BYRON WILLIAMS: And for my
23 client's understanding, it would be important to
24 clarify, are you talking about the Province deciding
25 after getting independent advice from a tribunal, such

1 as the Public Utilities Board?

2 Is that what you're discussing here,
3 sir?

4 MR. ED WOJCZYNSKI: The decision on
5 whether Conawapa proceeds in 2018, I'm sure will
6 involve many steps. What I -- I cannot -- and one (1)
7 of those steps would involve Manitoba Hydro's planning
8 process, Manitoba Hydro's Executive Committee,
9 Manitoba Hydro's Board. And the provincial government
10 has to be involved one -- to approve it going forward,
11 and that involves the Treasury Board and everybody
12 else.

13 Whether or not the provincial
14 government at that time with the government of the day
15 decides to utilize an NFAT process, to advise it or
16 not, is something Manitoba Hydro can't comment on and
17 certainly doesn't have any information at this time.

18 MR. BYRON WILLIAMS: And -- and that's
19 -- I'm just trying to get my head around, for my
20 client's benefit, sir, the implication of an
21 endorsement by the Public Utilities Board of Plan --
22 or Pathway 5 if it, in its wisdom, chose to do so.

23 What you're suggesting to me and to my
24 client is that an endorsement of Pathway 5 might
25 involve a pathway where there wasn't any further need

1 for an alternative analysis at a point in time when
2 more information relevant to the merits of Conawapa
3 was available?

4 MR. ED WOJCZYNSKI: Well, that's a
5 good question and deserves a good answer. And the
6 answer, and I think all the questions are good, but
7 it's one that is not as obvious as some of the others,
8 so let me be careful in answering it.

9 First of all, Manitoba Hydro is quite
10 aware that for a decision out in 2018 or the end of
11 2017, that whole timeframe, that given the
12 uncertainties that -- to have an unqualified
13 endorsement and that -- and let me exaggerate to make
14 the point, to say, no matter what happens, Conawapa
15 should proceed, and we agree that that is not
16 something Manitoba Hydro's asking for or looking for.

17 And -- but something that is more along
18 the line of -- if the trajectories of economics are
19 not significantly adverse compared to what we're
20 looking at and if some of the positive upsides happen
21 as we expect will happen with some of this additional
22 sales and that -- then that it would be reasonable for
23 Conawapa to proceed.

24 I think something in that realm would
25 be what Manitoba Hydro would reasonably be looking for

1 this panel to be commenting on. We recognize, Mr.
2 Chair and panel, that given there are a few years to
3 go, a totally unqualified endorsement is -- is not
4 something that would be reasonable to -- to ask for.

5 But to give an indication of the
6 reasonability or proceeding in the more positive
7 portion of the -- the circumstances that happen and
8 can happen in the future, I think would be something
9 that would be reasonable and -- and Manitoba Hydro is
10 looking for.

11 MR. BYRON WILLIAMS: Mr. Wojczynski, I
12 always think the best questions are the ones where you
13 say 'yes' or 'no', but that was actually a very
14 thoughtful answer and my client thanks you.

15 Mr. Wojczynski, have you had the
16 opportunity to read the evidence of Dr. Higgin on
17 behalf of CAC (Manitoba), sir?

18 MR. ED WOJCZYNSKI: I have gone
19 through Dr. Higgin's, Dr. Harper, and a few other
20 thousand pages, and so I have read it. I have to tell
21 you I -- I couldn't right now repeat all the things
22 that are in there, but why don't we go down the road.

23 MR. BYRON WILLIAMS: Yeah, and would
24 only for a couple moments, sir. And obviously CAC
25 brings in independent experts and they -- it's not

1 implicit that they will necessarily endorse everything
2 the independent experts bring forward.

3 You understand that?

4 MR. ED WOJCZYNSKI: Yes.

5 MR. BYRON WILLIAMS: But, I'll -- I'll
6 -- I'll try and refresh your memory and ask you to
7 accept, subject to check, that Dr. Higgin suggests
8 that if -- with the caveat, I guess, that the -- the
9 Keeyask would have to cle -- clear environmental
10 analysis; that if Keeyask did proceed, that the -- we
11 sho -- should, in -- in essence, almost hit a reset in
12 terms of the integrated resources planning and -- and
13 have Manitoba Hydro come in at a -- a later date to --
14 through an NFAT process to justify its next preferred
15 step.

16 And I wonder if you have any comments
17 on the logistics or the merits of Dr. Higgin's
18 suggestion?

19 MR. ED WOJCZYNSKI: Well, first of
20 all, I -- I do know and recall there is that school of
21 thought. Secondly, there's logistics and merits.

22 In terms of logistics, the first thing
23 one can talk about is timing. The current schedule we
24 have for Conawapa-2026 does not envisage a -- a -- at
25 least the schedule we've been working with does not

1 envisage another NFAT. That's not to say something
2 couldn't be done in that time frame, but -- and I'm --
3 I'm going to be very respectful here, it's -- it's --
4 and I'm not going to be -- it's not a complaint, it's
5 a statement of fact: Any public NFAT process that has
6 the quality and depth and intensity and wide-coverage
7 that we are engaged in here today is a -- is a major
8 undertaking of time and resources for the Corporation
9 and for the others involved and could not just be
10 easily inserted in the current schedule we're working
11 with for 2026. So from a timing and logistical point
12 of view, I think that's quite pertinent.

13 Now, if Conawapa was done later,
14 there's more time in the schedule and more room to do
15 such things, so that's -- that's, I think, a -- an
16 obvious fact, but one worth stating.

17 In terms of merit, I hesitate to say
18 much because a decision on whether or not such a
19 process should be undertaken is really a government
20 decision. A policy decision, as we all know, the
21 legislation does not require such a thing, whether
22 it's the PUB Act or the Manitoba Hydro Act, it's a --
23 and an -- and governments of the -- the various
24 governments we've had, it's been a policy decision
25 when there are these major decisions that there be

1 some sort of process.

2 A difference in Conawapa compared to
3 the previous Conawapa in 1990, compared to Wuskwatim
4 in 2004, compared to Limestone and D602F, the line --
5 500 kV line going to Minneapolis twenty-five (25)
6 years ago was, that we did not have at that time any
7 prior assessment of an NFAT nature publically;
8 whereas, in the case of this Conawapa, we will have
9 had the benefit of this process. So it is a -- is it
10 a -- it is a different situation.

11 In terms of the suggestion of Dr.
12 Hibbin -- Higgins (sic) that we have a reset on the
13 integrated resource planning process, what I can say
14 is that Manitoba Hydro certainly will be doing -- as
15 part of its ongoing resource planning process, will be
16 doing what one could call a reset -- t may not be
17 exactly the reset Dr. Higgins referred to -- that we
18 will be, as we have discussed many a time, we will be
19 having our new DSN plans, our new export prices, the
20 results of the negotiations, everything else under the
21 sun, and we will be reassessing Conawapa annually in
22 the light of that.

23 I -- I should caution that it wouldn't
24 be this summer, because our whole schedule is going to
25 be running late, and this year's resource plan is

1 really the NFAT process, and the outcome from the PUB
2 and the Government. So, we're really talking about
3 next year undertaking of another thorough evaluation.
4 So there will be updated planning done with --
5 considering Conawapa, considering other options,
6 considering all the appropriate possibilities.

7 What process aside from the internal
8 Manitoba Hydro process would be required, whether it's
9 a full scale NFAT, whether it's something less than
10 that, that -- that would have to be ultimately a
11 government decision. And -- but it -- it would surely
12 take into account the fact that we've had this process
13 here at this point in time.

14 MR. BYRON WILLIAMS: Thank you. Ms.
15 Anderson, I want to take you back to your opening
16 statement on -- on day 1 of this presentation. And I
17 believe you your -- used words to the effect that:

18 "This is not to say as we testified,
19 for example, at this Commission's
20 hearing on Bipole III, that we
21 achieved all of our goals, or that
22 the terms of the limited partnership
23 or adverse effects agreement, are
24 fully consistent with all of the
25 things we might like to have had

1 included, or for that matter, that
2 all of the potential impacts on our
3 lives will have been defended,
4 mitigated, or compensated."

5 Ms. Anderson, do those words sound
6 familiar?

7

8 (BRIEF PAUSE)

9

10 MS. KAREN ANDERSON: Yes.

11 MR. BYRON WILLIAMS: Could I ask you
12 to elaborate on the last part of that statement, that
13 you're -- you're not suggesting that all of the
14 potential impacts on our lives will have been
15 defended, mitigated, or compensated.

16 Is there anything you wish to add to
17 that?

18 MS. KAREN ANDERSON: Yes, I'm just
19 looking for my -- my statement.

20

21 (BRIEF PAUSE)

22

23 MR. BYRON WILLIAMS: Ms. Anderson, if
24 you're -- if you're having trouble locating, I don't
25 have your statement but I do have a statement from Mr.

1 Neepen (phonetic) --

2 MS. KAREN ANDERSON: Yeah.

3 MR. BYRON WILLIAMS: -- from the EIS,
4 which is very similar, if that would help.

5

6 (BRIEF PAUSE)

7

8 MS. KAREN ANDERSON: Okay. So you
9 want me to elaborate on the last part of that
10 sentence?

11 MR. BYRON WILLIAMS: If you choose.

12 MS. KAREN ANDERSON: So for the first
13 time, Fox Lake is a partner in this project. And --
14 or in a project. I think -- that this is our first
15 experience, and going forward we have said that, you
16 know, the agreements were not fully perfect; they were
17 negotiated. And in my statement I also said that
18 throughout the negotiations the negotiators -- you
19 know, they compromised on some areas, and they -- they
20 won in some areas.

21 But going forward, like, we have the
22 ability in our agreements to make changes to our
23 programmings. But again, it's the first time we've
24 had this type of agreement and, you know, we're going
25 to learn from it.

1 And we're going to take the -- the
2 opportunity to run the programs and then, you know,
3 monitor them to see if they're effective. And -- you
4 know, and it will be our choice to make changes to
5 those programs if needed, so I'm not saying that every
6 -- every situation can be mitigated or defended,
7 compensated.

8 Like every -- every member has their
9 own experience, and be it where they -- excuse me, be
10 it their experience on the land or be it their
11 personal experience, so it's a collective -- the
12 agreement that was agreed to and was accepted by our -
13 - our members. Thank you.

14 MR. BYRON WILLIAMS: Ms. Anderson, I'm
15 going to ask a couple follow-up questions to you, and
16 also to Mr. Bland. If -- Ms. Anderson, you -- you
17 heard a conversation over the last couple days between
18 the Chair and Manitoba Hydro regarding transmission
19 lines and any agreements with affected communities.

20 Does your community, your First Nation,
21 have any perspective on whether transmission lines
22 impacting traditional lands should involve some sort
23 of agreement, whether adverse effects, or otherwise?

24

25 (BRIEF PAUSE)

1 MS. KAREN ANDERSON: Sorry, could you
2 just repeat that again? I just want to make sure I
3 heard it clear.

4 MR. BYRON WILLIAMS: I'm going to my
5 very best, Ms. Anderson, but -- there's been a
6 discussion over the last couple days in terms of
7 transmission lines.

8 You -- you recall that, Ms. Anderson?

9 MS. KAREN ANDERSON: Yes.

10 MR. BYRON WILLIAMS: Does your First
11 Nation have any perspective on whether transmission
12 lines impacting traditional lands should involve some
13 sort of agreement, whether adverse effects, or -- or
14 otherwise?

15 MS. KAREN ANDERSON: I think many of
16 our members will be impacted by the transmission
17 lines. And as I -- you know, due to that they're
18 going to be losing a part of their resource area and
19 part of -- you know, destruction of their cultural
20 activities, their traditions. And, yeah, I believe
21 that -- that there should be some type of discussions
22 on the compensation of that loss.

23 MR. BYRON WILLIAMS: Thank you. Mr.
24 Bland, do you have anything you'd -- you'd like to
25 offer, sir?

1 MR. TED BLAND: I would say if -- it
2 depends on what type of adverse effects it is. We are
3 currently still in negotiation with Manitoba Hydro, so
4 we haven't been able to, you know, specifically
5 identify or come to an agreement on -- on anything
6 specific yet, so.

7 MR. BYRON WILLIAMS: And, Mr. Bedford,
8 I -- I don't see Mr. Spence. And -- and I -- I'm just
9 offering if -- if Mr. Spence wishes to response to
10 that question, our client CAC (Manitoba), is inviting
11 him to if -- if he chooses to. Is -- you'll bring
12 that up with him and --

13 MR. DOUGLAS BEDFORD: Thank you. I'll
14 followup with him at the break. Mr. Spence, I know,
15 has been dealing with an urgent family matter during
16 the night and for a period this morning, and I expect
17 that that's drawing his attention at the moment. And
18 I'm sure we'll -- all of us who are parents will know
19 that a father's first obligation is to his children.

20 MR. BYRON WILLIAMS: And -- and
21 certainly, Mr. Bedford, and Hydro, you understand I --
22 I just wanted to make sure he had the opportunity to
23 respond.

24

25

1 CONTINUED BY MR. BYRON WILLIAMS:

2 MR. BYRON WILLIAMS: Just to finish
3 up, I have a couple more questions for Mr. Wojczynski
4 and Ms. Pachal. And then one (1) or two (2) questions
5 about shadow-pricing for you, Dr. Shaffer.

6 Just turning, if we could, to CAC
7 Exhibit 45-8, Tab 5, page 43. Ms. Pachal or Mr.
8 Wojczynski, whoever chooses to answer. Do you need a
9 moment?

10

11 (BRIEF PAUSE)

12

13 MR. BYRON WILLIAMS: I thought you
14 might have some notes.

15

16 (BRIEF PAUSE)

17

18 MR. BYRON WILLIAMS: Ms. Pachal,
19 you'll agree with me that -- or you'll agree that this
20 is a -- an excerpt from the Bipole III report of the
21 Clean Environment Commission?

22 MS. SHAWNA PACHAL: Yes.

23 MR. BYRON WILLIAMS: And --
24 recommending that Hydro, in cooperation with the
25 Manitoba government, conduct a regional cumulative

1 effects assessment for all Hydro projects and
2 associated infrastructure in the Nelson River
3 watershed, agreed?

4 MS. SHAWNA PACHAL: Yeah, I think this
5 was covered extensively at the CEC and in the motions
6 prior to the CEC and throughout the CEC. So --

7 MR. BYRON WILLIAMS: Yes.

8 MS. SHAWNA PACHAL: -- this is a topic
9 that has had significant discussion.

10 MR. BYRON WILLIAMS: Indeed. And the
11 recommendation, of course, of the Clean Environment
12 Commission was that it be undertaken prior to the
13 licensing of any additional projects, agreed?

14 MS. SHAWNA PACHAL: Agreed.

15 MR. BYRON WILLIAMS: And you were kind
16 enough in the course of the CEC proceeding to provide
17 an update on the status of the work in terms of the
18 regional cumulative effects assessment.

19 You recall that?

20 MS. SHAWNA PACHAL: I do.

21 MR. BYRON WILLIAMS: And to -- to cut
22 to the chase, my recollection is, and I'll ask you to
23 confirm, that there was going to be a preliminary
24 baseline document provided at the midpoint of 2014,
25 and that a final document would be in play for October

1 of 2015.

2 Was that your -- is that your
3 recollection?

4 MS. SHAWNA PACHAL: Yes.

5 MR. BYRON WILLIAMS: And are we still
6 on that approximate schedule, Ms. Pachal?

7 MS. SHAWNA PACHAL: Yes.

8 MR. BYRON WILLIAMS: Mr. Brandson --
9 I'll come back to you in a -- in a second. But, Mr.
10 Brandson, I have not asked you many questions, and I
11 apologize for that. But, to your knowledge, has a
12 regional cumulative effects assessment been pre --
13 previously undertaken in the Province of Manitoba at -
14 - at this level?

15 MR. NORMAN BRANDSON: Not to my
16 knowledge, no.

17 MR. BYRON WILLIAMS: And, Mr.
18 Wojczynski, I have three (3) just follow-up questions
19 for you on this; or certainly Ms. Pachal. Whoever.

20 To Hydro's understanding, is it
21 proposed that there be a public independent review of
22 the regional cumulative effects assessment?

23 MS. SHAWNA PACHAL: As I explained at
24 the CEC, the -- a couple comments. First of all, the
25 regional cumulative effects assessment was -- is being

1 done cooperatively with Manitoba. We're underway
2 doing that. We expect, as Mr. Williams said, to have
3 the first phase done by June this year which will
4 provide us with all the studies and all the
5 information we've ever collected in terms of that
6 area, the study area.

7 We also don't anticipate for -- with
8 respect to Keeyask that it is going to tell us
9 anything new, given that with Keeyask we did a
10 regional cumulative effects assessment associated with
11 Keeyask. We considered all past projects and impacts,
12 and then the impact associated with Keeyask, and then
13 the impacts associated with adding on other projects
14 in that vicinity, Conawapa or portions of Bipole, et
15 cetera.

16 So we don't believe that there will be
17 any additional information that a regional cumulative
18 effects would -- assessment would provide us that we
19 don't already have for Keeyask.

20 MR. BYRON WILLIAMS: Okay. And -- and
21 we'll certainly -- may agree to disagree on -- on that
22 point, Ms. Pachal. But I believe my question was --

23 MS. SHAWNA PACHAL: Yes, sorry, Mr.
24 Williams. And the second part, yeah, in terms of your
25 -- your question, is we do anticipate in Phase 2 some

1 sort of process of having the material publically
2 reviewed. We're just working through the details with
3 that with the province of what does that look like and
4 who are the people reviewing it. And so that -- that
5 discussion is currently taking place.

6 But as you know, that's not due until
7 October 2015, and our main focus has been getting the
8 first Phase 1 done by this June.

9 MR. BYRON WILLIAMS: And without in
10 any way wishing to be argumentative...

11 MS. SHAWNA PACHAL: I'm glad you
12 didn't say that with a straight face because that
13 would have been very hard to not comment on.

14 MR. BYRON WILLIAMS: Mani -- Manitoba
15 Hydro's perspective is that a completed assessment is
16 not required prior to Keeyask licensing?

17 MS. SHAWNA PACHAL: Yeah, we believe
18 that there'd be nothing -- there'll be nothing
19 additional given that for the Keeyask assessment --
20 environmental assessment, we did a cumulative effects
21 assessment of the region of all the historical past
22 effects, adding Keeyask into that; and then looking at
23 what will come after Keeyask, potentially Conawapa and
24 parts of the Bipole, et cetera. So we've already done
25 that for this particular project.

1 So we do not believe it will provide us
2 with any additional information since we've already
3 done an extensive cumulative effects assessment, which
4 is what the CEC is in fact -- will be assessing. And
5 when they provide their report they'll be -- they'll
6 be commenting on that, I'm certain.

7 MR. BYRON WILLIAMS: Is there anything
8 in the public domain from the Minister of Conservation
9 confirming that licensing for Kee -- Keeyask can
10 proceed in the absence of -- of the ongoing regional
11 cumulative effects assessment?

12 MS. SHAWNA PACHAL: Not to my
13 knowledge.

14 MR. BYRON WILLIAMS: Mr. Wojczynski, I
15 had all sorts of questions for you on lake sturgeon.
16 We're not going to have time to get to them, and I'm
17 sure we're both disappointed.

18 MR. ED WOJCZYNSKI: I actually love
19 lake sturgeon. I wouldn't -- I am disappointed.

20 MR. BYRON WILLIAMS: And I'm obsessed
21 with them, sir, as well, so that would have been fun.
22 Maybe we'll go out for a pop, or something, and -- and
23 have that -- that discussion offline.

24 And, Mr. Wojczynski, my client
25 understands Hydro's perspective on fish ways. We --

1 we understand the position you're taking. What I'm
2 interested in --

3 MR. ED WOJCZYNSKI: I -- I would have
4 to add that it's not just Manitoba Hydro's position.
5 It's what Manitoba Hydro and the partners, and
6 Manitoba Conservation and Water Stewardship, and
7 Department of Fisheries Oceans (sic), scientists, and
8 people responsible all agree after years of
9 discussion, investigation, modelling, and interaction,
10 including field studies.

11 So it -- it's just -- not just Manitoba
12 Hydro's position; it's a statement of -- of the
13 current status of where the various entities have
14 landed.

15 MR. BYRON WILLIAMS: Sir, there's
16 going to be an ongoing three (3) year study in terms
17 of these issues.

18 Would that be fair?

19 MR. ED WOJCZYNSKI: There will be
20 studies on sturgeon in the Lower Nelson River. On the
21 Keeyask area I would suggest much beyond three (3)
22 years. We have a twenty (20) year program with our
23 Cree partners and with Manitoba Conservation where
24 we'll be funding -- Manitoba Hydro is funding
25 research, monitoring, public education programs, and

1 there will be various stewardship initiatives as
2 agreed amongst ourselves.

3 And, so it's -- I -- I would suggest
4 twenty (20) years as a starting point, and we expect
5 the populations will increase in that time. And at
6 the end of the twenty (20) years we have a commitment
7 with our partners that if the populations -- if it
8 warrants, we will renew our commitment to go beyond
9 that. Thank you.

10 MR. BYRON WILLIAMS: Okay. And I'm
11 doing my best not to get into the -- the issues, sir.
12 In terms of the potential cost of a fish way, just if
13 we get there, sir -- and if you need a reference I'm
14 referring to page 353 of the technical conference,
15 sir.

16 MR. ED WOJCZYNSKI: I have it open.
17 You kindly gave me a heads-up, so I appreciate that.

18 MR. BYRON WILLIAMS: And then -- and -
19 - and just so -- there's a bit of a conversation
20 there, and then if you can just refresh my memory,
21 but were the figures -- we'll come back to that
22 statement in a moment -- but were the figures used by
23 Meyers, Norris, and Penny a range between 12 and 50
24 million?

25 Does that ring a bell, sir?

1 MR. ED WOJCZYNSKI: It does, yes.

2 MR. BYRON WILLIAMS: And in the
3 technical conference at page 353, Mr. -- at lines 14
4 to 15, Mr. Bowen is being -- offering a little broader
5 range, 1 to \$300 million range?

6 Do you see that, sir?

7 MR. ED WOJCZYNSKI: Yes, as you would
8 suggest Mr. Bowen was speaking rather loosely based on
9 the broad range of possibilities. To be honest about
10 it, a physical fish passage to my -- unless you're
11 talking about a micro-dam we would never get one for 1
12 million. You -- you could get something that was a
13 very -- I'm trying to find -- a very basic minimal
14 capture and truck arrangement where someone goes out
15 in a 10 foot aluminum -- well, 12 -- 12 -- 14 foot
16 aluminum boat and catches the fish, and then puts it
17 in his pickup truck.

18 But -- and the 300 million, there have
19 been worldwide fish passage arrangements that would
20 have cost in that order. We have done a lot of work
21 with the North -- North American leading consultants,
22 and there have been some that have been in that order
23 of magnitude, particularly when it's salmon who need
24 to migrate because that's the nature of the fish.
25 Sturgeon don't have an intrinsic need to migrate; what

1 they have an intrinsic need for is to have, for their
2 different portions of their life cycle, that is
3 spawning, young-of-year, and juvenile/adult, that they
4 have the right habitat. And if they have that in a
5 stretch of the river, they don't need to intrinsically
6 migrate like salmon.

7 So the \$300 million kind of variety is
8 -- is the conclusion of everybody, not something that
9 would be in the range of what Keeyask would need or, I
10 suggest, Conawapa, and that the 12 to 50 range that
11 MMP concluded would seem to be a reasonable range.

12 MR. BYRON WILLIAMS: Thank you.
13 That's what I was looking for, sir.

14 MR. ED WOJCZYNSKI: That was a yes.

15 MR. BYRON WILLIAMS: It didn't seem
16 like one, but thank you for that.

17 Dr. Shaffer, just a couple questions
18 for you, sir. In your much-loved and much-thumbed-
19 through Multiple Account Benefit Cost Analysis 2010,
20 you'll recall that you do discuss various alternatives
21 to evaluate options with two (2) main alternatives
22 being either a weighted average social opportunity
23 cost of capital, or a hybrid shadow pricing approach.

24 Would that be fair, sir?

25 DR. MARVIN SHAFFER: Yes. You're

1 talking now about giving appropriate weight to a
2 stream of cash flows or benefits and costs into the
3 future, yes.

4 MR. BYRON WILLIAMS: Yes. And just so
5 -- so that I can understand what you mean, sir, by
6 "shadow pricing" in this context, would I be correct
7 in describing a hybrid shadow pricing approach -- in -
8 - in suggesting to you that the essence of this
9 approach is to convert all benefits and costs to
10 potential consumption opportunities, and then to
11 discount these consumption opportunities at a time
12 preference rate?

13 DR. MARVIN SHAFFER: That's correct.

14 MR. BYRON WILLIAMS: And I'm not
15 asking you to weigh in on the relative advantages and
16 strengths of one (1) versus the other, but would it be
17 fair to say that one (1) advantage of the hybrid
18 shadow pricing approach is its explicit recognition of
19 when and how one should take into account the social
20 opportunity cost of capital?

21 DR. MARVIN SHAFFER: That's correct.

22 MR. BYRON WILLIAMS: Okay. I've had a
23 bit of a du -- discussion on this subject with Dr.
24 Borison as well, so I -- I just wanted to confirm --

25 DR. MARVIN SHAFFER: Fair enough. No,

1 you -- you're -- you're expressing it correctly. It -
2 - it is -- it does have advantages, the -- that hybrid
3 approach. The -- basically, what you do is you -- you
4 try to convert all benefits and costs to recognize
5 which benefits and costs might displace productive
6 investments. And you use the productivity of those
7 investments to -- to change that benefit or cost into
8 a stream of goods that could be produced. And then
9 you discount -- now that you've converted everything
10 into common units, call them consumption
11 opportunities, you can then discount at a time
12 preference rate.

13 And I can say that it's a recommended
14 approach, but it's not generally applied because its
15 very advantage is its disadvantage. It's very
16 specific as to when you try to shadow price benefits
17 or costs, but then exactly how you do that, and for
18 what benefits and costs, and at what rates for what
19 time periods is very difficult.

20 And -- and, also, it's not well
21 understood or well accepted. It's -- it's not
22 something I would say is commonly applied, though if -
23 - if what you're asking me, Is it a respected, well-
24 regarded approach: it is.

25 MR. BYRON WILLIAMS: Okay. I thank

1 you, and Mr. Chair, I appreciate the patience of Hydro
2 and of the witnesses from its -- its partners, and
3 also my colleagues for loaning me some of their --
4 their time and the Board's indulgence. Thank you very
5 much.

6 THE CHAIRPERSON: Thank you, Mr.
7 Williams. I wonder if Mr. Gange, you would be
8 prepared to address the witness?

9 MR. WILLIAM GANGE: We're ready to go.
10 I think maybe if we had a five (5) minute recess, I
11 can hand out some stuff to Mr. Simonsen, and -- and I
12 think that the panel is going to change somewhat.

13 THE CHAIRPERSON: Okay, let's take
14 five (5) then.

15 MR. DOUGLAS BEDFORD: I -- I have one
16 (1) -- one (1) question on re-direct.

17

18 RE-DIRECT EXAMINATION BY MR. DOUGLAS BEDFORD:

19 MR. DOUGLAS BEDFORD: Ms. Kidd-
20 Hantscher, having listened to the cross-examinations
21 to date, particularly Mr. Williams, it's clear that
22 there is some concern that the predictions for
23 Aboriginal employment that are being made in the NFAT
24 materials may prove in the event to be too optimistic.
25 And some of the reasons for having that concern arise

1 out of the experience that Manitoba Hydro now has had
2 with the Wuskwatim project.

3 So looking now at the Wuskwatim project
4 and specifically the most concerned First Nation that
5 was engaged on that project, the Nisichawayasihk Cree
6 Nation, could you please tell us what the experience
7 of employment of members of the Nisichawayasihk Cree
8 Nation was on Wuskwatim, being mindful of the
9 predictions that were made up to 2006, and what the
10 ultimate experience was when work was finished in
11 2012?

12 MS. JANE KIDD-HANTSCHER: Yes, I can
13 do that. So when we were talking this morning about
14 the -- the addendum to the Deloitte analysis it
15 stopped at breaking it down under northern Manitoba
16 Aboriginals, but of course we do have the information
17 for NCN.

18 And what's important -- or a few
19 statistics is that the EIS predicted about a hundred
20 and twenty-four (124) to a hundred and seventy (170)
21 person years of employment for NCN members, so our
22 partner on that project. We ultimately achieved three
23 hundred and twenty-five (325) person years of
24 employment for that one (1) community, which
25 represents 9 percent of the total person years on the

1 project.

2 So it's -- those were significant
3 numbers, more significant probably from the standpoint
4 that that's fifty-five (55) -- that's the equivalent
5 of fifty-five (55) people working full-time for six
6 (6) years from that community and over a 10 percent
7 increase in terms of the number of people employed
8 from Nelson House.

9 So it's a significant impact and -- you
10 know, for our -- our partner on that project. And in
11 terms of hires on the project, NCN had six hundred and
12 fifty (650) of the six thousand (6,000) hires, which
13 again was over 10 percent of the total hires on the
14 project. Thank you.

15 THE CHAIRPERSON: Thank you. I
16 believe that's all we need to do for the time being.
17 Let's take five (5) minutes, then. Thank you.

18

19 --- Upon recessing at 1:57 p.m.

20 --- Upon resuming at 2:08 p.m.

21

22 THE CHAIRPERSON: I believe that we're
23 ready to resume the proceedings. So I -- unless we
24 have some matters to attend to, Mr. Bedford, please.

25 MR. DOUGLAS BEDFORD: I have two (2)

1 undertakings to enter. The first one (1) is my
2 client's response to undertaking number 3. It's to be
3 entered as Manitoba Hydro Exhibit Number 135. For
4 those of you who have no recollection of what that's
5 all about, it is a disclosure of what dependable
6 energy is available for sale by Manitoba Hydro for
7 long-term fixed contracts relative to the total
8 dependable energy that it is able to produce.

9
10 --- EXHIBIT NO. MH-135: Disclosure of what
11 dependable energy is
12 available for sale by
13 Manitoba Hydro for long-
14 term fixed contracts
15 relative to the total
16 dependable energy that it
17 is able to produce

18
19 MR. DOUGLAS BEDFORD: That obviously
20 is a revelation of some commercially sensitive
21 information. And accordingly, the actual disclosure
22 of the information, I'm advised, has been provided to
23 the Board's counsel in confidence.

24 And the second undertaking is Manitoba
25 Hydro's response to Undertaking number 40. It will be

1 entered as Manitoba Hydro Exhibit number 136.

2

3 --- EXHIBIT NO. MH-136: Response to Undertaking 40

4

5 MR. DOUGLAS BEDFORD: And again, for
6 those who don't remember what this was about, it is an
7 explanation from my client as to the difference
8 between the winten -- wind integration costs that were
9 shown in Appendix 9.3 to the NFAT filing. And those
10 that are shown in a document -- an Information Request
11 that bears the title:

12 "La Capra Associate/Manitoba Hydro
13 First Round of Information Requests-
14 308."

15 And this particular exhibit actually
16 provides some amounts and an explanation. And I'll
17 leave it to people to read at this leisure in due
18 course. Thank you.

19

20 (BRIEF PAUSE)

21

22 THE CHAIRPERSON: Thank you, Mr.
23 Bedford. Mr. Gange, please.

24 MR. WILLIAM GANGE: Thank you, Mr.
25 Chair.

1 CROSS-EXAMINATION BY MR. WILLIAM GANGE:

2 MR. WILLIAM GANGE: If we could call
3 up -- this -- Mr. Wojczynski, this is something that
4 you and -- and Dr. Miller and I and Ms. Flynn have
5 been talking about for a couple of weeks now. And --
6 and you'll recall that during the remarks by Mr.
7 Thomson I had asked him to assume that Keeyask would
8 be used solely for export sales and what would the
9 effect of that be.

10 And Mr. Thomson had said, as you can
11 see in lines 16 through 22, that -- well, he ended up
12 saying, "I think they'd be wildly successful and
13 profitable." And so we've been talking about getting
14 some figures to put to that. And you and I and Dr.
15 Miller have discussed Manitoba Hydro providing an
16 undertaking.

17 And we've -- we've had discussions
18 about what Manitoba Hydro is already doing to the --
19 I'm just going to put on the record what Green Action
20 Centre would like. And you can advise the Board
21 whether or not you can actually fulfill an undertaking
22 such as we are asking and to what degree.

23 And the first part was that -- the
24 first scenario would be that we would assume a flat
25 load and the existing contracts extended into the

1 future as per the Manitoba Hydro forecast assumptions
2 used for other scenarios.

3 So that's what -- that was the first
4 part of the undertaking that we would request. And I
5 believe that that part you've indicated that Manitoba
6 Hydro has -- has commenced working on?

7 MR. ED WOJCZYNSKI: Yes. And the one
8 (1) issue with that one is, as per discussion on
9 priorities, we are doing the -- working on the ones
10 for the fourth and the subse -- the other ones. And
11 so we're having to hold -- do those other ones before
12 we can do this one, but we have started and are well
13 underway on it.

14 MR. WILLIAM GANGE: Okay. And --

15 MR. ED WOJCZYNSKI: And we will
16 provide that.

17 MR. WILLIAM GANGE: The second part of
18 the undertaking that we've discussed is -- they're all
19 going to be one (1) -- or part of one (1) undertaking.
20 And Mr. Wojczynski is going to advise the chair which
21 parts of the undertaking can be fulfilled. Yeah. So
22 it -- so it'll all be one (1) undertaking. And then
23 see if it -- if it works out.

24 As -- as the second part of the
25 undertaking, assuming a flat load -- a 750 megawatt

1 intertie and the existing and new contracts extended
2 into the future, what would the profit -- the net --
3 pardon me, the net present value be in that
4 circumstance?

5 The third part -- do -- do you -- do
6 you want to respond to that, Mr. Wojczynski?

7 MR. ED WOJCZYNSKI: Sorry, I -- I --
8 could you repeat number 2 because I thought -- it
9 sounded to me the same as number 1, so I might have
10 missed something. What's the difference between
11 number 2 and number 1?

12 MR. WILLIAM GANGE: The difference
13 between number 1 and number 2 is with and without the
14 intertie. Number 1 was without the intertie, number 2
15 was with the intertie.

16 MR. ED WOJCZYNSKI: Sorry. Number 1
17 was always understood by us to be with the intertie.

18 MR. WILLIAM GANGE: Okay, that -- you
19 know what, that's -- that's fine. Then we'll -- just
20 one (1) -- one (1) second.

21 MR. ED WOJCZYNSKI: Okay.

22

23 (BRIEF PAUSE)

24

25 MR. WILLIAM GANGE: Thank -- thank

1 you, Mr. Wojczynski. Scrap the one without the
2 intertie. That's -- that's fine.

3 MR. ED WOJCZYNSKI: Okay, thank you.

4 MR. WILLIAM GANGE: Then what I had
5 said -- I'll now say, Number 2 as part of this
6 Undertaking, assuming a flat load, a 750 megawatt
7 intertie, assuming Keeyask and the existing and new
8 contracts to the extent of available dependable energy
9 into the future, what is the net present value?

10 MR. ED WOJCZYNSKI: I'm sorry. I'm --
11 I -- maybe I should have had another cup of tea at
12 lunch time. The second one that you just said now, is
13 flat load, 750 tie, Keeyask and the contracts -- you
14 know, those contracts extended -- that was your second
15 requirement? Isn't that the same as the first one? I
16 -- like, I'm loo -- let -- let's start -- let's start
17 again from the beginning.

18 MR. WILLIAM GANGE: Okay, Mr.
19 Wojczynski, we will, and -- and I'll -- Mr. -- I'll
20 just finish off, and then -- and then we can figure
21 out what the differences are.

22 MR. ED WOJCZYNSKI: Okay.

23 MR. WILLIAM GANGE: The fourth one
24 would be assuming a flat load, a 750 megawatt
25 intertie, assuming Keeyask and assuming Conawapa and

1 based on the existing and new contracts, what would
2 the net present value be?

3 And that's -- that's all of them.

4

5 (BRIEF PAUSE)

6

7 MR. ED WOJCZYNSKI: Luckily I have an
8 alert lawyer helping me here, so I'll see if I
9 interpreted it right based on his assistance.

10 Number 1 is flatload, 750, which is
11 common, existing and new contracts extended for the
12 firm dependable, and you want the NPV of that, but
13 without Keeyask.

14 And then you want the same but with
15 Keeyask. And then you want the -- the -- the sa --
16 the same but, thirdly, adding in Conawapa.

17 MR. WILLIAM GANGE: Yes, that's
18 correct.

19 MR. ED WOJCZYNSKI: Okay, so --

20 MR. WILLIAM GANGE: Thank -- thank
21 you, Mr. Bedford, for translating.

22 MR. ED WOJCZYNSKI: -- okay, so -- so,
23 using those numbers -- one (1), two (2), three (3) --
24 the new one (1), two (2), three (3) if -- we -- we
25 will take that under advisement to come back on what

1 we can do and the timing of that.

2 But based on my understanding at this
3 minute, it's number 2 that we're doing right now, and
4 -- and number 1 is -- actually, what we're doing is
5 number 2 minus number 1. We are getting what we are
6 providing as part per the original Undertaking is
7 number 2 minus number 1.

8 But why don't I take this away, we'll
9 discuss it and come back with a proper -- when are we
10 going to do this? Come back? I guess that would be
11 on the 4th. Oh, okay, we'll do that at the break
12 today.

13 MR. WILLIAM GANGE: Thank you very
14 much.

15 MR. ED WOJCZYNSKI: And get back after
16 the break.

17 MR. WILLIAM GANGE: Thank you, Mr.
18 Wojczynski. I appreciate that. Then if I can go to
19 page 2 of Exhibit GAC number 20-3, and page 2 of that,
20 thank you.

21 Mr. Hamlin, a question for you with
22 respect to this chart. The -- under "Gas" and under
23 "Wind" under -- in -- in the column "Air" it says,
24 five hundred (500) -- for -- for instance, under "Gas"
25 it says, 764 tonnes per gigawatt hour, and then -- and

1 then 509 tonnes per megawatt hour, and under "Wind" it
2 says, 13 tonnes per megawatt hour.

3 We've been operating on the assumption
4 that that's a typo?

5 MR. BILL HAMLIN: You are correct.
6 Those should -- the combined cycle gas turbine should
7 read 509 tonnes per gigawatt hour.

8 MR. WILLIAM GANGE: Okay. So all of -
9 - all of those references are per gigawatt hour, not
10 per megawatt hour?

11 MR. BILL HAMLIN: That's correct.

12 MR. WILLIAM GANGE: Thank you, sir.
13 And in looking at the columns Keeyask, Conawapa,
14 Transmission, Gas, and Wind, are the gigawatt hours --
15 or pardon me, is the -- is the greenhouse gas
16 reference that's made there pertaining to the
17 production of electricity?

18 MR. BILL HAMLIN: That's correct. The
19 production of electricity adjusted for losses for each
20 one.

21 MR. WILLIAM GANGE: Do they com -- do
22 they include embedded gigawatt -- or greenhouse gases?

23 MR. BILL HAMLIN: Those are on the
24 basis of life cycle analysis, so it would account for
25 all of the greenhouse gasses during the ext --

1 extraction of the raw materials, the processing, the
2 manufacture of components, the construction of the dam
3 and powerhouse, and ultimate decommissioning, as well
4 as the land use change implications.

5 MR. WILLIAM GANGE: Does it include
6 displacement?

7 MR. BILL HAMLIN: The displacement of
8 emissions that the electricity produces, no. No.
9 Those are the implications of the projects -- of -- of
10 the life cycle components of the projects. We account
11 for the emission displacements elsewhere.

12

13 (BRIEF PAUSE)

14

15 MR. WILLIAM GANGE: And -- and the
16 column with gas, does that include fuel emissions?

17 MR. BILL HAMLIN: That's correct. The
18 upstream -- the emissions associated with the upstream
19 extraction of natural gas and the losses during
20 transportation, all of those imp -- implications are -
21 - are included.

22 MR. WILLIAM GANGE: And what about
23 burning of the greenhouse -- or burning of the gas to
24 -- to generate the power? Is that included in there
25 as well?

1 MR. BILL HAMLIN: That is included
2 also.

3 MR. WILLIAM GANGE: Okay. The -- the
4 figure -- or the column DSM and the greenhouses
5 reduction of one million tonnes by 2027/2028, how is
6 that number arrived at?

7 MR. BILL HAMLIN: I am not sure. To
8 be consistent with the other answers, I would have
9 preferred that that column said something more like
10 the greenhouse gasses are assumed to be negli --
11 negligible rather than trying to account for the
12 displacement of emissions, which is not a part of the
13 other -- of the -- the other columns.

14 MR. WILLIAM GANGE: So that's the dis
15 -- or that is a distinction between the DSM and the
16 other five (5) columns?

17 MR. BILL HAMLIN: In this table.

18 MR. WILLIAM GANGE: Yes.

19 MR. BILL HAMLIN: Yes.

20

21 (BRIEF PAUSE)

22

23 MR. WILLIAM GANGE: And -- and in
24 reference to that, with respect to the displacement on
25 the greenhouse gasses, sir, is that in reference to

1 freeing up electricity to be exported to the United
2 States, thereby replacing fuel generated sources?

3 MR. BILL HAMLIN: That's correct.

4 MR. WILLIAM GANGE: Anything else in
5 that?

6 MR. BILL HAMLIN: It's the
7 implications of the generation outside of the --
8 outside of the borders of Manitoba. So what -- what
9 it could be displacing in our export markets, which
10 are dominated by the US, but it could also be
11 Saskatchewan, or Ontario.

12 MR. WILLIAM GANGE: And, sir, does it
13 include anything with respect to in Manitoba the
14 efforts of Centra Gas to be using and promoting more
15 efficient use of -- or, pardon me, the use of more
16 efficient furnaces?

17 MR. BILL HAMLIN: No, this is -- this
18 is strictly from the perspective of electrical
19 generation, and -- and what -- what contributes to
20 that.

21 MR. WILLIAM GANGE: Okay. Thank you.
22 I'm going to turn -- and, Mr. Hamlin, perhaps I -- I
23 think that you're the person that I want to ask these
24 questions of.

25 If you turn to page 6 of the book of

1 documents, you'll see that there's -- there was a
2 discussion between Dr. Grant and Mr. Wojczynski about
3 the fact that the greenhouse gas effects of hydro are
4 significantly less than wind.

5 MR. BILL HAMLIN: Yes, although I
6 would point out that the greenhouse gas profiles of
7 both types of resources are extremely low compared
8 with all of the other options.

9 MR. WILLIAM GANGE: Okay. We didn't
10 talk about this when -- when I was asking. Was that -
11 - that's the point that I want to make, that in fact
12 the -- the -- although Dr. Grant was correct that --
13 that the greenhouse gas profile of wind is five (5)
14 times greater than the hydro dam, the comparison of
15 wind and hydro to a natural gas turbine, both of them
16 are -- are almost statistically insignificant. Isn't
17 that correct, sir?

18 MR. BILL HAMLIN: There -- from a
19 greenhouse gas prospect, they're both excellent
20 resources.

21 MR. WILLIAM GANGE: Yes. The
22 calculation that I did was that, with respect to wind,
23 the -- the wind when compared to the seven sixty-four
24 (764) of -- of the single cycle gas turbine would be
25 about 1.7 percent of the output of the single cycle

1 gas turbine whereas the -- the hydro dam would be
2 about .32 percent.

3 So again, from my perspective,
4 statistically insignificant.

5 MR. BILL HAMLIN: I -- I can't talk to
6 the statistical significance but they're both --
7 they're both low emitting resources.

8 MR. WILLIAM GANGE: Yes, thank you.

9
10 (BRIEF PAUSE)

11
12 MR. WILLIAM GANGE: And if we could go
13 to 129-7, page 15. Mr. Wojczynski, this is part of
14 your presentation dealing with the -- the requirement
15 to reduce greenhouse gases and the worldwide priority
16 for dealing with climate change.

17 I'm not sure if you were present -- I
18 think that you were present when Dr. Miller was asking
19 some questions of -- of Dr. Murphy, and -- and if --
20 if you look at page 31 of our book of documents,
21 Professor Miller had put a quote from Nicholas Stern
22 which read that:

23 "Climate change is a result of the
24 greatest market failure the world has
25 seen. The evidence on the

1 seriousness of the risks from
2 inaction or delayed action is now
3 overwhelming. The problem of climate
4 change involves a fundamental failure
5 of markets. Those who damage others
6 by emitting greenhouse gases
7 generally do not pay."

8 You recall that -- that quote that Dr.
9 Miller had read to Dr. Murphy?

10 MR. ED WOJCZYNSKI: I'm familiar with
11 it, and I'm familiar with other statements by others
12 who have -- make the same and -- and I fully agree
13 with those statements.

14 MR. WILLIAM GANGE: And -- and the
15 comments that you had cited in your report of 129-7,
16 page 15, basically are going -- they're -- they're
17 stated in different language but the effect of it is
18 meant to be the same point, is it not, sir?

19 MR. ED WOJCZYNSKI: Yes, it is, and
20 it's also -- there was just -- Mr. Hamlin can probably
21 better -- position to remember the wording, but there
22 was a recent -- in the last few weeks, another recent
23 announcement from IPCC, the United Nations inter --
24 huge scientific consensus reports that -- indicating
25 the greater and greater certainty that it's people and

1 people's activities that are a major driver, if not
2 the major driver, of climate change.

3 MR. WILLIAM GANGE: Thank you. If I
4 could go to 129-6, the multiple accounts benefit cost
5 analysis. Page 2, Dr. Shaffer, you had mentioned that
6 the multiple account approach uses results dis-
7 aggregated by evaluation account?

8 DR. MARVIN SHAFFER: Yes.

9 MR. WILLIAM GANGE: And -- and I have
10 to acknowledge that I had to look up dis-aggregated in
11 the dictionary to figure out what the heck you were
12 talking about, but I think I've got it now.

13 The -- the point, though, that you're -
14 - you were referring to that -- that you have to break
15 these -- these situations into separate components.
16 And that's -- that's what -- what the whole multiple
17 account approach attempts to do?

18 DR. MARVIN SHAFFER: It's trying to
19 accommodate two (2) things. One (1), that not all
20 consequences can be monetized. And also, if you add
21 up all of the consequences and just look at a bottom
22 line, you might not fully appreciate or take into
23 consideration the different mix of consequences or
24 I'll call them distributional effects.

25 MR. WILLIAM GANGE: And would you

1 agree with me, sir, that -- that dis-aggregation, one
2 can -- it could be broken down --

3 DR. MARVIN SHAFFER: So --

4 MR. WILLIAM GANGE: -- further. And,
5 I mean, if one wanted to, you could keep going and
6 going and going?

7 DR. MARVIN SHAFFER: Absolutely. The
8 -- the way this is done is -- is -- depends on the --
9 the matters of most -- greatest significance or
10 priority in the analysis, yes.

11 MR. WILLIAM GANGE: Thank you. And if
12 I could go to the next page, page 3. One of the
13 evaluation accounts that you used was Manitoba Hydro
14 customer. And you said that:

15 "...consequences for customers rate
16 impacts in short versus long-term and
17 reliability."

18 That was one (1) of the ways that you
19 were looking at this dis-aggregation.

20 Is that correct, sir?

21 DR. MARVIN SHAFFER: That's correct.
22 And in -- in that particular case, what I was looking
23 at, leaving the reliability to the side but with
24 respect to rates, was the distributional consequence
25 that the Preferred Plan had with respect to rate

1 impacts in the short to medium-term versus rate
2 impacts in the long-term, which I thought would be
3 relevant to the consideration of the advantages and
4 disadvantages of different plans.

5 MR. WILLIAM GANGE: And would you
6 agree with me, sir, that -- that those rate impacts,
7 you've considered short versus long-term, but one
8 could also look at it in terms of rate impacts are
9 different for low income customers versus middle class
10 income customers versus upper income customers?

11 DR. MARVIN SHAFFER: You could -- the
12 -- the same rate impact issue arises. But what you're
13 -- what I think you're suggesting is the -- the
14 significance of a rate increase in the short-term may
15 be different for different customers, whether it's
16 industrial versus residential or different income
17 classes within residential.

18 MR. WILLIAM GANGE: Yes. And what I'm
19 making reference to is that -- is that the -- the
20 consequences to low income customers might be
21 significantly different than to high income customers.

22

23 Even though the rate goes up the same,
24 the -- the energy burden might be significantly
25 different depending upon your -- your level of income?

1 DR. MARVIN SHAFFER: Gen -- I agree.

2 Generally, a dollar of benefit or cost is going to be
3 more significant the lower one's income. There is
4 differences, of course, in the amount of consumption
5 between different income classes of customers, but I -
6 - I don't disagree with what you're saying.

7 MR. WILLIAM GANGE: And would you
8 agree with me, sir, that -- that under that scenario a
9 utility would have to consider greater mitigation
10 efforts for lower income customers?

11 DR. MARVIN SHAFFER: Well, I think
12 that's a separate matter from -- from this. I think
13 utilities and -- and regulatory bodies certainly
14 concern themselves with the issue you're raising, but
15 here we're talking about different plans and the plans
16 will -- would all entail rising rates. And the plans
17 would -- would have different consequences for
18 customers in -- in the first twenty (20) year time
19 period versus a longer time period.

20 So whatever those, you know,
21 distributional effects, you're con -- discussing now,
22 they -- they're taking place in all of the plans, and
23 if government wishes to look at what to do with the
24 consequence of rising energy prices on low income
25 families, or households, it has to do that in all of

1 the plans.

2 MR. WILLIAM GANGE: And -- and can you
3 say this, sir. Do any of the plans that have been for
4 -- put forward give to the government a greater
5 ability to deal with those issues?

6 DR. MARVIN SHAFFER: I -- I hesitate
7 to go down this road, but since you asked.

8 MR. WILLIAM GANGE: Don't -- it's a
9 high wire but go with it.

10 DR. MARVIN SHAFFER: You know, I -- I
11 think these are matters of government policy that they
12 have to deal with, but government does -- we do know
13 that the different plans generate different amounts of
14 -- of revenues for government.

15 So if -- if they chose to do so, they
16 could use those in ways to -- to mitigate rate
17 increases. They could use that in ways to -- to make
18 other investments. That -- I think it's a separate
19 policy question but, clearly, there are differences in
20 the impacts to the different plans to government.

21 MR. WILLIAM GANGE: And if we could go
22 to 129-7, page 4, so the -- for instance on this page,
23 Dr. Shaffer, the amount of the Preferred Development
24 Plan that's set out in this chart, I think that we've
25 looked at this chart on several different occasions

1 through this -- through the time that you've been
2 sitting there.

3 The -- the green line as I understand
4 it for the Preferred Development Plan for water rental
5 and capital tax looks like it would produce -- it's
6 projected to produce pretty close to double what the
7 other two (2) plans would result in. Is that correct,
8 sir?

9 DR. MARVIN SHAFFER: Yes, these --
10 these are the differences from the All Gas Plan.

11 MR. WILLIAM GANGE: Yes. And -- and --

12 DR. MARVIN SHAFFER: And this is
13 discounted -- this isn't the analysis. It's out of my
14 contribution to this effort, but it's a different
15 discount rate. But, yes.

16 MR. WILLIAM GANGE: So that -- again
17 as -- and -- and I understand that --

18 DR. MARVIN SHAFFER: That's fine.

19 MR. WILLIAM GANGE: -- you're not here
20 giving advice -- policy advice to the government, but
21 this is one way it -- it would appear that the
22 Preferred Development Plan does result in a
23 significant increase of money flowing into the
24 government coffers that would have to be used in some
25 way.

1 DR. MARVIN SHAFFER: We recognize that
2 in the analysis, that the Preferred Development Plan
3 generates more, and I would say incremental net
4 benefits for government, even conservatively estimated
5 and -- and calculated.

6 MR. WILLIAM GANGE: Yes. And, Mr.
7 Wojczynski, do you know, does -- does Hydro have
8 currently -- as it's looking at these various plans,
9 does it have on its agenda mitigation efforts for low
10 income customers?

11 MR. ED WOJCZYNSKI: I'm -- I'm aware
12 that we are -- do have initiatives for low income
13 customers. I'm not actually in a good position to
14 comment on those, and when we have the finance panel
15 back up -- it's actually more the customer -- when we
16 have the -- to some degree that could be addressed by
17 one (1) of the witnesses on the finance panel.

18 And then there's also some other
19 programs that the customer service people could likely
20 address, but certainly the finance panel is a better
21 position to address that than we are.

22 MR. WILLIAM GANGE: Okay. And -- and
23 I'll follow up on that. I -- I do though, however,
24 want to say, Mr. Wojczynski, if -- if you take a look
25 at page 19 and 20 of our book of documents. And I can

1 tell you, this is material that comes off the website
2 of the City of Seattle Power Corporation -- pardon me,
3 City -- Seattle City Light, Dr. Miller tells me. It
4 would appear that these rates, for instance, on page
5 20, that they have a separate rate for a residential
6 elderly, disabled, and suburban residential low-income
7 customers, which have a rate that is significantly
8 lower than -- than the ordinary rates.

9 You're aware of those kinds of
10 processes, sir?

11 MR. ED WOJCZYNSKI: I am aware
12 generally that other jurisdictions, or some other
13 jurisdictions, at least, do have various programs for
14 low-income people. And -- and -- but I'm -- I'm not
15 in a good position to discuss the more -- discuss
16 Manitoba Hydro's situation in that regard.

17 MR. WILLIAM GANGE: Thank you, sir.
18 Ms. Anderson and -- and Mr. Bland, I -- I indicated --
19 or during the break I asked if -- if I could get you
20 to comment upon discussions that might have taken
21 place between your First Nations and Manitoba Hydro.
22 And -- and I understand that both of your communities
23 came into the negotiations a little bit later than --
24 than Tataskweyak did. And it's -- we don't have Mr.
25 Spence here, unfortunately.

1 But it -- it struck me as I was
2 listening to both of you in your presentations that
3 both of you talked about the cooperation that had been
4 -- that you had received from Manitoba Hydro in -- in
5 the design process.

6 Is -- is that fair, Ms. Anderson? Can
7 you comment on that? And I know -- I -- I understand,
8 ma'am, that I'm -- that I'm putting you at a little
9 bit of a disadvantage, but -- but if -- if it's
10 possible for you to comment on that.

11 MS. KAREN ANDERSON: So for the
12 project design, most of the fundamental features were
13 already agreed to prior to Fox Lake joining the
14 partnership, or the negotiations. So there's -- there
15 -- none of them really affected us. So that's all I
16 can comment on. Thank you.

17 MR. TED BLAND: As for York Factory,
18 the -- the only fundamental operating feature that we
19 had was the operation of the -- basically stating that
20 the Keeyask generating station will not affect the
21 water levels on Split Lake during open water
22 conditions.

23 Otherwise, as the discussion we had
24 earlier, the -- the low head of the project was
25 already decided upon by our partner First Nation.

1 And, you know, we basically came in a couple of years
2 later and -- and just went along with the project.

3 MR. WILLIAM GANGE: Mr. Bland, let me
4 then -- that -- that point that you just raised about
5 the open water on -- on Split Lake, was that something
6 that -- that your community was able to discuss with
7 representatives of Manitoba Hydro and -- and did you
8 arrive at a satisfactory resolution of that point?

9 MR. TED BLAND: Yes, that was
10 something that we worked on with Manitoba Hydro and
11 Tataskweyak because they were also involved for Split
12 Lake.

13 MR. WILLIAM GANGE: Thank you. I
14 appreciate that. Mr. Brandson, you talked about
15 sustainable development. And my recollection is that
16 during your presentation you mentioned that the --
17 that -- that this process that eventually was put into
18 place started with Pauley government, was continued by
19 the Filmon government, and was then continued by the
20 Doer government.

21 Did I get that right, sir?

22 MR. NORMAN BRANDSON: Yes, you did.

23 MR. WILLIAM GANGE: Thank you. It's -
24 - it's almost impossible for me in the year 2014 to
25 believe that -- that three (3) successive regimes

1 would actually agree on something even though it makes
2 perfectly good sense. Not that I'm commenting on --
3 on -- on the state of our political process -- our
4 pathetic state of political process but -- but -- but
5 it's fair for me to say it's very rare in these days
6 of political posturing that that kind of consistency
7 would be achieved by three (3) successive governments.

8 Is that correct, sir?

9 MR. NORMAN BRANDSON: Yes, it is, and
10 -- and just to elaborate on that a little bit, because
11 I agree. It's -- it's astonishing to me having worked
12 inside the bowels of government for many years.

13 Partly it's come about because of a
14 much broader kind of current in society about
15 sustainable development, and -- and a notion of
16 sustainability.

17 It happened, too, because governments
18 like to brand things. Sustainable development was a -
19 - a kind of a Filmon government brand. The present
20 administration, really, in a -- in a practical sense,
21 adopted all of the fundamentals of sustainable
22 development without really adopting the brand.

23 I think to some extent they're still
24 searching a little bit for their own brand for the set
25 of -- of pretty good ideas, actually.

1 MR. WILLIAM GANGE: And Mr. Brandson,
2 I've included at page 10 of our book of documents
3 three (3) pages from the report on the consultation on
4 sustainable development implementation.

5 Were you involved in -- in that
6 process?

7 MR. NORMAN BRANDSON: When the COSDI
8 process was set in motion, my department, which was
9 then the Department of Environment, was charged with
10 resourcing and, I believe it's fair to say, managing
11 this -- this process.

12 And I have to say, as a result, I -- I
13 have a fondness for this report, notwithstanding any
14 further answers I might give to your questions.

15 MR. WILLIAM GANGE: At -- at page 11
16 of the report it talks about public participation.
17 And I've -- that's under number 5 -- and I've
18 underlined that and -- and the -- well, the principle
19 that's put forth with respect to public participation
20 is as stated.

21 And -- and, for the record, I'm just
22 going to read it into the record.

23 "There is inconsistent opportunity
24 for public involvement in the
25 planning and decision-making

1 processes. Sometimes key decisions,
2 for example, the significant resource
3 allocation are made with the public
4 brought in later in an environmental
5 assessment process that addressed
6 primarily mitigation measures.
7 Different decision-making processes
8 bring different -- differing levels
9 of public involvement and different
10 levels and ease of access to
11 information."

12 I take it, sir, that that's a -- a
13 principle that, at the time that you were in your
14 department, would have been of significant importance
15 for you.

16 Is that correct, sir?

17 MR. NORMAN BRANDSON: Absolutely, yes.
18 Again, a bit of -- of history. We talk about public
19 involvement in government and have for some time. We
20 -- we kind of forget about how it worked its way into
21 the fabric of government. It actually started in a
22 serious way with respect to environmental issues and -
23 - and environmental assessment early on.

24 And, of course, this has become a -- a
25 standard part of most things that government do these

1 days. But the simple answer -- well, let me make one
2 (1) point, and that is, The -- the statement you just
3 read out which talks about inconsistency of
4 involvement and so on, was true, certainly, when it
5 was written. This was fifteen (15) years ago now.

6 I think our processes have improved in
7 the interim; they're not perfect, but they're
8 certainly better, in my view, than they were in 1999.
9 And -- and I think that's worthwhile taking into
10 account.

11 But, certainly, otherwise, the -- the
12 principle as stated in the recommendation, I think,
13 yes, is a -- was and is a fundamental principle,
14 certainly of the environmental arm of the provincial
15 government.

16 MR. WILLIAM GANGE: And two (2) days
17 ago, when we started with this panel, we -- there was
18 a presentation with respect to the involvement that
19 the Cree Nation partners had. And -- and it's
20 unfortunate that Mr. Spence is not able to be here.
21 But my recollection is that -- that there was evidence
22 that was brought forth stating that Hydro engaged the
23 Cree Nation partners with respect to the planning of
24 Keeyask. And as a result of that, for instance, the
25 area to be flooded was decreased.

1 Do you -- do you recall hearing that
2 evidence, sir?

3 MR. NORMAN BRANDSON: Yes, I do. And
4 -- and I've also, to a certain extent, having reviewed
5 the environmental impact statement for Keeyask, have
6 some, I guess, background, although certainly I was
7 not involved in that process.

8 MR. WILLIAM GANGE: And that kind of
9 involvement involving the communities that were
10 involved and finding out their concerns and taking
11 their concerns into account and thereby resulting in a
12 smaller flood plain, I take it that that kind of a
13 result is exactly what the COSDI process is meant to
14 achieve?

15 MR. NORMAN BRANDSON: I think among
16 other things, yes, that's -- it's very consistent with
17 the -- the principles and the recommendations that
18 came out of the COSDI process, yes.

19 MR. WILLIAM GANGE: So, for instance,
20 still looking at -- at page 11 of GAC number 20-3,
21 under the recommendations it says that:

22 "It's recommended that participation
23 in planning and assessment and
24 review, a) there be opportunity for
25 effective, meaningful public

1 participation and consultation
2 processes at all levels of planning,
3 significant resource allocation, and
4 effects assessment and review."

5 And then it talks about a number of
6 things that should be taken into account. When I hear
7 -- when I heard the evidence with respect to the --
8 the involvement of the Cree Nation partners, I have to
9 say that -- that my sense was that -- that Manitoba
10 Hydro fulfilled the COSDI mandate with respect to that
11 particular community.

12 Did you get that same sense, sir?

13 MR. NORMAN BRANDSON: I -- I hadn't
14 thought of it in that context. But since you've posed
15 the question, I -- I think I would answer that 'yes'.
16 When I heard -- well, read about the -- the process
17 that had taken place, as I say, I didn't put it in the
18 COSDI context, but it -- it jumped out like a huge
19 beacon as a quantum leap forward in the way we do
20 business out there on the landscape.

21 MR. WILLIAM GANGE: Yes, sir, and --
22 and especially when we listen to the evidence of Ms.
23 Anderson, talking about the fact that in previous
24 plans and -- and in previous dams there had been no
25 consultation and the -- the First Nation communities

1 were not taken into account. The effect upon the
2 First Nations communities did not seem to be taken
3 into account. It struck me that there was a very,
4 very significant difference in terms of the way that
5 Manitoba Hydro is doing business with its First
6 Nations communities.

7 Did -- did that -- did that strike you
8 in that same fashion?

9 MR. NORMAN BRANDSON: Yes, it did.

10 MR. WILLIAM GANGE: And -- and one of
11 the other recommendations was that:

12 "Early participation, b) that
13 Manitoba additionally encouraged the
14 Proponent to provide for meaningful
15 public input before the formal
16 development review process is
17 initiated or the significant resource
18 allocation decided upon, including
19 outreach to those not historically
20 reached or involved by traditional
21 methods, including the Aboriginal
22 peoples."

23 Again, sir, when you were in the
24 department was this one of your key concerns, that
25 there be early participation in this process?

1 MR. NORMAN BRANDSON: Yes, in -- in
2 some ways earlier, the better. Keeping in mind there
3 -- there are always some practical limitations to what
4 you can do. When you talk about effective and
5 meaningful public participation, some of that is in
6 the eyes of the beholder. I mean, what's effective to
7 one group may not be so to another, for example.

8 Timeliness of process is another issue
9 too that -- that comes into play. So there are a lot
10 of factors that -- that impinge upon involvement and
11 participation, but the principles are solid ones,
12 given that there are practical considerations to take
13 into account.

14 MR. WILLIAM GANGE: And if you look on
15 the next page, page 12, another heading is under 'I',
16 to encourage consultation. And it states:

17 "Manitoba actively encouraged
18 proponents, including government, and
19 require evidence from them that
20 broad, meaningful consultation has
21 occurred and serious effort to
22 resolve concerns has been completed
23 before developments proceed further
24 through the decision-making process."

25 I take it, sir, that that too was one

1 of the -- the main principles that you saw of the cons
2 -- COSDI process?

3 MR. NORMAN BRANDSON: Yes. I -- I'm
4 just -- I'm reading this and trying to put it in
5 context with the rest as to exactly what stage of
6 consultation this refers to, but I -- again, as a
7 principle I think it's sound.

8 MR. WILLIAM GANGE: And -- and in
9 terms of what stage, the -- the previous principle
10 that we talked about was the earlier the better, in
11 terms of heading B, the early participation.

12 That would be fair, wouldn't it, sir?

13 MR. NORMAN BRANDSON: Yes.

14 MR. WILLIAM GANGE: So what I've
15 heard, it -- it's struck me that Manitoba Hydro, from
16 what we heard in this hearing, probably deserves an
17 'A' with respect to its -- its involvement with the
18 Aboriginal communities in the North. I certainly
19 didn't hear significant concerns about not being
20 consulted.

21 Did you hear -- did you hear anything
22 that caused you concern, sir?

23 MR. NORMAN BRANDSON: No, I didn't.

24 MR. WILLIAM GANGE: I want to -- I
25 then want to go to -- move from Northern Manitoba to

1 Southern Manitoba.

2 Are -- are you aware of the process
3 that was used in -- in Southern Manitoba for
4 consultation?

5 MR. NORMAN BRANDSON: Only in broad
6 outline. I -- certainly in any detail, no.

7

8 (BRIEF PAUSE)

9

10 MR. WILLIAM GANGE: Are you at all
11 familiar with the Wuskwatim process, sir, the -- the
12 Wuskwatim NFAT and -- and the development process?

13 MR. NORMAN BRANDSON: Again, in -- in
14 very broad outline. That's not a process -- in fact,
15 I was out of the province most of the time that it was
16 under way. So I -- I confess, I didn't follow it all
17 that close.

18 MR. WILLIAM GANGE: Okay. Mr.
19 Wojczynski, you were, of course, front and centre with
20 Wuskwatim?

21 MR. ED WOJCZYNSKI: I was honoured to
22 lead a team who are -- led -- did the Wuskwatim
23 effort, yes.

24 MR. WILLIAM GANGE: Come on, don't be
25 so modest. You were front and centre with respect to

1 Wuskwatim?

2 MR. ED WOJCZYNSKI: I was the
3 mouthpiece for the team, yes.

4 MR. WILLIAM GANGE: Thank you. And my
5 understanding was that with Wuskwatim there was, for
6 instance, a DSM committee that was comprised of lay
7 representatives, 'lay' meaning non -- not necessarily
8 Hydro representatives.

9 Do you recall that, sir?

10 MR. ED WOJCZYNSKI: I recall that very
11 well. And if it's -- if it's -- I think we're talking
12 about the same exercise. It was beyond just DSM. I
13 think we looked at resource planning and looked at
14 various resource options, how we do our resource
15 planning, how the Manitoba system operates, what the
16 export market's about. I believe we're talking about
17 the same group. DSM was a major aspect of that, as
18 well.

19 MR. WILLIAM GANGE: And -- and, in
20 fact, sir, Professor Miller was on the Pembina life
21 cycle analysis that was -- was part of the Wuskwatim
22 process, as well.

23 Is that correct?

24 MR. ED WOJCZYNSKI: Dr. Miller was
25 involved in that, and I have to say he's been involved

1 and made a positive contribution in many initiatives
2 since.

3 MR. WILLIAM GANGE: With respect to
4 the Preferred Development Plan, Mr. Wojczynski, there
5 -- there wasn't a similar committee such as -- I -- I
6 refer to it as the DSM committee; you refer to it as a
7 larger committee.

8 MR. ED WOJCZYNSKI: Resource planning
9 committee is --

10 MR. WILLIAM GANGE: Resource planning,
11 thank you. There wasn't a similar process in -- in
12 this Preferred Development Plan NFAT, was there, sir?

13 MR. ED WOJCZYNSKI: No, there was not.

14 MR. WILLIAM GANGE: And Professor
15 Miller has provided to me, and you'll see it at page
16 14 of our book of documents, the first notification
17 that he received from Connie Gamble at Manitoba Hydro
18 inviting various parties to attend a meeting with
19 respect to the NFAT process?

20 MR. ED WOJCZYNSKI: Yes, and I -- that
21 -- that one was of a somewhat different nature. That
22 process is what I would call a stakeholder input
23 process into the NFAT. But as President Thomson
24 indicated the first day of the hearings, after years
25 of study and negotiations and other efforts, Manitoba

1 Hydro had a general idea as to what a Preferred Plan
2 was. And we were not -- and -- and we were not
3 starting at the beginning of the resource planning
4 process. We were further along, although we were open
5 to modifying that or even moving off of it, if
6 appropriate.

7 But we were not at that formative stage
8 that one would call resource planning, which the
9 earlier effort with Wuskwatim was. It was a more
10 open-ended process than the second initiative, which
11 was a stakeholder consultation letting people know
12 what it is we were thinking of, and -- and getting
13 their views, and hopefully facilitating this NFAT
14 process somewhat by providing various stakeholders
15 information prior to coming into it.

16 The environmental groups -- there were
17 a number of meetings. Offhand I don't remember how
18 many, eight (8) maybe; but Dr. Miller probably
19 remembers better than I do. We also met with chamber
20 of com -- with MIPUG, with the business council. We
21 did offer to meet with MKO and MMF. I -- I actually
22 don't remember all the meetings right now. There was
23 -- Ms. Gamble was the department manager and looking
24 after that, and -- on -- on my behalf.

25 MR. WILLIAM GANGE: If you look at

1 page 23 of our book of documents, again this is
2 talking about Seattle City Light, and -- and this is
3 actually in reference to a standing committee that
4 Seattle City has, called the City -- Seattle City
5 Light Review Panel.

6 Mr. Wojczynski, are -- are you familiar
7 with this particular utility?

8 MR. ED WOJCZYNSKI: I've heard of
9 Seattle Light, and I'm aware -- I'm generally aware
10 that Seattle Light and other various utilities around
11 North America, some do -- do no stakeholder
12 consultation, some do stakeholder consultation.

13 Some go further than that and have a
14 quasi-collaborative process. Some go into a full --
15 there's not many that I know that would do a full
16 collaborative process. I'm distinguishing
17 collaboration from consultation. They are two (2)
18 different things.

19 Offhand, I -- I don't know the details
20 of this one, and...

21 MR. WILLIAM GANGE: I -- I put in at
22 page 24 the members' bios. This is the citizen
23 committee of -- of -- a volunteer group that is drawn
24 from various parts of Seattle society, including
25 businessmen, people representing residual users. And

1 -- and this is a committee that, it would appear,
2 gives advice to Seattle City Light on an ongoing
3 basis.

4 Are you aware of any other committees
5 like that, sir?

6 MR. ED WOJCZYNSKI: There -- there
7 have been other initiatives that aren't exactly the
8 same as this, but do revolve -- involve resource
9 allocation. BC Hydro had a water use planning
10 process, which was resource allocation in the sense
11 that they were -- they were managing a particular use
12 of water resource, and you're allocating between
13 different users.

14 In terms of choosing how much DSM one
15 does or what the DSM is, offhand I'm not familiar with
16 a -- a committee elsewhere.

17 I do note that we -- Manitoba Hydro has
18 consulted -- it's not been a formal committee --
19 consulted previously on DSM. And, actually, Dr.
20 Miller's organization is one of the few that has
21 provided input.

22 I also note that as part of the recent
23 legislation, the Manitoba government and Manitoba
24 Hydro are -- have had a process where they were
25 seeking input on the energy efficiency program. And

1 meetings were held in The Pas, Brandon, Winnipeg. I'm
2 not sure where else.

3 Apparently, there wasn't a lot of
4 participation. That's not to say if there wasn't a
5 lot of participation, it shouldn't have happened. But
6 that is different than setting up a committee of the
7 ilk which you're talking about.

8 I do note that, of course, Green Action
9 Centre did participate and they provided significant
10 input in writing, so kudos to Green Action Centre.

11 MR. WILLIAM GANGE: And -- and at page
12 16 of the book of documents, sir, the minutes of the
13 meeting that we just referred to that had been called
14 by Ms. Gamble are set out. And it -- it talks about
15 how you had been present and that you provided an
16 introduction of Manitoba Hydro's perspective and a
17 tentative schedule outlining the different key dates
18 for the NFAT.

19 And -- and I -- I've -- I've already
20 given you an 'A' for the Aboriginal involvement, sir.
21 But with respect to Southern Manitoba, the involvement
22 was not the -- the early participation in the
23 formulation. It was -- you were advising the groups,
24 such as Green Action Centre, the Consumers'
25 Association, MIPUG, the Chamber of Commerce, those

1 various parties, of what you intended to do.

2 Isn't that what -- what happened, sir?

3 MR. ED WOJCZYNSKI: That is true, but
4 also recognizing that we were interested in hearing a
5 response to those and -- and as things would evolve,
6 we would take those into account.

7 We continued to hear, for example, the
8 interest in other resources, including DSM
9 particularly in that. And I would suggest that one of
10 the reasons Manitoba Hydro has been as willing to look
11 at expanding the DSM was, in part, due to the
12 knowledge there was an enthusiastic interest from
13 various parties in that.

14 The other part, of course, the metrics
15 told us that it made sense. So those two (2) went
16 hand-in-hand. But in terms of our Preferred Plan, we
17 weren't starting from scratch saying, Here's a
18 thousand possibilities; what do you think, and let's
19 pursue the ones you're interested in.

20 We were not at that stage and that was
21 not that kind of a process, yes.

22

23 (BRIEF PAUSE)

24

25 MR. WILLIAM GANGE: And -- and, sir,

1 thank you for that answer. Certainly, you can confirm
2 for me that -- that people like CAC or Green Action
3 Centre or MIPUG had no involvement with any of the
4 experts such as the Brattle Group or -- or Dr. Shaffer
5 or any of the other experts that -- that you were
6 looking at.

7 Is that correct?

8 MR. ED WOJCZYNSKI: That would be
9 correct. What I -- I know we've had some previous
10 efforts on DSM, and it -- I -- what I don't know is
11 whether there was any interaction between any of the
12 interested parties and any of the DSM experts.

13 I know Mr. Kuczek has said that he'd be
14 willing to have something along that line at -- at
15 appropriate times, but we haven't done that in terms
16 of the resource planning itself, no.

17 MR. WILLIAM GANGE: Thank you. Those
18 are my questions. Thank you very much.

19 THE CHAIRPERSON: Thank you, Mr.
20 Gange. Mr. Orle, are you prepared to -- to...

21

22 (BRIEF PAUSE)

23

24 MR. GEORGE ORLE: I'm prepared to go.

25 And I would ask if we could just have a short break to

1 organize some papers. Thank you.

2 THE CHAIRPERSON: Let's stretch for a
3 few minutes.

4

5 --- Upon recessing at 3:10 p.m.

6 --- Upon resuming at 3:22 p.m.

7

8 THE CHAIRPERSON: I wonder if we could
9 get ready to start again, please. Mr. Bedford, I see
10 we have a document before us. Do you wish to
11 acknowledge this document?

12 MR. DOUGLAS BEDFORD: Yes, please. We
13 are entering as Manitoba Hydro Exhibit number 137 an
14 answer to Undertaking number 62. This flows from
15 testimony that I believe came up two (2) days ago, on
16 Tuesday afternoon. It is the current value of
17 contracts awarded for the Keeyask Project to various
18 First Nations or a combination of First Nations and
19 their chosen joint venture partners, the total being
20 precisely three hundred and ninety-three million, six
21 hundred and forty-three thousand, three hundred and
22 eighteen dollars (\$393,643,318).

23 And so to repeat, this is being filed
24 on the record as Exhibit number 137.

25

1 --- EXHIBIT NO. MH-137: Response to Undertaking 62

2

3 MR. DOUGLAS BEDFORD: Those who have
4 the paper in front of them will see clearly that in
5 the attached chart we have obscured, or blacked out
6 rather, the actual details on a per-contract basis of
7 who -- what each particular contract's worth.

8 And I can tell the -- tell you all that
9 that information is being filed confidentially with
10 Board counsel, as we view it as commercially sensitive
11 information that touches not only my client, Manitoba
12 Hydro, but our four (4) First Nation partners.

13 In addition, we asked for some time
14 over this afternoon's break for Mr. Wojczynski and his
15 colleagues to grapple with Mr. Gange's request that
16 some more modelling or calculations be done. And I
17 know Mr. Wojczynski doesn't have a complete,
18 definitive answer, but he wants to give you an
19 explanation to where we are at, at the moment.

20 MR. ED WOJCZYNSKI: Yes, I had a quick
21 consultation with Green Action Centre, but we didn't
22 have time for a lengthy discussion. And then my
23 colleagues joined us at the -- and had a quick caucus
24 there. And I don't have a full response.

25 There were three (3) requests --

1 additional -- well, one (1) -- one (1) undertaking,
2 which was of -- of the three (3), there were three (3)
3 parts to it. The second one was to do a 750 tie-line
4 with a flat load after -- before new resources were
5 required, and then Keeyask and Conawapa -- pardon me,
6 Keeyask comes in, and then we have the WPS MP sales,
7 and we use those prices to -- for all the firm
8 surplus, dependable surplus. That's the one we
9 already have started work on and we'll continue.

10 The first one I have a better
11 understanding, although not a full understanding after
12 the coffee time caucus with GAC, is they're -- they're
13 asking for us to look at a 750 megawatt tie-line, but
14 without Keeyask or Conawapa, and that we use DSM
15 effectively to meet it, and that -- the idea being
16 that we would utilize our existing hydro system to
17 supply that sale, the existing hydro system being
18 freed up by the DSM.

19 A -- a difficulty with that one, if I
20 understand properly what -- what has been asked of us,
21 is that the -- the new tie-line and the MP sale are
22 very specifically tied to building a new hydro. And -
23 - and part of what the -- the thinking about the 750
24 tie as envisaged by MP, and -- and then also WPS down
25 the road, is that there would be new hydro available

1 on that transmission event -- line eventually, which
2 would provide them the kind of benefits on the -- the
3 wind integration and -- and their customers.

4 If we don't have Keeyask and -- and new
5 hydro, then right now, the contracts themselves would
6 no -- no longer proceed. I think what -- and -- and I
7 have -- Green Action Centre is suggesting is that we
8 go back and renegotiate the 'W' -- the contracts so
9 that we don't need new hydro and that we carry on.

10 And -- and I -- what -- what I did
11 understand is we're saying, Well -- Wuskwatim is
12 relatively new, and use that. Now, it doesn't meet
13 the definition of new hydro in the -- in the
14 contracts, so we're -- we're not seeing quite how we
15 could do that, and I don't know if Green Action Centre
16 can comment right now, or -- or maybe they could, and
17 we -- we may need to have a further discussion.

18 The third piece was that we -- we have
19 the load, again, the same load flattened out as per
20 the discussion earl -- because of -- of aggressive DSM
21 programs that are successful, and that the load
22 flattened out such that we don't need new hydro, and
23 then we build the new hydro and it be sold on the
24 export market. In this case, it would be Keeyask and
25 Conawapa instead of just Keeyask.

1 That would not be a feasible situation
2 for two (2) reasons. One (1) is if we were pursuing a
3 more -- a much more aggressive DSM program than DSM 2,
4 and we saw the -- the fruits of the investment
5 happening, we -- even if we had started on Conawapa in
6 2018 -- well, first of all, we wouldn't be starting
7 with Conawapa in 2018 if we're going with a super-
8 aggressive DSM program, but secondly, if we had
9 started, and we -- Conawapa and we are seeing this
10 huge reduction, as we have done in the past with Keeya
11 -- with Conawapa, with Limestone, before we commit the
12 general civil contract, if we saw the load had dropped
13 off to the degree no new hydro was ever needed, and we
14 had already started Keeyask, I can assure you,
15 Conawapa would not be continuing.

16 So that's the first part of that one.
17 The second one is that if we have flat load forever,
18 and all we built is a 750 megawatt interconnection in
19 addition to what we have now, and so we've got both
20 Keeyask and Conawapa surplus to anything ever needed
21 in Manitoba, plus we have the existing surplus energy
22 from the existing system, there's not enough tie-line
23 to effectively sell both of them, and that -- so
24 that's another reason why we just would not carry on
25 with Conawapa.

1 It's -- Keeyask. We could certainly
2 handle Conaw -- Conawapa. So the third one we don't
3 see as a -- a realistic nor viable possibility under
4 the sense of extreme DSM. The -- the very -- so -- so
5 that's where we stand right now, and I don't know if
6 GAC would like to comment on that in some way, or
7 perhaps they'd like to comment that we need further
8 discussion later, but that's -- that's where we stand
9 right now.

10 MR. WILLIAM GANGE: Thank you, Mr.
11 Chair. We'll try to sort this out. We're -- we're
12 happy that Mr. Wojczynski and his team is -- is
13 working on the first part of that process, and if we
14 can work something else out, that's great, if not,
15 we'll arrive at that. Thank you.

16 MS. JESSICA SAUNDERS: My apologies,
17 Mr. Chair. Before we move on, the MMF would ask, if
18 possible, that Manitoba Hydro provide some additional
19 comments on why it believes that the information
20 redacted in the chart on page 2 of its Exhibit 137 is
21 considered commercially sensitive information as
22 defined in the terms of reference, if that's okay?

23

24 (BRIEF PAUSE)

25

1 MR. DOUGLAS BEDFORD: Given all the
2 letters I wrote you about your terms of reference, one
3 would think I'd have them memorized, but I don't. So
4 if you'll bear with me for a moment, I'll just revisit
5 them.

6

7 (BRIEF PAUSE)

8

9 MR. SVEN HOMBACH: Ms. Saunders and
10 Mr. Bedford, if -- if it helps if Manitoba Hydro would
11 prefer to respond in writing to -- to think about
12 this, rather than answer it on the spot, the panel is
13 prepared to deal with the matter that way.

14 MR. DOUGLAS BEDFORD: Let's deal with
15 it that way. Thank you.

16 MS. JESSICA SAUNDERS: Agreed. Thank
17 you.

18 THE CHAIRPERSON: Mr. -- do you have
19 another quick question, Ms. Saunders? No? You're
20 okay?

21 MS. JESSICA SAUNDERS: No, thank you.

22 MR. SVEN HOMBACH: Mr. Chairman, if I
23 may have a moment? The court reporter asked whether
24 this would be a formal undertaking for Manitoba Hydro
25 to advise as to its position.

1 MR. DOUGLAS BEDFORD: Yes, we can
2 treat that as a formal undertaking, and what I'm
3 undertaking to do is to provide in writing an
4 explanation as to why Manitoba Hydro believes that the
5 amounts which have been blacked out on Manitoba Hydro
6 Exhibit number 137 are commercially sensitive. Thank
7 you.

8
9 --- UNDERTAKING NO. 80: Manitoba Hydro to provide
10 in writing an explanation
11 as to why Manitoba Hydro
12 believes that the amounts
13 that have been blacked out
14 in Exhibit MH-137 are
15 commercially sensitive

16
17 THE CHAIRPERSON: Thank you, Mr.
18 Bedford. Mr. Orle, please.

19
20 CROSS-EXAMINATION BY MR. GEORGE ORLE:

21 MR. GEORGE ORLE: Thank you, Mr.
22 Chairman, members of the panel. I don't have a
23 booklet of exhibits. I am referring to documents that
24 are already before the -- the panel and that have been
25 entered in, and I thought that I might save some paper

1 in that regard, considering what we have already.

2 Thirty-seven (37) years ago, when I
3 started practice, I said I'd never take a case on
4 where the material to be filed weighed more than I
5 did, and, well, I've finally gotten one (1), thank
6 you.

7 MR. ED WOJCZYNSKI: I'm going to stay
8 in this process long enough, you might gain enough
9 weight, it might turn the other way around.

10 MR. GEORGE ORLE: Thank you, Mr.
11 Wojczynski. I was going to direct my first questions
12 to you in any event. You -- you put forward Exhibit
13 Manitoba Hydro 129, and I believe it's either six (6)
14 or seven (7) of -- of your portion -- seven (7).

15 And I note that from -- from the title
16 that you put on it, it was to deal with socioeconomic
17 matters, but you -- you had a subtitle, "The Manitoba
18 Socioeconomic Benefit-Cost Integration." And I'm just
19 wondering, sir, how that -- how that jibes with what
20 the scoping out of the socioeconomic impacts were set
21 by the Board, and I'm referring to Board Order number
22 92/'13 at page 14. I believe that's on your screen.

23 And at the -- the bottom of the page,
24 for the purposes of the NFAT review, the parties,
25 consultants, expert witnesses, are to be bounded by

1 the following definition of 'socioeconomic impact and
2 benefits'.

3 And it goes on to say:

4 "A critical analysis of the
5 socioeconomic impacts and benefits of
6 Manitoba Hydro's Preferred
7 Development Plan and alternative
8 plans, specifically, a high level
9 summary of potential effects to
10 people in Manitoba, especially
11 Northern and Aboriginal communities,
12 including such things as employment,
13 training, business opportunities,
14 infrastructure and services, and
15 finally, personal family and
16 community life and resource use."

17 In reviewing the material that's been
18 put before the Board, Mr. Wojczynski, I -- I think I
19 see the impacts from all of those socioeconomic
20 factors except for personal, family, and community
21 life.

22 Is there something I'm missing in the -
23 - the reports or the presentations in regards to that
24 particular aspect of the impact of the plan?

25 MR. ED WOJCZYNSKI: When we did the

1 matrix, which was in the same presentation -- I -- I
2 call it the 'matrix' -- it was the comparison -- the
3 socioeconomic comparison at -- at the level of and
4 depth that was being done in this comparison between
5 the alternatives.

6 We were referencing things like wor --
7 wor -- worker -- I can't remember the term. What was
8 it called? Worker interaction. And that was one of
9 the prominent issues that had been identified, and the
10 worker interaction effect would be on peoples' life,
11 and their -- their health, their safety, and so it was
12 a prominent issue that was -- effectively it was a
13 VEC, and it was the -- so it was used in that
14 comparison, and so that -- that would be meeting the
15 definition of personal, family, and community life.

16 The -- the discussion that had preceded
17 that in some depth on the Preferred Plan projects went
18 into that in more depth than just the -- a worker --
19 the worker interaction, but -- but the work
20 interaction had been identified as one (1) of the
21 three (3) key environmental socioeconomic issues, so
22 that's what we focussed on in here.

23 MR. GEORGE ORLE: Okay. Were you
24 present at the public presentations on February 27th?

25 MR. ED WOJCZYNSKI: I was present in

1 the morning. In the afternoon I had the -- a funeral
2 of a close friend.

3 MR. GEORGE ORLE: You may have had an
4 opportunity to review the transcript from that day.

5 MR. ED WOJCZYNSKI: Yes.

6 MR. GEORGE ORLE: Would -- would you
7 remember hearing the presentation by Counsellor
8 Wastesicoot?

9 MR. ED WOJCZYNSKI: Yes, and -- and I
10 read the transcript, and I'm familiar with -- with our
11 First Nation partner member and the -- and the
12 thoughts he's expressed.

13 MR. GEORGE ORLE: Okay. And if you'll
14 take a look at the monitor, page 163, I'd like to go
15 to the bottom, page 21 -- or line 21. And what he
16 expressed to the panel was that:

17 "Our members are concerned with the
18 Preferred Development Plan will mean
19 for electric bills. Electrical rates
20 are certain to go up."

21 And then on the following page, he uses
22 a -- a very specific example as to the -- the effect
23 in the community, and it's analogous to us sort of
24 saying the first sign of spring is seeing a robin.
25 Well, apparently to them, the first sign of spring is

1 seeing Manitoba Hydro coming to shut off the
2 electricity.

3 I would expect that that would be a
4 socioeconomic effect upon the community?

5 MR. ED WOJCZYNSKI: That -- having
6 electricity shut off to individuals is a socioeconomic
7 effect. I hasten to add to that that the rate
8 increases that are projected to happen, the vast
9 majority that is projected to happen regardless of
10 which plan is chosen.

11 MR. GEORGE ORLE: I appreciate that,
12 Mr. Wojczynski, but he wasn't alone on that
13 presentation day. There were a number of First
14 Nations members that came in. They were specifically
15 talking about what the effect was going to be upon
16 them as northerners, as First Nations people, and the
17 fact that these increases -- these increases in the
18 bills were going to have a substantial effect upon
19 their lifestyle?

20 MR. ED WOJCZYNSKI: Yes, I -- and I
21 heard that discussion. I also heard the -- the same
22 statements. In -- in general, we're talking about --
23 I -- it may have been the word, 'doubling' of bills,
24 and what I heard, and -- was that -- that the concern
25 was they're hearing that -- that electricity rates are

1 going to go up in -- in a manner over the next ten
2 (10) or twenty (20) years such that at some point the
3 bills would be doubled, and they're extremely worried
4 about what that would do to them, and one can
5 understand that they would have that concern.

6 That -- what I did not hear was a
7 differentiation between the rates increases that would
8 happen without the Preferred Plan and with the
9 Preferred Plan. What I heard was a concern about the
10 -- the rate increases that would happen regardless of
11 -- of which plan was proceeded with, and the
12 presenters that -- that I recall and reading were not
13 making that differentiation.

14 MR. GEORGE ORLE: The scoping out of
15 the meaning of socioeconomic talks about the impacts
16 of Hydro's Preferred Development Plan and the
17 alternative plans. It doesn't say versus the
18 alternative plans. It asks that there be an analysis
19 done of what the impact is going to be, not the word
20 'cost' that you use in your title, but the impact.

21 And I would suggest to you, sir, that
22 an impact -- a socioeconomic impact is one that
23 affects the ability of a family or an individual to
24 maintain themselves in society.

25 MR. ED WOJCZYNSKI: If you come back

1 to the discussion we had on the social benefit cost
2 analysis, first of all, when I introduced the -- the
3 first page in the presentation that you were alluding
4 to, that one, if you go back to the transcript and
5 read what I said there, when we talked about the
6 Manitoba Socioeconomic Benefit Cost, I was expressly
7 saying that that was the wording I was using there,
8 but how we manifested it in the -- in the analysis was
9 with the social benefit cost analysis, and in that
10 social benefit cost analysis, as Dr. Shaffer has
11 testified earlier, and is in the submission, it deals
12 with the quantitative impacts from the market
13 valuation, from the environmental, from the various
14 components.

15 It also deals with the non-
16 quantitative, which is why it's a multiple accounts
17 benefit cost evaluation, where he doesn't try or
18 attempt to quantify everything in dollar terms. It
19 also deals with those non-quantifiable ones, which
20 perhaps are some of the ones you're thinking of.

21 He, in addition, talked about the
22 distributional impacts that could be occurring that
23 are not quantification ones either. So when we are
24 talking about having done an overall socioeconomic
25 benefit cost, or a social benefit cost, or a multiple

1 accounts benefit cost. We are dealing with the non-
2 quantitative as well as the quantitative.

3 MR. GEORGE ORLE: Okay. I know that
4 you haven't had a chance to recently read all of the -
5 - the reports, but do you recall a CAC report, Stevens
6 and Simpson?

7 MR. ED WOJCZYNSKI: Yes. And I did
8 read that a while ago.

9 MR. GEORGE ORLE: Okay. Refer you to
10 the last paragraph of page 11, the analysis by those
11 experts:

12 "The analysis has shown that an
13 annual increase of 2 percent in the
14 real price of electricity will result
15 in relatively small impacts on
16 household consumption and the overall
17 household balance. However, the
18 cumulative impact of seventeen (17)
19 years of annual 2 percent increases
20 will be substantially greater."

21 And if you take a look at the paragraph
22 above that, sir, it talks about what the analysis of
23 what those impacts may be:

24 "This analysis has shown that the
25 historical fluctuations in the price

1 of electricity affected how
2 households allocated their spending
3 as well as the overall balance they
4 achieved between their available
5 income and expenditures. The rising
6 cost of electricity resulted in lower
7 consumption of necessities, like
8 food, shelter, clothing and
9 transportation by low income
10 households."

11 Do you see that, sir?

12 MR. ED WOJCZYNSKI: I see that.

13 MR. GEORGE ORLE: Would you not agree
14 with me that that specifically falls within the
15 parameters of the -- of the definition regarding
16 personal family and community life?

17 MR. ED WOJCZYNSKI: I would say that
18 generally it does. And I would also say that where
19 they're talking about a proposed real rate increase of
20 2 percent per year, that if you take -- and that's
21 real rate increase, so that's above inflation, that if
22 you look at the 3.95 or 3.45, or even the 4.27 that
23 has been talked about in -- in this hearing, that all
24 of those fell -- fall generally in the category of a
25 real rate increase of 2 percent per year, and that is

1 the case with or without the Preferred Plan.

2 So whether it's the All Gas Plan or one
3 (1) of the other plans, you're already talking of
4 something in the realm of a 2 percent real rate
5 increase, and -- and so that -- that is true for all
6 the plans, not just the Preferred Plan, sir.

7 MR. GEORGE ORLE: I -- I acknowledge
8 that. We're talking about the impacts of all of the
9 plans, and specifically the Preferred Plan. And
10 further in that same study they do an analysis of the
11 population breakdown in -- in Manitoba and in terms of
12 where they fall into low or next to low income.

13 And I'll just ask if you agree with me
14 and my -- my own arithmetic on this was adding the two
15 (2) categories together. But on reserve, First
16 Nations people, 75 percent of the on reserve fina --
17 First Nations fall within the low or the next to low
18 category.

19 Would you have any reason to doubt
20 that?

21 MR. ED WOJCZYNSKI: Not at all. I'm
22 very aware of the low income situation of many of our
23 First Nation partners. I have spent time in -- in
24 each of the communities. I have met many of their
25 members. I have heard from both the leadership of the

1 communities and from members of the community how dire
2 their circumstances is for so many of their members.

3 And -- and one (1) of the reasons
4 Manitoba Hydro feels positively about proceeding with
5 the plan we have is we feel that, overall, our plan
6 will provide some positive contribution to alleviating
7 that situation. It won't solve it.

8 DR. MARVIN SHAFFER: Could I just add
9 a comment on this? And it related to your earlier
10 statement about the effect of rising electricity
11 prices on low income families. I did have a chance to
12 look at Stevens' and Simpson's work, and they did some
13 econometric analysis, which I assume is the basis for
14 that statement.

15 And I don't know if it's the time to --
16 to start on this, but I -- I think that econometric
17 analysis was -- was -- had some serious methodological
18 flaws. And -- and the main one was that in economic
19 work you really want to have a theory, and -- and then
20 test the theory with your econometric, which is
21 basically statistical regression analysis.

22 And so while you say, you know, rising
23 electricity prices will cause people to reduce
24 spending on food -- on necessities, the same analysis
25 found a correlation that would cause people to spend

1 more on tobacco and alcohol.

2 And -- and, so there was a lot of
3 correlations that really weren't explained by any
4 theory or -- or supposition, so while I'm not trying
5 to diminish the importance of rising electricity
6 prices, I think that the study on which that statement
7 is based is -- is not necessarily a solid one.

8 MR. GEORGE ORLE: Thank you. I
9 appreciate your opinion, and when -- when those
10 experts come I'm sure we'll put that to them, and
11 hopefully I'll have it from the transcript because
12 when you first started talking you may as well have
13 been speaking Greek to me 'cause I have no idea what
14 that concept is that you're asking us to compare. But
15 I thank you for that.

16 The client that I represent, Mr.
17 Wojczynski, are all northern First Nations, and you'll
18 recall that they make up approximately sixty-five
19 thousand (65,000) people in Manitoba. That's a fair
20 statement? I'm not --

21 MR. ED WOJCZYNSKI: Yes.

22 MR. GEORGE ORLE: -- exaggerating the
23 number.

24 MR. ED WOJCZYNSKI: Yes.

25 MR. GEORGE ORLE: That would be a

1 significant amount of people, a significant amount of
2 ratepayers in there?

3 MR. ED WOJCZYNSKI: A significant
4 number of people, important people, and significant
5 amount of ratepayers, yes.

6 MR. GEORGE ORLE: And yet when -- when
7 you do your analysis you -- you lump all of your
8 ratepayers in together. There's no differentiation
9 between whether they're First Nations, whether they're
10 First Nations on a reserve, whether they're low
11 income. They're all lumped together into that one (1)
12 category.

13 MR. ED WOJCZYNSKI: When we did our --
14 our rate analysis we lumped them all together, yes,
15 and -- well, yes.

16

17 (BRIEF PAUSE)

18

19 MR. GEORGE ORLE: Did Hydro do any
20 studies, or -- or prepare any documents taking a look
21 at what the specific effect would be on a rate
22 increase on -- on First Nations people living on
23 reserve?

24 MR. ED WOJCZYNSKI: Perhaps before we
25 fully answer that, maybe I can just comment that one

1 (1) of the things we did was follow the terms of
2 reference given to us, and, so we -- we -- the
3 socioeconomic impacts and benefits to northern and
4 Aboriginal communities, and we lumped them all
5 together and we didn't differentiate on -- on another
6 basis.

7 But could you repeat your last question
8 there, please?

9 MR. GEORGE ORLE: In putting together
10 the -- the proposal, did Hydro identify or make any
11 analysis of the effect of the rate increases upon
12 First Nations ratepayers?

13 MR. ED WOJCZYNSKI: We only determined
14 the value -- the rate increases across the board. The
15 rate design process over time will distinguish between
16 the different categories of ratepayers. Whether they
17 all match the -- the average or not is something that
18 will have to be determined in the future.

19 MR. GEORGE ORLE: A number of the
20 First Nations are -- are not only residential
21 ratepayers but they have general service ratepayers
22 within those communities?

23 MR. ED WOJCZYNSKI: Yes.

24 MR. GEORGE ORLE: That includes things
25 such as the -- the schools, the administration

1 building on the -- on the reserve?

2 MR. ED WOJCZYNSKI: Yes.

3 MR. GEORGE ORLE: Did Manitoba Hydro
4 do any analysis as to what the effect of twenty (20)
5 years of rate increases might do to the -- the ability
6 to maintain a personal family or community lifestyle
7 in response -- in respect to the general service
8 customers?

9 MR. ED WOJCZYNSKI: We -- we did not
10 differentiate on that basis, but we're also aware that
11 rate increases of whatever they are, 2 percent real,
12 we'll use that 'cause that's what the discussion is
13 centering on, that that would be difficult for all low
14 income people, and we recognize there's a
15 disproportionate number of low income people on -- on
16 the reserves.

17 And we also recognize that in Northern
18 Manitoba costs are generally higher compared to some
19 of the other jurisdictions, say, in Southern Manitoba.

20 We are -- we are very aware of that,
21 but we did not see as part of the scope of the -- of
22 this exercise to differentiate between the customers
23 on that basis.

24 It is understood, generally, that
25 whatever rate increases occur, regardless of which

1 Plan we're in, that some will feel the brunt of that
2 more than others, and -- and our objective in this
3 exercise was to assess the rate increases of the
4 population as a whole and then recognize that over the
5 long term we're looking to have lower rate increases
6 with the Preferred Plan than higher rate increases.

7 MR. GEORGE ORLE: Has Hydro --
8 Manitoba Hydro taken any steps to mitigate any of
9 these impacts that are going to be disproportionately
10 felt by certain income levels?

11 MR. ED WOJCZYNSKI: There was a
12 question earlier today, too, talking about the low
13 income, and what I had said, There would have to be a
14 discussion by someone who is more knowledgeable than
15 those on this panel here today, and that would have to
16 be the finance panel. It's coming back on April 4th,
17 and the economics panel, so I think that question is
18 better put to -- to that.

19 We've already agreed earlier that --
20 that they will -- that will be highlighted for them
21 for when they come back.

22 MR. GEORGE ORLE: Now, Mr. Wojczynski,
23 you -- you've sort of quarterbacked this entire
24 Application. At any point in it did you direct or --
25 or ask any of the -- of the participants to direct

1 their minds to mitigation factors in regards to rates
2 for particular ratepayers?

3 MR. ED WOJCZYNSKI: I -- as the
4 quarterback to the NFAT, I did not give any such
5 direction, and the reason I did not give such
6 direction is that that's already an ongoing issue for
7 Manitoba Hydro regardless of which development plan is
8 pursued.

9 As I've indicated earlier, regardless
10 of which plan we have, we're going to see something in
11 the order of the 3.5/4 percent rate increases, so the
12 concern about low income is there regardless of which
13 plan we pursue, and we didn't see that as something to
14 differentiate between the plans.

15 MR. GEORGE ORLE: I don't mean this to
16 sound trite, nor do I intend it in any way to be a
17 slight, but when you dealt with the macro
18 environmental effects, you specifically singled out
19 what you thought were areas that were of concern, and
20 then you put into place certain mitigation measures.

21 Why would you not think that in the
22 socioeconomic that you wouldn't want to identify the
23 areas where there may be a concern and at least try to
24 see what there may be in terms of options?

25 MR. ED WOJCZYNSKI: That's a good

1 question and I think there's a good answer to that,
2 and that is when we are looking at the macro
3 environmental and socioeconomic, we were looking at
4 those components -- I'm -- I'm thinking in the
5 environmental side, the VECs, but on those components
6 which are -- are specific to each of the plans and --
7 and were different between the plans.

8 Where we have common issues between the
9 plans, we didn't dwell on those or deal with those. I
10 just -- off the top of my head, we have all kinds of
11 other impacts of -- that Manitoba Hydro interacts with
12 that are not unique to the individual plans, so we
13 don't deal with them in the NFAT because they're
14 common to the plans.

15 So that's why we did not focus on that
16 issue.

17 MR. GEORGE ORLE: Mr. Wojczynski,
18 you're -- you're aware that the majority of the First
19 Nations in MKO are either primarily or almost fully
20 dependant upon federal government comprehensive
21 funding arrangements?

22 MR. ED WOJCZYNSKI: Yes, I worked for
23 INAC for some months in my university days. I went to
24 most of the reserves in Manitoba teaching fire
25 prevention and electrical safety. I saw the

1 conditions. I talked to the people. I was very
2 impressed with their situation and I'm very aware of
3 what you're describing.

4 MR. GEORGE ORLE: Okay. Has Manitoba
5 Hydro taken any steps either to discuss with the
6 federal department or to investigate whether or not
7 rate increases for over twenty (20) years are
8 something that can be absorbed by these comprehensive
9 funding agreements?

10 MR. ED WOJCZYNSKI: I'd be the wrong
11 person to answer that question. We'd have to refer
12 that to the finance panel, but I would repeat that we
13 wouldn't see this as being something that is specific
14 to any one of the plans. It would be the case for all
15 the plans.

16 MR. GEORGE ORLE: Thank you, Mr.
17 Wojczynski. Those are all the questions I have.
18 Thank you, members of the panel.

19 THE CHAIRPERSON: Thank you, Mr. Orle.
20 I'll now ask M. Monnin, s'il vous plait?

21 MR. CHRISTIAN MONNIN: Merci, M.
22 President. Before I start I just have one (1)
23 administrative matter I'd like to deal with. Earlier
24 today I circulated a compendium of the CVs of the IECs
25 who will be appearing starting next Monday. I gave

1 two (2) copies to Mr. Simonsen. I have other hard
2 copies here, if someone wants a memento from today's
3 proceedings.

4 I've also filed an E-copy with -- with
5 the PUB, so that is ready for next week. So if we
6 could just introduce that as the next exhibit, which
7 would be Hill Co. Number 8.

8

9 --- EXHIBIT NO. HILL-8: CVs for IECs appearing
10 March 31

11

12 MR. CHRISTIAN MONNIN: And I will
13 caution that there may be some additional CVs for the
14 same individuals that are in -- in the -- the
15 compendium. Some of the CVs I've asked -- I've asked
16 some ICs to provide additional CVs, frankly more
17 robust ones for these proceedings.

18 With respect to any questions that I
19 have today, Mr. President, most of them would just be
20 attributable to ego, to wanting to get myself on the
21 transcript. Much of what is canvassed today has
22 caused me to be part of the 'me too' brigade, so I
23 really don't have any questions.

24 I thank you for the panel for their
25 patience, and that's it. Thank you.

1 THE CHAIRPERSON: Merci, Me. Monnin.
2 Me. Hacaault, s'il vous plait.

3 MR. ANTOINE HACAULT: I just have some
4 general comments, members of the panel. With respect
5 to the information which was received with gratitude
6 on economics, we may have some questions.
7 InterGroup's principle who's usually with me is -- is
8 not with me today.

9 And I guess we can discuss with
10 Manitoba Hydro -- some of these questions I would
11 expect would be useful to have dealt with in advance
12 of the April 4 hearing which we anticipate having.
13 I've been trying to go through it, and I have some
14 questions but at the risk of sounding stupid and
15 asking them I'd prefer to have a chance to consult
16 with InterGroup.

17 The second point is with respect to the
18 financial information to be filed. As you know,
19 members of the panel, InterGroup as consultants to
20 MIPUG had done substantial analysis to the financial
21 information, and that's part of the Application. And
22 it's my understanding that it would take them about a
23 week to do their analysis once they receive the
24 information.

25 So I just put that on the record. I

1 know Manitoba Hydro has been trying to do the best it
2 can, and InterGroup will try to do the best it can to
3 look at the material and -- and provide reasonable
4 analysis within a reasonable time. But I wanted to
5 express a concern about not having the material at
6 this time, and putting the consultants from MIPUG in
7 practically an impossible position to be able to
8 properly analyze and deal with that information by the
9 date that we have.

10 So I guess we'll take it step-by-step
11 as to when we receive it, and whether or not any of
12 the information can be provided in an Excel format,
13 which might expedite matters. I know it's not
14 questions, but I just wanted to state the concerns on
15 -- on the record so that parties aren't under the
16 impression that time doesn't matter for us.

17 THE CHAIRPERSON: Merci, Me. Hacault.

18 MR. SVEN HOMBACH: I don't have any
19 other administrative matters to address, Mr. Chairman,
20 so unless there's any remaining undertakings to be
21 addressed by Manitoba Hydro counsel, I suggest that
22 the societal issues panel be excused for the time
23 being.

24 THE CHAIRPERSON: Okay. Mr. Bedford,
25 do you have any comments?

1 MR. DOUGLAS BEDFORD: No.

2

3 (PANEL STANDS DOWN)

4

5 THE CHAIRPERSON: Mr. Williams,
6 please?

7 MR. BYRON WILLIAMS: This has nothing
8 to do with this particular panel. I -- I'm just
9 wondering, is there any update in terms of the Potomac
10 and -- and the issue of confidential information, in
11 terms of where we are in -- in a -- achieving a
12 determination of that issue?

13 THE CHAIRPERSON: Perhaps Mr. Hombach
14 can comment on that.

15 MR. SVEN HOMBACH: I will, Mr.
16 Chairman. And thank you for your question, Mr.
17 Williams. The issue of redactions to the Potomac
18 report is expected to be addressed in the confidential
19 session on Tuesday when Potomac is going to be in the
20 room. Currently no changes to the existing redactions
21 are anticipated before that time frame, aside from
22 what has already been posted.

23 MR. BYRON WILLIAMS: We may have some
24 comments about that on Monday morning, but I'll
25 reserve our position till then.

1 THE CHAIRPERSON: I don't believe
2 there's anymore business to conduct, so I want to
3 thank the -- the witnesses that appeared before the --
4 I'm sorry.

5 MR. CHRISTIAN MONNIN: Sorry, Mr.
6 President. I might -- it might be to the benefit of
7 all if I can just give a little bit more information
8 about Potomac's presentation on Monday and Tuesday.
9 Mr. Sinclair will be giving the direct-evidence. Dr.
10 Patton is coming in for Tuesday. We know we had to
11 change that schedule. So his schedule allows for him
12 to come Tuesday. I believe he'll be here for one
13 o'clock. And they both have a plane on Tuesday at
14 5:45 p.m.

15 THE CHAIRPERSON: So unless there's
16 any additional business I want to provide my closing
17 comments. I want to thank the representatives from
18 the First Nations. It was very good for the panel to
19 hear directly from you. I think it was very useful.
20 So thank you very much for taking the time to come in
21 and meet with us, because it -- we needed to hear from
22 the First Nations on -- on the issues.

23 And I want to thank Dr. Shaffer, and I
24 also want to thank Mr. Brandson for coming to discuss
25 issues with us. And the members of the -- of the

1 panel from Manitoba Hydro, we thank you very much.

2 I'm not sure if we'll have a chance to meet with you

3 again, but you've done a very capable job. Thank you

4 very much for your work up to now. So thank you very

5 much.

6 So to the rest of you, have a good

7 evening. We'll see each other again -- well, most of

8 us, on Monday morning at nine o'clock. Thank you.

9

10 --- Upon adjourning at 4:06 p.m.

11

12 Certified correct

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17 _____

18 Ms. Cheryl Lavigne

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