

MANITOBA PUBLIC UTILITIES BOARD

Re: MANITOBA PUBLIC INSURANCE CORPORATION (MPI)
GENERAL RATE APPLICATION
2014/15

Before Board Panel:

Kate Botting - Board Chairman
Regis Gosselin - Board Member
Anita Neville - Board Member

HELD AT:

Public Utilities Board
400, 330 Portage Avenue
Winnipeg, Manitoba
September 24th, 2013
Pages 1 to 203



“When You Talk - We Listen!”



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APPEARANCES

Candace Grammond) Board Counsel
Kathy Kalinowsky) MPI
Byron Williams) CAC (Manitoba) Inc.
Raymond Oakes) CMMG
Liz Peters) CAA

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1 --- Upon commencing at 9:30 a.m.

2

3 THE CHAIRPERSON: Good morning,
4 everyone. I'm Karen Botting, member of the Public
5 Utilities Board and acting Chairperson for this
6 hearing. I now call this 2014 Manitoba Public
7 Insurance Corporation General Rate Application hearing
8 to order. MPI has applied to the Public Utilities
9 Board for approval of its premiums to take effect on
10 March 1st, 2014.

11 This hearing will be conducted in
12 accordance with the provisions of the Crown
13 Corporation's Public Review Accountability Act, the
14 Public Utilities Act, and the Board's Rules of
15 Practice and Procedures. These rules are available on
16 the Board's -- Board's website for review.

17 In its Application, MPI is seeking
18 approval of rates charged for compulsory vehicle
19 insurance and driver premiums for the 2014/'15
20 insurance year based on an overall 1.8 percent rate
21 increase.

22 I am joined by two (2) other Board
23 members at this hearing: Chairman of the Board Mr.
24 Regis Gosselin, and Board member Ms. Anita Neville.
25 Also with us today is Jennifer Dubois, over there, an

1 associate and acting secretary of the Board.

2 Transcripts of this hearing will be
3 recorded by Digi-Tran and made available on our
4 website. We will begin the hearing on each hearing
5 date at 9:30 a.m. and adjourn at approximately 4:00
6 p.m. Each day will include a mid-morning lunch -- a
7 mid-morning, lunch, and mid-afternoon break.

8 Following closing remarks -- or
9 arguments, the panel -- panel will sequester itself
10 and deliberate to make our final determinations on the
11 matters before us. In the end we may accept, deny, or
12 vary MIP's Application. In reaching our decision we
13 will be guided by the evidence, written and oral, and
14 our determination of what represents the public
15 interest.

16 The Board takes its obligation and
17 mandate of protecting the public interest very
18 seriously. We are concerned not only with the short-
19 term economic impact of MPI's operations on both
20 ratepayers and MPI itself, but also the fairness of
21 that impact on MPI's long-term fiscal and operational
22 well-being.

23 In addition, the Board views this
24 process of one which should ensure insure transparency
25 in terms of the Corporation's operations and financial

1 position. In particular, the Board looks forward to
2 hearing evidence and submissions from the parties with
3 respect to the following issues before the Board,
4 among others:

5 The rate order sought by MPI, namely a
6 1.8 percent overall rate increase; MPI's financial
7 position, financial forecasts, and financial
8 modelling; MPI's investment perfor -- portfolio and
9 investment income, including the evidence of Mr. Gary
10 Gibson of the Department of Finance; MPI's interest
11 rate forecasting; MPI's efforts with respect to road
12 safety and loss prevention, and including the evidence
13 of Mr. Allan Robinson, Mr. Brett Robinson, and Ms.
14 Mavis Johnson; benchmarking conducted by MPI with
15 respect to operating expenses and insurance premiums
16 in other jurisdictions; MPI's claims, liabilities, and
17 reserving; MPI's operating and capital expenditures,
18 including with respect to IT opti -- optimization; an
19 update regarding the DCAT methodology utilized by MPI;
20 and an update on IFRS 4.

21 We trust that the participants at this
22 hearing will be mindful of cost effective --
23 effectiveness and will employ a cooperative approach,
24 the common goal being to put forward useful evidence
25 to assist the panel in reaching a sound decision on

1 the matters before it. We have significant and
2 complex issues before us, and I am confident that we
3 will -- we will approach this process with a view of
4 benefiting the public interest.

5 I now call upon Ms. Grammond, our
6 counsel, for introductions followed by the
7 introductions by MPI and the Intervenors. Ms.
8 Grammond will give -- will then give her introductory
9 remarks, after which I will call on MPI and the
10 Intervenors to provide theirs.

11 We will proceed with the swearing in of
12 MPI witnesses and commence the evidentiary portion of
13 this hearing. Ms. Grammond...?

14 MS. CANDACE GRAMMOND: Thank you,
15 Madam Chair. So I'm Candace Grammond, of Pitblado
16 Law, here representing the Board as counsel. With me
17 is Roger Cathcart, of Cathcart Advisors. He's the
18 accounting advisor to the Board. And on the -- sorry.
19 On the telephone, which will now be known as the bat
20 phone right here beside me, is Brian Pelly, the
21 actuarial advisor to the Board, who is online from
22 Toronto. He's with Eckler Partners. And he will be
23 here in person next week starting on October 1st.

24

25

(BRIEF PAUSE)

1 MS. KATHY KALINOWSKY: Good morning.
2 I'd like to say that I'm Kathy Kalinowsky, general
3 counsel and corporate secretary at Manitoba Public
4 Insurance. We are pleased to be here. To my
5 immediate right is Ms. Marilyn McLaren, president and
6 chief executive officer of the Corporation.

7 To her right is Heather Reichert, vice
8 president of finance and chief financial officer at
9 MPI. And to her right is Mr. Luke Johnston, the chief
10 actuary and director of pricing and economics. Behind
11 me in the back row offering support is Mike Triggs,
12 the director of legal services for the Corporation,
13 and also is Ms. Darlene Porter, the manager of
14 regulatory affairs. Thank you.

15 MR. BYRON WILLIAMS: Good morning,
16 Chairperson Botting, Board member Neville, and Board
17 member Gosselin. Byron Williams, of the Public
18 Interest Law Centre, representing the Consumers'
19 Association of Canada, the Manitoba branch. And just
20 behind me in the -- the second row is Ms. Gloria
21 Desorcy, executive director of the Consumers
22 Association.

23 MR. RAYMOND OAKES: Good morning,
24 Madam Chairperson, members of the Board. Raymond
25 Oakes, of the law firm Booth Dennehy, on behalf of the

1 Coalition of Manitoba Motorcycle Groups known as CMMG.
2 Also present this morning is Mr. Doug Houghton, the
3 president of the CMMG, together with another member of
4 the CMMG.

5 THE CHAIRPERSON: Ms. Peters...?

6 MS. LIZ PETERS: Good morning. My
7 name's Liz Peters. I'm here representing CAA
8 Manitoba. And just here to my right I've brought my
9 CEO -- president and CEO of CAA Manitoba, Mike Mager.

10 THE CHAIRPERSON: Thank you. And now
11 I'd like to call upon Ms. Kalinowsky to bring the --
12 introduce the witnesses for MPI and lead the
13 testimony. Thank you.

14 MS. CANDACE GRAMMOND: Madam Chair, if
15 I just might interject.

16 THE CHAIRPERSON: Okay.

17 MS. CANDACE GRAMMOND: I would
18 probably just do my opening remarks.

19 THE CHAIRPERSON: I'm sorry.

20 MS. CANDACE GRAMMOND: And we'll just
21 have those delivered.

22 THE CHAIRPERSON: Okay, thank you.
23 Thank you.

24

25 OPENING COMMENTS BY BOARD COUNSEL:

1 MS. CANDACE GRAMMOND: So Manitoba
2 Public Insurance is applying to the Public Utilities
3 Board for the approval of premiums to be charged with
4 respect to compulsory vehicle insurance for the
5 insurance year 2014/'15. The rates would take effect
6 March 1st, 2014, and are based on an overall 1.8 rate
7 percent -- 1.8 percent rate increase.

8 The adjustments in revenue for each
9 major class as applied for MPI are as follows. After
10 application of the capping rules, for private
11 passenger vehicles an overall 2 -- 2.0 percent rate
12 increase. For commercial vehicles an overall 1.8
13 percent rate decrease. For public service vehicles an
14 overall 4.6 percent increase. For motorcycles an
15 overall 6 percent decrease. For trailers an overall
16 7.8 percent increase. And for off-road vehicles an
17 overall 12.9 percent decrease.

18 Actual vehicle premiums will vary
19 depending on claims experience, driving record,
20 insurance use, territory, and vehicle rate group.
21 Approval is also being sought for rates for a new
22 insurance use announced by the province recently,
23 namely the collector vehicle insurance use.

24 There are no changes being proposed to
25 driver licence premiums, vehicle premium discounts,

1 fleet rebates, fleet surcharges, service and
2 transaction fees, or permit and certificate fees.

3 With respect to the evidence filed in
4 this proceeding I note that there were three (3) PUB
5 exhibits entered on the record at the pre-hearing
6 conference, which was held on June 28th, 2013. Those
7 were Exhibit 1, the notice of public hearing and pre-
8 hearing conference, dated June 17th, 2013; Exhibit 2,
9 the Boards Rules of Practice and Procedure; Exhibit 3,
10 the hearing timetable for this General Rate
11 Application.

12 And for the record, because we've had a
13 bit of change with respect to the hearing dates, I'll
14 just confirm that the twelve (12) hearing dates that
15 are now scheduled are as follows: today, tomorrow, and
16 Thursday of this week, so September 24 through 26th;
17 next week October 1st through 3rd; the week following,
18 October 9th through 11th; and finally, October 15th to
19 17th.

20 I would now like to enter on the record
21 some additional exhibits as follows: for Exhibit PUB-
22 4, the reminder notice of this public hearing which is
23 dated August the 6th, 2013.

24

25 --- EXHIBIT NO. PUB-4: Reminder notice of this

1 public hearing dated
2 August the 6th, 2013

3

4 MS. CANDACE GRAMMOND: As Exhibit 5
5 and in particular 5-1 to 5-128, the PUB First Round
6 Information requests and MPI's responses to those
7 requests.

8

9 --- EXHIBIT NO. PUB-5-1 THROUGH 5-128:

10 PUB First Round
11 Information requests and
12 MPI's responses

13

14 MS. CANDACE GRAMMOND: As PUB Exhibit
15 6, and specifically 6-1 through 6-42, the PUB Second
16 Round Information requests and MPI's responses to
17 those requests.

18

19 --- EXHIBIT NO. PUB-6-1 THROUGH 6-42:

20 PUB Second Round
21 Information requests and
22 MPI's responses

23

24 MS. CANDACE GRAMMOND: Exhibit PUB-7,
25 the transcript of the pre-hearing conference which

1 took place June 28th, 2013.

2

3 --- EXHIBIT NO. PUB-7: Transcript of pre-hearing
4 conference June 28th, 2013

5

6 MS. CANDACE GRAMMOND: PUB Exhibit 8,
7 the procedural order issued by the Board after the
8 pre-hearing conference which was Order 77/'13.

9

10 --- EXHIBIT NO. PUB-8: Procedural Order 77/'13
11 issued by the Board after
12 the pre-hearing conference

13

14 MS. CANDACE GRAMMOND: Exhibit 9, the
15 Board's book of documents which will be circulated
16 later this morning.

17

18 --- EXHIBIT NO. PUB-9: Board's book of documents

19

20 MS. CANDACE GRAMMOND: And we will
21 also have PUB Exhibit 10, which will be the letter of
22 the Board that was issued recently in response to
23 earlier correspondence from Byron Williams and James
24 Benson regarding CAC and Bike Winnipeg.

25

1 --- EXHIBIT NO. PUB-10: Letter of the Board in
2 response to Byron Williams
3 and James Benson regarding
4 CAC and Bike Winnipeg

5
6 MS. CANDACE GRAMMOND: With respect to
7 the cross-examination to be conducted on behalf of the
8 Board over the next number of days, the following
9 major issues will be addresses: the background to the
10 rate applied for; the revenue requirement with
11 reference to net income; MPI's investment portfolio
12 and investment income; interest rate forecasting; road
13 safety; efficiency benchmarks; capital expenditures,
14 including IT optimization; claims expenses and
15 operating expenses; an update on the DCAT, which is
16 the Dynamic Capital Adequacy Testing methodology; as
17 well as other topics that may arise.

18 I will now refer to the procedural
19 outline that was distributed this morning, and I do
20 have additional copies if anyone who wants one didn't
21 get one. On the second page we've referenced the
22 order in which matters to be heard are reflected. In
23 addition to the MPI witnesses, and I guess this is at
24 the bottom of the first page, we will hear from Gary
25 Gibson of the Department of Finance. And he is

1 scheduled to be here October the 3rd.

2 And now at the top of page 2 we have
3 three (3) road safety witnesses; two (2), Mr. Allan
4 Robinson and Mr. Brett Robinson will come on Thursday,
5 October 10th, and Ms. Mavis Johnson, who is to be
6 called by CAC, is scheduled to appear on Friday,
7 October 11th.

8 In addition there are a couple of
9 presentations that the Board will be hearing from
10 members of the public and those are set for today at
11 1:15.

12 Madam Chairman, those are my opening
13 comments at this point. Thank you.

14 THE CHAIRPERSON: Thank you very much,
15 Ms. Grammond.

16 And now I call upon Ms. Kalinowsky for
17 MPI.

18

19 OPENING COMMENTS BY MPI:

20 MS. KATHY KALINOWSKY: Good morning.
21 I don't have any opening comments, per se, but we do
22 have a fairly lengthy direct examination of the three
23 (3) witnesses. What I would like to take this
24 opportunity to do is simply mark the list of exhibits
25 down.

1 And the first exhibit that MPI has, or
2 course, is its GRA filings Volumes I, II, and III.

3

4 --- EXHIBIT NO. MPI-1: GRA filings Volumes I, II,
5 and III

6

7 MS. KATHY KALINOWSKY: The second
8 exhibit for MPI is the affidavit of Darlene Porter,
9 September 5th, 2013.

10

11 --- EXHIBIT NO. MPI-2: Affidavit of Darlene
12 Porter, September 5th,
13 2013

14

15 MS. KATHY KALINOWSKY: Exhibit number
16 3 is the affidavit of Kate Fenski, September 10th,
17 2013, re: the notice.

18

19 --- EXHIBIT NO. MPI-3: Affidavit of Kate Fenski,
20 September 10th, 2013, re:
21 the notice

22

23 MS. KATHY KALINOWSKY: And the fourth
24 exhibit is the af -- is another affidavit of Kate
25 Fenski, dated September 10th, 2013, re: the reminder

1 notice.

2

3 --- EXHIBIT NO. MPI-4: Affidavit of Kate Fenski,
4 dated September 10th,
5 2013, re: the reminder
6 notice

7

8 MS. KATHY KALINOWSKY: The fifth
9 exhibit is the first quarter financial results ending
10 May 21st, 2013, that, of course, circulated to the
11 others earlier.

12

13 --- EXHIBIT NO. MPI-5: First quarter financial
14 results ending May 21st,
15 2013

16

17 MS. KATHY KALINOWSKY: The sixth
18 exhibit is the correspondence from myself to the
19 Public Utilities Board dated August 28th, 2013,
20 regarding the Bike Winnipeg intervention, and it has
21 attachments to it. So that should be Exhibit number
22 6.

23

24 --- EXHIBIT NO. MPI-6: Correspondence from Kathy
25 Kalinowsky to the Public

1 Utilities Board dated
2 August 28, 2013

3
4 MS. KATHY KALINOWSKY: And then the
5 next exhibit would be Exhibit number 7 with subparts 1
6 to 8, which would be the Information Requests to the
7 CAC witness, Ms. Mavis Johnson. And that's all the
8 exhibits, I believe, at this point that we have to
9 mark in.

10

11 --- EXHIBIT NO. MPI-7: Information Requests to
12 CAC witness Ms. Mavis
13 Johnson

14

15 THE CHAIRPERSON: Thank you very much,
16 Ms. Kal -- Kalinowsky. Mr. Byron Williams for CAC?

17

18 OPENING COMMENTS BY CAC (MANITOBA):

19 MR. BYRON WILLIAMS: Yes, and thank
20 you, Madam Chair. Just for the Board's guidance, I've
21 -- our clients and I have prepared a -- a two (2)
22 sided document that will just summarize our -- our
23 introductory remarks. I cleverly forgot to number the
24 pages, so the -- the page 1 would be starting with,
25 "Guided by the consumer perspective."

1 And our clients are -- are -- from time
2 to time in these hearings, CAC (Manitoba) has
3 identified some of the consumer rights. And offline
4 questions have been asked, Well, what are the consumer
5 rights? And, certainly, what we put forward before
6 you are the eight (8) consumer rights that guide the
7 CAC (Manitoba) approach to -- to all issues.

8 In this hearing, of course, there are
9 some that are -- are more important than others, as My
10 Friend Ms. Kalinowsky points out. The ris -- right to
11 choice in the -- in the context of a monopoly is -- is
12 probably not that relevant. But what clearly is
13 relevant is, from the consumer perspective, the right
14 to be informed, the right to be heard, the right to
15 consumer education, and the right to participate in
16 marketplace decision making.

17 And our -- CAC (Manitoba)'s
18 intervention, apart from being guided by these rights,
19 is guided by the direction of the Board, contact with
20 roughly fourteen thousand (14,000) individual
21 consumers each year, and also by evolving approach to
22 both focus groups and advisory groups. Focus groups
23 being qualitative information sought on specific
24 issues from a -- a -- ordinary consumers, where
25 advisory groups are -- are more specialized,

1 representing whether it's the seniors, low-income
2 persons, or -- or other portions -- other non-
3 governmental organizations in Manitoba.

4 For the purposes of this hearing, CAC's
5 focus groups and advisory group advice has really been
6 concentrated on two issues: road safety, and also some
7 issues relating to risk tolerance and the rate
8 stabilization reserve.

9 Moving to the recommended analysis for
10 the MPI GRA, in the old days we didn't really talk
11 very much about the legal test or the critical test.
12 But if memory serves me right, I think since 2007,
13 I've been before various judges at the Court of Appeal
14 about five (5) different times talking about the legal
15 test.

16 From -- from our client's perspective,
17 it -- it's really important to flag what they consider
18 are the -- the key elements of that analysis. And it
19 all, of course, flows from the concept of just and
20 reasonable rates. But my clients have essentially
21 divided it into three (3) major headings.

22 One major heading is balancing the
23 interests of ratepayers in the monopoly as it relates
24 to the revenue requirement. The questions they pose
25 under that subheading are: Are the MPI forecasts

1 reasonably reliable? Are actual and projected costs
2 incurred necessary and prudent? And 'necessary and
3 prudent' are the language that flows from the concept
4 of just and reasonable rates. It's not just a -- a
5 passthrough of the forecast. It's analysis of whether
6 those incurred costs, actual or projected, are prudent
7 and necessary.

8 Are costs appropriately allocated
9 between Basic and other lines of business? Perhaps
10 less critical in this proceeding than others in the
11 past, but an important question. Are there sufficient
12 retained earnings for reasonable reserves? And,
13 similar to some of the opening comments of the Board,
14 the -- the final bullet under this heading is: Taking
15 into account the reliability of the forecast, the
16 prudence of the expenditures, and the overall general
17 health of the Corporation, is the proposed revenue
18 requirement reasonable and nec -- necessary? And, of
19 course, the onus is on Manitoba Public Insurance to
20 demonstrate that.

21 A second critical issue, and certainly
22 is often raised both by my clients and by -- by Our
23 Friend Mr. Oakes on behalf of CMMG, is eq -- is equity
24 among ratepayers. Are costs app -- appropriately
25 allocated between classes of customers and between in

1 -- individual drivers?

2 And finally, just and reasonable rates.
3 Are the rates that flow out of the analysis of the
4 revenue requirement -- are the rates that flow out of
5 the analysis of the cost allocation just and
6 reasonable in accordance with the statutory objective.

7 On the second page of our outline we
8 haven't gone through every subdirectory but these are
9 the keys issue that we flagged from our client's
10 perspective, especially in terms of the revenue
11 requirement, balancing ratepayers and the monopoly.
12 And much of our client's effort in this hearing will
13 be focussed on the revenue requirement.

14 In terms of whether MPI's forecasts are
15 reasonably reliable, they -- our clients will be
16 asking whether the materially revised investment
17 income forecasts can be relied upon. They'll be
18 asking whether the projections for claims incurred,
19 especially as they relate to accident benefits, weekly
20 indemnity, and other, whether those are appropriate.

21 In terms of the prudence and
22 reasonableness of the projected and actual costs of
23 MPI our client, like the Board, will be playing --
24 paying particular attention to information technology
25 expenditures, and asking whether the dramatic growth

1 in information technology expenditures are both
2 prudent and reasonable.

3 Our client will keep a close eye on
4 compensation costs, both for staff and for consulting,
5 and ask whether they are currently under control and
6 whether they are likely to remain under control.

7 Clearly an important issue in this
8 hearing for all parties relates to road safety, and
9 our client will be asking the Corporation to
10 demonstrate that its proposed expenditures relating to
11 road safety are prudent and reasonable in that they
12 cost-effectively reduce risk and automobile accidents.

13 And to that end, our client has
14 retained Ms. Mavis Johnson, a very well known expert
15 in -- certainly in Canada and -- and beyond Canada.
16 And she's been asked to evaluate whether MPI is
17 showing fidelity to its strategic objective of
18 developing an evidence-based road safety strategy.

19 And one of the themes that certainly
20 you'll hear in this hearing, whether it's from our
21 friends at CAA or from CAC (Manitoba) and, we suspect,
22 from the CMMG, is whether the road safety approach of
23 that Manitoba Public Insurance is evidence based, and
24 whether it is consistent with the evolving dynamics of
25 the Manitoba marketplace.

1 And our client, certainly in cross-
2 examination, will be posing a number of the questions
3 that were posed to them through their focus groups,
4 particularly as they relate to high school driver
5 education and -- and related programs.

6 Another key question our client will
7 ask is whether the Corporation has made adequate
8 progress to what the Board directed last year, to
9 develop productivity factors to enable the assessment
10 of the cost containment measures. And this has been
11 an important theme of CAC (Manitoba) for three (3) or
12 four (4) years, and -- and our clients are concerned
13 at the -- the delay in the development of these
14 essential measures.

15 In terms of the DCAT and the rate
16 stabilization reserve, this has been a historic focus
17 of CAC (Manitoba). Certainly we brought evidence on
18 behalf of CAC last year to -- on that issue.

19 In this issue, our clients will
20 certainly ask some questions but probably place a
21 little less emphasis on it this year, and that's
22 primarily because the financial models associated with
23 the DCAT is still being implemented, still evolving.
24 And so the question my client will ask is: Will it be
25 prudent to defer decisions relating to risk tolerance,

1 improvements to the DCAT model, and an appropriate
2 range for the RSR until a later date when we have that
3 essential input from the financial model?

4 And finally, the question posed at the
5 end of the day by our clients is whether the proposed
6 rates are just and reasonable. Has MPI made its --
7 met its onus? And in making our submissions on that
8 point our clients will, of course, be aware of the
9 very real stresses that consumers are facing every day
10 in Manitoba: less income than they would like.

11 Relatively sharp increases in prices for certain
12 commodities. And that certainly will form a backdrop
13 to our client's con -- contention and deliberations in
14 this proceeding.

15 Madam Chair, I'm -- I'm -- sadly I
16 don't have the exhibit list in front of me and, so
17 I'll -- I'll ask for the Board's assistance in
18 entering these exhibits. By -- there should be the
19 CAC First Round exhibits, and perhaps My Friend, Ms. -
20 - Ms. Grammond, can at least flag the -- the numbers
21 for me.

22 MS. CANDACE GRAMMOND: Sure. I'd be
23 happy to do that. So what we have so far in terms of
24 CAC exhibits are as follows. CAC-1, and specifically,
25 1-1 through 1-28 is the CAC First Round. CAC-2 is 2-

1 1; 2-54 is CAC Round 2. And then what we did, Mr.
2 Williams, because there were a series of Information
3 Requests that were CAC/CAA as well as CAC/Bike
4 Winnipeg, we attached different exhibit numbers to
5 those.

6 So Exhibit CAC/CAA-1, 1-1, 1-14 are
7 those CAC joint CAA Information Requests. And then
8 Exhibit CAC/BW-1, and that's 1-1 through 1-26, are the
9 CAC/Bike Winnipeg IRs. So that's what we've got on
10 the list so far. So your next exhibit will be CAC-3.

11 MR. BYRON WILLIAMS: And -- and that,
12 Madam Chair, would be the evidence of Ms. Mavis
13 Johnson filed on behalf of CAC. I'll just -- I think
14 My Friend, Ms. Grammond, in discussing the First Round
15 Information Request, said CAC-1-28. And I'm sure MPI
16 would be ecstatic if it was only 1 to 28. I suspect
17 she meant to say 1 to 128.

18 MS. CANDACE GRAMMOND: Correct. Thank
19 you.

20 MR. BYRON WILLIAMS: Subject to any
21 questions of the Board, those are the opening
22 submissions of CAC (Manitoba).

23 THE CHAIRPERSON: Thank you. Thank
24 you. Are there any questions? Do you have any
25 questions? Anita, any questions?

1 MS. ANITA NEVILLE: No.

2 THE CHAIRPERSON: Okay. Thank you,
3 Mr. Williams. Now I'd like to call upon Mr. Oakes
4 from the CMMG to give his opening remarks.

5

6 OPENING COMMENTS BY CMMG:

7 MR. RAYMOND OAKES: Thank you, Madam
8 Chairperson. The CMMG has been an Intervenor in these
9 proceedings for some twenty (20) years. One might
10 think that they would be very pleased in attending
11 this year and facing a 7.6 percent decrease. But as
12 I've indicated previously, we have to put that in the
13 context of the massive rate shock that got the
14 motorcyclists to the situation where the average rate
15 is over a thousand dollars, and that's for four (4)
16 months of the year; and without any extended fire and
17 theft coverages, such as automobiles enjoying their
18 basic coverage.

19 Of course the period from 1992 from
20 2002 saw a 227 percent increase. And a review of the
21 answers to the interrogatories asked by the CMMG
22 indicates that that was an unsubstantiated increase.
23 And now, of course, we're faced with a situation where
24 the Corporation has to return money to riders by
25 asking for decreases.

1 Unfortunately, the riders that were
2 forced off the road during those years, paying more
3 than they should have, won't be properly compensated
4 in that approach. Just in reference to those
5 statements, we saw in the first interrogatory, we saw
6 that over two thirds of the years since 2004 had a
7 loss ratio of less than 80 percent.

8 We saw the loss ratio in the last year
9 reported, 2012 being a pitiful 32.5 percent loss
10 ratio, vis-a-vis, the 75 or 80 percent that would mark
11 a break even when you add in the administrative costs
12 and -- and the other expenses.

13 2011, as well, similarly, a 48 percent
14 loss ratio; and I would suggest that this provides an
15 opportunity, perhaps, to investigate other mechanisms
16 like rebates in years where the Corporation doesn't
17 demonstrate at least a 50 percent loss ratio with
18 respect to that year.

19 So that's the backdrop that we come
20 before the Board. My remarks this morning are going
21 to be brief. You're going to have the pleasure of
22 hearing from the CMMG president, Doug Houghton, whose
23 remarks, of course, not forming evidence, but will
24 provide a thought-provoking examination of some of the
25 issues that hopefully the Board will keep in mind as

1 they listen to the evidence on this year's rate
2 hearing.

3 I'd suggest to the Board that it's
4 unfortunate that there wasn't a dedicated road safety
5 conference that could be arranged this year. There's
6 so much going on in the course of a GRA that it is
7 difficult to pay the type of attention to those
8 specific issues that should be generated amongst all
9 of the partners in road safety.

10 We will be interested in the testimony
11 of Mavis Johnson, to that end, have delivered some
12 interrogatories. We find it quite ironic that the
13 Corporation's road safety expert has no expertise at
14 all in wildlife collision claims.

15 And we think that's ironic because we
16 have a situation where there's \$30 million in losses
17 annually arising from wildlife collisions and we have
18 a Corporation that, for some time now, has said, Well,
19 we have no initiatives for that. And apparently their
20 experts don't have any initiatives for that either.

21 So we look forward to evidence that can
22 come out to help the Manitoba motoring public deal
23 with the tragic injuries and, in some cases, loss of
24 life that originate with road collisions with
25 wildlife.

1 With respect to the overall road safety
2 expenditures, we remain disappointed in the flatlined
3 MPI response. They spend approximately two hundred
4 and twenty- seven thousand dollars (\$227,000) in
5 motorcycle-related initiatives, and that amount has
6 more or less stayed flat over the period of time that
7 we've been before this Board. It has grown but
8 certainly not to the extent that it needs to.

9 With respect to the exhibits of CMA --
10 CMMG, we had a First Round that we would assume would
11 be CMMG Exhibit 1, a Second Round of interrogatories
12 that we would assume would be two (2), and then the
13 IRs related to the CAC witness which we would assume
14 would be CMMG-3.

15 Subject to any clarification by My
16 Learned Friend and questions by the Board, those are
17 my comments this morning.

18 THE CHAIRPERSON: Thank you very much,
19 Mr. Oakes. Now I'd like to call upon Ms. Peters for
20 the CAC -- CAA to give her opening remarks.

21

22 OPENING COMMENTS BY CAA:

23 MS. LIZ PETERS: And I'm actually
24 going to ask my president and CEO, Mike Mager, to
25 deliver our opening remarks.

1 MR. MIKE MAGER: Well, good morning,
2 everyone. I want to start by thanking the members of
3 the Board, the Board counsel, and MPI for the
4 opportunity to be here along with my colleague, Liz
5 Peters, on behalf of CAA (Manitoba), and it's two
6 hundred thousand (200,000) members.

7 We very much appreciate the opportunity
8 to be here as an Intervenor, as we have been for the
9 past nineteen (19) years, and as an advocate for our
10 members to ensure rates our members are fair and
11 reasonable. Of increasing interest to us at CAA
12 (Manitoba) is the Corporation's road safety
13 initiatives.

14 We plan to be at the majority of the
15 hearings doing a watching brief as we have in the
16 past, and while we don't plan to ask questions we
17 would request permission of the Board to do so if a
18 topic or an issue sparks the desire to do so. Thank
19 you.

20 THE CHAIRPERSON: And thank you very
21 much. And, now, I believe it's Ms. Kalinowsky.

22 MS. KATHY KALINOWSKY: Sure. We
23 should have the witnesses sworn at this point.

24

25 MPI PANEL:

1 MARILYN MCLAREN, Affirmed

2 HEATHER REICHERT, Affirmed

3 LUKE JOHNSTON, Affirmed

4

5 EXAMINATION-IN-CHIEF BY MS. KATHY KALINOWSKY:

6 MS. KATHY KALINOWSKY: Good morning,
7 Ms. McLaren. We'll start with some direct examination
8 questions of yourself on some general matters. Then
9 I'll proceed with some direct examination of Ms.
10 Reichert, followed by some direct examination
11 questions to Mr. Johnston, and then come back to Ms.
12 McLaren on road safety to finish off the direct
13 examination.

14 So, Ms. McLaren, what is MPI applying
15 for in this application?

16 MS. MARILYN MCLAREN: A number of
17 times throughout my direct -- I'm going to be
18 referring to Volume I of the Corporation's application
19 so, maybe, if participants could have it handy, that
20 might be helpful. So the actual application, what is
21 the Corporation applying for, is really found in the
22 AP section of Volume I, under Tab 1, which is the
23 actual rate table. Those are the individual rates for
24 all the different insurance uses, territories,
25 discount levels that the corporation is applying for.

1 So this is really the application.

2 All the other material in front of you
3 is context. Now, I'm a -- I'm a great lover of
4 context. I insist on it all the time. And we've --
5 we've given you a lot. So, really, though, the
6 application -- the -- of the 1.8 percent rate increase
7 that we're asking for this year, really is -- is
8 played out in this one (1) rate file that clearly
9 articulates the actual dollar premiums that people pay
10 based on all of the different circumstances of
11 themselves, their vehicles, where they are in
12 Manitoba.

13 So -- and, I guess, in terms of the
14 actual section of the application itself, the AP
15 section, flipping back just a page before that first
16 tab; in addition to the fact that we are applying for
17 the premiums that I've just showed to you, embedded in
18 those rates are the 1.8 percent increase. We're also
19 asking that you approve the use of the DCAT
20 methodology.

21 And a suggestion, if this Board
22 believes that some sort of a range around that target,
23 which the DCAT produces a number, if you believe that
24 some sort of a range is required -- which the
25 Corporation doesn't necessarily, but if you were, we

1 were suggesting some potential parameters for that
2 range. Oh, sorry, forgot about the collector cars.
3 I'll have my husband update them.

4 MS. KATHY KALINOWSKY: Thank you.
5 Can you provide the Board members with some context
6 around the 1.8 percent rate increase, seeing that
7 you're very keen on context?

8 MS. MARILYN MCLAREN: Well, it's been
9 a long time, nine (9) years; I guess ten (10) rate
10 applications since we have applied for a rate
11 increase. We have had many, many years of stability.
12 It's only the second time in sixteen (16) years that
13 we've actually applied for a rate increase.

14 In two (2) of the last three (3) years,
15 this Board has approved rates that decreased a total
16 of 12 percent over that same period. Over the last
17 sixteen (16) years there's been 600 million odd
18 dollars rebated to customers. I think all of this, in
19 terms of the overall rate stability, the increases
20 when we've had them are -- were very small. The
21 decreases were clearly understood and -- and driven by
22 factors that were broadly discussed and understood
23 here in these proceedings. And the fact that excess
24 retained earnings go back to ratepayers is really just
25 all different aspects of the real value that

1 Manitobans have in this public auto insurance model.

2 MS. KATHY KALINOWSKY: There have been
3 so many years without a rate increase. Can you speak
4 to the process the Corporation used and the confidence
5 level that you have in this process to arrive at the
6 applied for rate increase?

7 MS. MARILYN MCLAREN: As much
8 confidence, if not more, than I've had in any rate
9 application for all the years since 2004 that I've
10 been the CEO and -- and leading the Corporation's
11 application before this Board. I'm a great believer in
12 the phrase, I think, as attributed to Maya Angelou,
13 "When you know better, you do better."

14 And that's really what -- what we've
15 been able to do here, thanks largely to the leadership
16 provided by Ms. Reichert, in terms of really
17 understanding some of the less substantive features of
18 our forecasting process in previous years, how that's
19 been really desegregated and -- and driven to a level
20 of detail that is just incredibly helpful for us this
21 year.

22 We understand a great deal more than we
23 have in previous years. We have said -- I've said,
24 previous CEOs have said, our -- our ability to
25 forecast our costs here in Manitoba for auto -- for

1 Autopac insurance are really far more sophisticated
2 than any other insurer that I know of. And I -- and I
3 talked to a lot of other CEOs in other parts of the
4 country. And that has been true for probably a couple
5 of decades.

6 In no small part, I think that is
7 really attributable to this -- this very public, very
8 rigorous process we have here at PUB. We've always
9 had a lot of confidence in our forecasting.

10 Our claims forecast on our revenue
11 forecast for many, many years have been truly second
12 to none. I think the big difference this year is
13 really, truly understanding more and doing a better
14 job on the investment income forecast. That's really
15 the big difference.

16 So in terms of my confidence with the
17 work that underlies this application, the reliability
18 of the effort that our staff have put into it, my
19 confidence is very high.

20 MS. KATHY KALINOWSKY: With respect to
21 benchmarking, as we zero in on two (2) parts of the
22 application, last year, following the GRA, the Board
23 issued Order number 162/'11. And the three (3) panel
24 members put a specific order in there, and I'll read
25 it in, and it's that:

1 "MPI should conduct benchmarking
2 with re -- with respect to its
3 expenses. The Board would like to
4 be assured that the Corporation is
5 doing everything possible to ensure
6 efficiencies with its operation, and
7 benchmarking is an important part of
8 that. Benchmarking can and should
9 provide a basis for establishing a
10 cost control framework."

11 Would you like to address that, Ms.
12 McLaren?

13 MS. MARILYN MCLAREN: Yes. If I can
14 ask people to flip to the SM, supporting material,
15 section of Volume I, and Tab 5, page 2 of Tab 5 in the
16 SM section. We made some headway last year in talking
17 to the Board and filing material about some of the
18 real top-level indicators that -- that we use.

19 And I guess it's important to draw
20 attention to that again this year because it's
21 critically tied back to our founding principles and
22 it's something that we pay a lot of attention to all
23 the time at Manitoba Public Insurance, and the first
24 being that rates on average are lower.

25 Now, we have always used that. We've

1 reported on that. More recently, the provincial
2 government has taken action and passed legislation
3 with respect to the basket of utilities. And they
4 have, over the last couple of years, had Deloitte
5 reporting on this, as well. So there's another aspect
6 of confirming that rates, on average, are lower.

7 One (1) of the -- I guess if I had to
8 ever choose one (1) single metric that demonstrates
9 performance against other systems or performance of
10 value to Manitobans, it's really the second one, how
11 much of the premium dollar goes back to Manitobans in
12 terms of claims benefits and -- and just simply the
13 cost of handling those claims.

14 So the eighty-five (85) cents on the
15 dollar is probably the one -- I think it's important
16 to have more than one (1), but if you're going to have
17 one this is the one I would chose. How much of the
18 premium dollar goes right back out to Manitobans in
19 the form of claim benefits, and administering those
20 claims benefits.

21 And I think another important one is,
22 how do rates change through time? So we use the
23 Statistics Canada consumer price index for auto
24 insurance as another important measure. And those are
25 all shown for you near the bottom of page 3, the top

1 of page 4, and then the CPI graph is there on page 4.
2 And you can see on all of those that the Corporation
3 has met its responsibilities in -- in that area.

4 Now, those are very macro-driven
5 measures, and we talked last year about being
6 committed to driving down and doing more for you in
7 different ways. And one of the things that we did is
8 we spoke with and contracted with the Ward Group,
9 which you can see -- that report is back at Appendix
10 A. It's on page 13 of this section in SM-5, and that
11 compares this.

12 They've -- they've given you the list
13 of insurers that are part of the Canadian auto
14 benchmark group, and you can see how we compare
15 against those. And I would argue that in every way
16 that has sort of the direct effect on Manitobans, we
17 measure very, very well.

18 Now, we've had lots of conversations
19 here about IT expenses and talked about the Gartner
20 report. And I think it's important to notice here as
21 we begin these proceedings, because I know it'll
22 probably get some measure of attention, the linkages
23 and the alignment between what this Ward report tells
24 us and what Gartner tells us.

25 Compared to other industries, compared

1 to other businesses, our IT costs are higher. That's
2 because we highly, highly rely on IT to deliver our
3 services to Manitobans. So when our overall expenses
4 are -- compare very favourably to a national benchmark
5 like this, and you see that IT is higher on the IT
6 front, that just tells you they are probably a little
7 more labour intensive and we are a little more
8 technology intensive. But at the end of the day it's
9 the overall corporate cost that matters, and we
10 compare very favourably.

11 For almost twenty (20) years now we
12 have had online real-time technology in brokers'
13 offices. We have spent a lot of money in the last few
14 years on, you know, refreshing and -- and tuning up
15 our technology. We rely heavily on technology to
16 provi -- to provide our services to Manitobans, and
17 that's going to make our IT costs higher. But you
18 can't look at that in isolation.

19 If our IT costs were higher and our
20 labour and everything else was higher, that should be
21 a concern but that's -- that's not the facts. And
22 we're -- we're pleased to have this national
23 comparison for you this year to give that some
24 context.

25 And then the more detail about IT is

1 here, of course, in the Gartner report. But flipping
2 back a few pages, and I'm not going to go over it in
3 any detail at all in -- in this direct right now, but
4 we've also driven to a level of detail and started to
5 report on you, and we will cont -- report for you. We
6 will continue to refine this through time.

7 But some of the initiatives that we've
8 taken, have they made a difference? Have they helped
9 our staff be more effective? Has it helped improve
10 service? Has it helped keep our costs down? And
11 these areas, in terms of our injury claims management,
12 and the call centre, and physical damage claims
13 clearly shows that we have received value for the
14 money that we've been spending to really refine these
15 processes.

16 So I think we've made a huge
17 improvement -- increase in the information that's
18 available to you compared to last year, and we plan to
19 continue to do so through time. I won't promise such
20 a delta in information between this year and next year
21 as we have between last year and this year, but it's -
22 - it's trending and we will continue to focus on this.

23 MS. KATHY KALINOWSKY: So just to
24 bring this really forward to the Board, the Board
25 asked about ensuring efficiencies. Another quote was,

1 "Establish a cost control framework." That's from
2 Order 162/'11.

3 So how does this filing actually do
4 that?

5 MS. MARILYN MCLAREN: It demonstrates
6 efficiencies in relation to other auto insurers in the
7 country, and it shows the methods that we use inside
8 the Corporation to circle back and make sure that
9 we're getting the benefits from the initiatives that
10 we undertake.

11 MS. KATHY KALINOWSKY: Thank you. And
12 I'd like to move to Ms. Reichert and ask her some
13 questions at this point in the direct examination.

14 So, Ms. Reichert, would you agree that
15 a 1 percent change in rates equates to approximately
16 an \$8 million change in revenue?

17 MS. HEATHER REICHERT: Yes, I would.

18

19 (BRIEF PAUSE)

20

21 MS. HEATHER REICHERT: Yes, I -- I
22 would agree.

23 MS. KATHY KALINOWSKY: And addressing
24 Volume II, the pro forma section on page 1, and
25 perhaps you could take the members to that. But MPI

1 has projected to have a net loss of \$7.5 million in
2 2014/'15, but \$2.2 million net income in 2015/'16.

3 So why is MPI only applying for a 1.8
4 percent increase in rates?

5 MS. HEATHER REICHERT: If -- if the
6 members would like to actually -- I know you have your
7 Volume I in front of you. You can find the -- the
8 forecast, the multi-year statements, in SM-2 of Volume
9 I. It'll just help -- help you not to have to switch
10 volumes.

11 So the Corporation sets rates -- oh,
12 I'm sorry.

13

14 (BRIEF PAUSE)

15

16 MS. HEATHER REICHERT: The Corporation
17 sets rates to break even over the rating period.
18 Because policy renewals are staggered throughout the
19 year, a rate increase that is effective March 1st,
20 2014, will only generate about 50 percent, on average,
21 of the increase in 2014/'15, and 50 percent in
22 2015/'16. So that is why, when we are estimating rate
23 requirements, we take the average of the two (2)
24 rating years.

25 In this rate application, the rating

1 years are 2014/'15 and 2015/'16. The average of the
2 forecasted net loss in 2014/'15, and 2015/'16, shown
3 on attachment A under SM-2, after applying the 1.8
4 percent increase March 1st, 2014/'15, is 2.5 million,
5 that being the total of the \$7.5 million dollar loss
6 in 2014/'15 and the 2.2 million income in 2015/'16,
7 divided by two (2). As the forecasts are just best
8 estimates at a point in time, a 2.5 million average
9 loss per year over two (2) years is considered break
10 even.

11 MS. KATHY KALINOWSKY: And net income
12 is projected in 2017 at \$20.5 million; and in 2018,
13 \$24.2 million. So will there likely be a decrease in
14 rates in those years? And if so, is MPI just applying
15 for an increase this year that will then have to be
16 decreased next year?

17 MS. HEATHER REICHERT: The most
18 critical years of the forecast are the rating years -
19 again, 2014/'15, and 2015/'16. The further out the
20 projections are, the greater is the likelihood of
21 there being larger variances to actual results. That
22 is why MPI updates the forecast each year when we file
23 our application.

24 In this particular application, the
25 higher income in the outer years would help to

1 replenish the RSR, which is our -- which, as
2 forecasted on page 3 -- oh, sorry, no, it's not.
3 Sorry. If you want to see the -- the RSR and the
4 retained earnings, that would be on page 3 in Volume
5 II. Sorry to have to take you to another volume. But
6 it would be in Volume II, under the pro forma section,
7 page 3.

8 So in this particular application, the
9 higher income in the outer years would help to
10 replenish the RSR, which, as forecasted on page 3,
11 will be only slightly more than the MPI DCAT
12 recommended target by 2017/'18 if the actual results
13 totally mirror this forecast four (4) years from now.

14 MS. KATHY KALINOWSKY: Ms. Reichert,
15 I'm going to ask you to actually walk through some of
16 the line items there on page 3 to make sure that the
17 Board members are following in terms of the RSR.

18

19 (BRIEF PAUSE)

20

21 MS. HEATHER REICHERT: So looking on
22 page 3, the top part of this particular schedule,
23 where it has, "Basic insurance rate stabilization
24 reserve," if you just go down about ten (10) lines it
25 shows, "Ending balance." And it shows what the actual

1 ending balance of the Basic insurance RSR has been
2 from 2009, fiscal year ending 2009, all the way to the
3 actual at the end of February 2013, where it -- where
4 we reported in our financial statements an RSR of 141
5 million.

6 The projections that are contained
7 within our application show what will happen to that
8 RSR level based on the projected net incomes or
9 losses, depending on the particular year.

10 So you can see in -- in the 2014 year-
11 end it would increase to 146.9 million, then decrease
12 to 139, increase slightly to 141. And then, in those
13 outer years, where there is currently projected
14 significant income, it could increase to 162 million.
15 And then in 2018, again, all things holding exactly as
16 forecasted, we could be, at the end of 2018 fiscal
17 year, at 186 RSR.

18 MS. KATHY KALINOWSKY: Let's look at
19 some of the financial results of the Corporation. On
20 pro forma number 2, page 2, the financial results for
21 2013 are a net income -- or net loss of \$72 million.
22 So the Basic results in that year were \$76.9 million
23 lower than what was forecast in last year's GRA. What
24 happened?

25 MS. HEATHER REICHERT: There are

1 essentially five (5) main reasons for the 2012/'13
2 results being lower than what was forecasted. The
3 most significant was bad winter weather. I'm sure
4 everybody will recall how awful the winter was in 2012
5 and going into 2013.

6 The number of actual collisions rose by
7 more than eleven thousand (11,000), or 7.8 percent
8 higher than what was forecasted. This contributed to
9 an increase in the cost of these claims by 31 million.

10

11 The second contributor to lower than
12 forecasted results was investment income. Lower
13 dividend income, lower equity returns, and low
14 interest rates contributed 12 million to the
15 unfavourable variance.

16 The third reason was the combination of
17 those two (2) factors I just cited combined with the
18 PUB-ordered 8 percent in -- decrease in rates for
19 2012/'13, compared to the 6.8 percent decrease that
20 was applied for, resulted in the need to write down 15
21 million of deferred policy acquisition costs. The
22 write-down had not been forecasted to occur.

23 The fourth reason, the external
24 actuarial review in October of last year resulted in a
25 14 million unbudgeted increase in PIPP claim

1 liabilities.

2 And the fifth reason, the lower
3 interest rates also contributed negatively to both the
4 pension and the claims valuation, resulting in a
5 further 13 million negative variance.

6 MS. KATHY KALINOWSKY: So can you
7 provide the Board with an update on what's happened in
8 the first quarter of the Corporation's fiscal year?

9 MS. HEATHER REICHERT: The bad
10 weather, unfortunately, continued into March and April
11 of this year and, again, negatively impacted our
12 results. This, combined with higher PIPP claim costs
13 and lower investment income, resulted in Basic
14 insurance program reporting a net loss of 41.1 million
15 in the first quarter.

16 MS. KATHY KALINOWSKY: And what about
17 the second quarter? I know that a number of parties
18 have asked for the second quarter results.

19 MS. HEATHER REICHERT: The second
20 quarter results will be released during this hearing
21 after they are tabled in the legislature, about the
22 middle of October.

23

24

(BRIEF PAUSE)

25

1 MS. KATHY KALINOWSKY: Moving now to
2 ask a few questions in respect of the forecast. In
3 general, in an environment of rising interest rates,
4 what is the impact to MPI's financial results?

5 MS. HEATHER REICHERT: Okay. So, in
6 general, when interest rates increase MPI will see
7 favourable results. So remembering that MPI has
8 approximately 2.3 billion set aside in investments,
9 largely for unplay -- unpaid claims liabilities, the
10 higher the interest rates, the less money that has to
11 be set aside to pay out long-term claims. When
12 interest rates increase, then claims liabilities
13 decrease.

14 However, when interest rates increase,
15 the value of the marketable bond portfolio decreases.
16 Remember, our bond portfolio is approximately 1.5
17 billion. So small changes in interest rates can have
18 a significant impact on investment income. An
19 increase of fifty (50) basis points will decrease bond
20 values by approximately \$36 million. Currently, what
21 we gain --

22 MR. REGIS GOSSELIN: I'm sorry, could
23 you just repeat that again? Reduced it fifty (50)
24 point -- an increase in fifty (50) basis points --

25 MS. HEATHER REICHERT: An increase of

1 fifty (50) basis points will decrease our bond values
2 by approximately 36 million. And, currently, what we
3 gain in the lower cost of claims more than offsets the
4 negative impact on our bond portfolio of higher
5 interest rates and the Corporation's overall results
6 are better. So in another -- let me say, again, in
7 another way. Since it is such an important aspect for
8 the PUB in its rate setting, in a rising interest rate
9 environment the money that we gain from the lower cost
10 of claims more than offsets the decreases in the bond
11 portfolio. The -- thus, our financial results will be
12 better.

13 MS. KATHY KALINOWSKY: So, Ms.
14 McLaren, maybe what you could do is refer the Board
15 members, at this point, to the overview section where
16 interest rate forecasts are and go -- or, sorry, Ms.
17 Reichert. I'm looking at Ms. Reichert and saying,
18 "Ms. McLaren," sorry about that. If you could refer
19 the Board members to the overview section right now
20 and go through that, then, that might help them,
21 recognizing this is such a pivotal decision that
22 they'll have to make in this hearing.

23 MS. HEATHER REICHERT: Sure. So if I
24 could ask you, then, to turn in Volume I, the overview
25 section beginning on page 7.

1 (BRIEF PAUSE)

2

3 MR. REGIS GOSSELIN: What section is
4 that?

5 MS. HEATHER REICHERT: The overview
6 section. So Volume I, there's a tab, or should be a
7 tab, called Overview. It -- it's right behind Tab 3
8 after the application section. Okay. So page 7, the
9 bottom third of that page. Okay. We're at interest
10 rate forecasts and I will just read this into the
11 record, so:

12 "In past forecasts the Corporation
13 essentially ignored the impact that
14 increasing or decreasing interest
15 rates would have on the value of our
16 claims liabilities and, therefore,
17 our claims costs, as well as the
18 impact on the value of our bond
19 portfolio and, therefore, our
20 investment income. If the duration
21 of our bond portfolio was perfectly
22 matched with the duration of our
23 claims liabilities, then the impact
24 to each would be expected to
25 offset."

1 And it was that assumption and for that
2 reason that we never forecasted in the past the impact
3 on claims costs and the impact on investment income.
4 So, currently, the duration of our fixed income
5 portfolio is seven point four (7.4) years, and the
6 duration of our claims liability is nine point zero
7 (9.0) years. So while we do match to a significant
8 extent, we are not perfectly matched.

9 And in situations where interest rates
10 are increasing, the benefit to the claims liabilities
11 exceeds the negative impact to the bond values and
12 there is a net positive impact to income. Over the
13 past several years, when interest rates were
14 declining, the Corporation's net income was negatively
15 impacted. But not only did rates decline over this
16 period, they declined while interest rates had been
17 forecasted to significantly increase.

18 The impact of this variance was not
19 readily obvious nor did it create a substantive
20 problem for the overall economic strength of the basic
21 insurance program because it occurred at the same time
22 as the Corporation was making significant reductions
23 to PIPP claim liabilities.

24 So, just as an aside, the Board may
25 remember or -- or may have read, it was in 2011 that

1 the Corporation had a rebate of -- or a release, if
2 you will, and a rebate of about 300 million.

3 In prior years the Corporation did not
4 have the modelling tool to properly forecast the
5 impact of changing interest rates on net income for
6 rate-setting purposes. Now we do. The interest rate
7 forecast is a significant component of this forecast
8 and impacts the current year as well as the rating
9 years and outlook years.

10 The forecast is very sensitive to
11 changes in the projected interest rates. A
12 forecasting with interest -- with increasing interest
13 rates is favourable to the Corporation, given the
14 mismatch of asset and liability duration. However, if
15 an increase in interest rates as predicted does not
16 occur, the downside impact to the Corporation is
17 significant.

18 For every ten (10) basis points
19 forecasted increase that does not occur, claims
20 liability by itself and, therefore, claims costs,
21 increase by approximately \$17 million.

22 MS. KATHY KALINOWSKY: Thank you for
23 reading that section in and explaining it.

24 So, in general, what happens, then, in
25 an environment of declining interest rates?

1 (BRIEF PAUSE)

2

3 MS. HEATHER REICHERT: So,
4 essentially, in a declining interest rates environment
5 the reverse impact is felt. So the costs of our
6 claims would increase. We have to set aside more
7 money at those lower rates to pay out those longer
8 term claims. And while the value of our marketable
9 bonds portfolio increases when interest rates
10 decrease, the increase is not enough to offset the
11 increase in the claims costs. The Corporation's
12 overall financial results will be worse.

13 MS. KATHY KALINOWSKY: Let's talk
14 about interest rate risk. What is that?

15 MS. HEATHER REICHERT: Interest rate
16 risk is the risk that changes in interest rates will
17 negatively impact the Corporation's financial position
18 or net income. So if the Corporation's bond portfolio
19 and claims portfolio were perfectly matched in
20 duration, MPI's interest rate risk would be minimal.

21 In order to manage the Corporation's
22 interest rate risk the investment policy statement
23 allows for a plus or minus two (2) year spread between
24 the duration of claims liabilities and the fixed
25 income portfolio.

1 Currently the duration of the fixed
2 income portfolio is lower than the claims duration.
3 So, in this case, if interest rates fall, then the
4 value of the claims liabilities will increase more
5 than the increase in the fixed income portfolio value
6 which, again, would negatively impact MPI's net
7 income.

8 Interest rate risk with respect to this
9 rate application is that interest rates will not rise
10 as high as forecasted in the rate application. If int
11 -- if interest rates are lower than what has been
12 forecast net income will be lower than forecasted due
13 to the duration mismatch between claims and the fixed
14 income portfolio.

15 For every fifty (50) basis points the
16 interest rate -- interest rates are lower than are
17 forecast it is estimated that the Corporation will
18 have a net negative variance of approximately 17.3
19 million.

20 MS. KATHY KALINOWSKY: Why did the
21 Corporation change its forecast of interest rates from
22 that of the major banks as used in its prior years of
23 application?

24 MS. HEATHER REICHERT: If I -- if I
25 could, at this point, ask the -- the Board to -- still

1 within Volume I, in the overview section, if you could
2 just turn to page 9. So in the middle of that page
3 you will see a graph or a chart that is a very
4 important chart and likely one that will be referred
5 to often during -- during this hearing.

6 This chart depicts the Government of
7 Canada ten (10) year forecasted rates from 2008 to
8 2013. So all of the colourful lines that have the
9 little symbols on them show what the banks and Global
10 Insight were forecasting in each of those years. So
11 the first -- the blue line that's -- that's showing a
12 -- an increase, then the green line, the burgundy-type
13 line, I think then a purple line. All of those lines
14 that have the various symbols on them represent what
15 the banks were forecasting to occur in those years,
16 with interest rates.

17 The black line that is on this graph,
18 which you see as increasing a little, then decreasing,
19 increasing, decreasing more, increasing, decreasing
20 even more, is what actually happened with interest
21 rates with the Government of Canada ten (10) year
22 interest rates.

23 So you can see from this that,
24 consistently over those years, the five (5) major
25 banks and Global Insight have been forecasting

1 increasing interest rates. Generally, in each of
2 these years, the forecast has been for interest rates
3 to increase about three hundred (300) basis points
4 over a five (5) year period.

5 As I said, the black line on the graph
6 shows what the actual interest rates were.
7 Consistently the forecasts have been higher than what
8 the actual rates were. If the Corporation continued
9 to use the same method for forecasting interest rates,
10 it would be accepting a very high level of interest
11 rate risk. The interest rate risk would be too high,
12 in our opinion.

13 The Corporation is not prepared to
14 assume that this year the forecasters will, in fact,
15 be right. Because if they are not, the negative
16 impact on our financial condition, and the negative
17 impact on our rate stability is just too great. So it
18 was for that reason that we took the standard interest
19 rate forecast, and assumed the level of increase
20 forecasted would occur over a ten (10) year period,
21 instead of a five (5) year period. And that is
22 demonstrated by the green line on this particular
23 chart.

24 Excuse me. And -- and so, essentially,
25 the -- so what we've essentially done is taken the

1 midpoint between that previous standard interest rate
2 forecast, which is denoted by the solid blue line on
3 this chart. If we continue to -- to forecast as we
4 always have it would have been that solid blue line.

5 We also looked at what the Canadian --
6 sorry, the Conference Board of Canada interest rate
7 was forecasting -- or what that organization was
8 forecasting. So we used that interest rate forecast
9 for the rating -- so we took the midpoint, I'm sorry,
10 between that blue solid line that denotes how we
11 always used to do it and then the lower line that
12 start -- the red line that starts lower and then goes
13 a bit higher, which is the Conference Board of Canada.

14 So essentially what we did was, we
15 looked at those -- those three lines and took the
16 midpoint in each of the situations. So we took the
17 midpoint between what the standard forecast would have
18 been, what the Conference Board of Canada was
19 forecasting the rates to be, and we essentially took
20 the midpoint in the rating years.

21 And then on the outer years, again,
22 took the midpoint, but this time the Conference Board
23 of Canada was getting more optimistic in that longer
24 term rates were going to be going up. So in the outer
25 years we've, in fact, chosen the Conference Board of

1 Canada rates.

2 MS. KATHY KALINOWSKY: Does anybody
3 else rely upon the Conference Board of Canada outlook
4 for interest rates?

5 MS. HEATHER REICHERT: I do not know
6 who else uses the Conference Board of Canada forecast.
7 We used it only for the outer years, and that was to
8 mitigate the amount of interest rate risk using the
9 standard interest rate forecast it would entail. So
10 it was really just so that we were not using an
11 interest rate forecast that we felt was -- was going
12 to result in a higher interest rate risk for us.

13 MS. KATHY KALINOWSKY: We can take a
14 break now, or I have probably five (5) more questions
15 for Ms. Reichert.

16 THE CHAIRPERSON: I think right now it
17 would be appropriate to take a break, if that would be
18 agreeable with everyone. About ten (10), fifteen (15)
19 minutes. Thank you.

20

21 --- Upon recessing at 10:45 a.m.

22 --- Upon resuming at 11:01 a.m.

23

24 THE CHAIRPERSON: I think we'll begin
25 again. Thank you. Ms. Kalinowsky, would you like to

1 continue with your direct examination?

2 MS. KATHY KALINOWSKY: Sure. I would
3 like to do that but first I would like to hand out two
4 (2) exhibits that Ms. Reichert will refer to in the
5 next couple of questions. The first exhibit is a
6 colourful chart on historical Government of Canada ten
7 (10) year rates, and it should be marked MPI Exhibit
8 number 8.

9

10 --- EXHIBIT NO. MPI-8: Chart on historical
11 Government of Canada ten
12 (10) year rates

13

14 MS. KATHY KALINOWSKY: The second is a
15 financial model scenario summary, and that should be
16 marked as MPI Exhibit number 9.

17

18 --- EXHIBIT NO. MPI-9: Financial model scenario
19 summary

20

21 THE CHAIRPERSON: Thank you.

22

23 CONTINUED BY MS. KATHY KALINOWSKY:

24 MS. KATHY KALINOWSKY: So with that,
25 I'll ask Ms. Reichert to talk about what's happened

1 since the Application was filed with regard to
2 interest rates.

3 MS. HEATHER REICHERT: Thank you. So
4 as at the end of August the Government of Canada ten
5 (10) year bond rate is now 2.5 percent. So that is
6 sixty-three (63) basis points higher than at the end
7 of February. And it is higher than where any of the
8 forecasts -- pardon me, forecasters predicted for the
9 end of 2013.

10 So if I can ask you just to look at the
11 graph, Exhibit number 8 that was just handed out,
12 you'll see this continues to have the black line,
13 which reflects actually interest rates from 2008 to as
14 current as we could get them, so I think it's
15 September 20th actually. So that's the -- that's
16 denoted by the black line.

17 The standard interest rate forecast, if
18 it had been done based on the information that we have
19 today, represents that blue -- solid blue line. So
20 not the same blue line that I was referencing from the
21 overview document. This has been a restated,
22 recalculated standard interest rate forecast based on
23 what the five (5) banks and global insight are now
24 forecasting. So a slightly higher cur -- line, if you
25 will, than what -- what was -- would have been

1 forecasted back in April.

2 The red line is a forecast that I
3 created based on what we have seen happen with actual
4 interest rates in the past. So if the current
5 increase in interest rates holds for a while but then
6 does what has happened in past periods where there's
7 always been a decrease after the increases, the red
8 line is -- is a possibility.

9 And for reference the green line with
10 those black boxes on there is the same green line with
11 the black boxes that MPI has used within this Rate
12 Application. So it is, as you can see, between what
13 the standard interest rate would indicate based on
14 current results and it's in the middle of that, versus
15 potentially would could happen should the interest
16 rates decrease as they have in the past.

17 So just maybe I'll -- I'll reiterate
18 reading from my notes that -- so over the history of
19 the last five (5) years we have never seen sustained
20 increases. The evidence shows a pattern of increases
21 followed by decreases. And if interest rates decline
22 after this increase as has been the pattern in the
23 last five (5) years, MPI would be in a even worse
24 position.

25 The impact on our rating years would be

1 a decrease in average net income in each year of over
2 \$50 million. A 1.8 percent increase in premium rates
3 would be grossly insufficient.

4 MS. KATHY KALINOWSKY: So how has this
5 recent increase in interest rates affected MPI in this
6 fiscal year 2013/'14?

7 MS. HEATHER REICHERT: Well, as --
8 sorry, as expected, because the interest rates have
9 been higher than what we were budgeting at this point
10 for 2013/'14, there has been a slight positive net
11 impact in the first quarter related to that one (1)
12 area.

13 Unfortunately there were other
14 unfavourable items, such as the higher bad weather
15 collisions, that resulted in the overall 41 million
16 loss in the first quarter.

17 MS. KATHY KALINOWSKY: So what will be
18 the impact, and can you say anything about the current
19 fiscal year results?

20 MS. HEATHER REICHERT: I am prevented
21 by law in sharing the second quarter results with the
22 Public Utility Board before they are tabled in the
23 legislature. So I do want to say we are doing what we
24 can to have that tabling occur as soon as we can in
25 these hearings. But I do want to remind the Board

1 that MPI has not filed a change to their forecast or a
2 change to their application as part of these hearings.

3 MS. KATHY KALINOWSKY: What will be
4 the impact to MPI over the two (2) rating years of the
5 application within -- with regards to interest rates?

6 MS. HEATHER REICHERT: Okay, so what
7 may happen, and -- and really it depends, right. It
8 depends on whether the interest rates that are
9 currently occurring continue to increase and stay at
10 levels that are higher than what we have forecasted or
11 it'll -- it'll be a different results if they follow
12 the historical patterns and they decrease again.

13 MS. KATHY KALINOWSKY: So how would
14 you characterize MPI's interest rate forecast?

15 MS. HEATHER REICHERT: I would
16 characterize our interest rate forecast as a best
17 estimate at this point in time. It reflects a
18 reasonable balance. We've attempted to mitigate the
19 interest risk while still forecasting that there will
20 be increases in interest rates.

21 And again I refer you to Exhibit number
22 8, where you can see that the MPI interest rate
23 forecast continues to show a balance between what the
24 standard interest rate forecast would -- would show at
25 this point in time versus something that -- that could

1 in fact occur, as has occurred in the past, with a
2 decline in the interest rates.

3 MS. KATHY KALINOWSKY: So here were
4 are in September, going into October, at the 2014 GRA.
5 What are the options for the Public Utilities Board as
6 it relates to the interest rate forecast and rate
7 setting?

8 MS. HEATHER REICHERT: So essentially
9 the Public Utility Board will need to decide to what
10 extent, if at all, they will substitute the
11 Corporation's judgment for their own. If interest
12 rates continue to be more favourable than our forecast
13 and the PUB approves the rate increase, then the RSR
14 will be returned to the DCAT-driven target more
15 quickly.

16 If interest rates continue to be higher
17 than our forecast and the Public Utility Board
18 disallows any rate increase, then it will take longer
19 to rebuild the RSR. And if interest rates prove to
20 follow the recent history of increases and decreases
21 and the Public Utility Board disallows any rate
22 increase, I do expect that next year we will be here
23 asking for both a rate increase and an RSR rebuilding
24 surcharge.

25 So, in our view, the risk of failing to

1 increase rates by a moderate 1.8 percent far -- far
2 outweighs any risk of approving it. There is little
3 risk in approving a moderate increase and there is
4 significant in not doing so when the future interest
5 rates are so uncertain.

6 MR. REGIS GOSSELIN: I have to ask
7 some questions here. Would you mind running through
8 that again, if you don't mind, please, so we
9 understand it fully.

10 MS. HEATHER REICHERT: Yes.

11 MR. REGIS GOSSELIN: That section you
12 just went over now.

13 MS. HEATHER REICHERT: Yeah, I'd be
14 happy to. So what the Public Utility Board needs to
15 decide is to what extent, if at all, you want to
16 substitute the Corporation's judgment in our forecast
17 with your own. So if interest rates continue to be
18 more favourable than our forecast, which is currently
19 what is happening, and you approve the rate increase
20 that we're requesting of 1.8 percent, then the RSR
21 will be returned to the DCAT targets that we're
22 presenting more quickly than what is shown in our
23 current forecast.

24 If interest rates continue to be higher
25 than our forecast but the Public Utility Board

1 disallows any rate increase, then that means it'll
2 take us longer to rebuild that RSR.

3 If interest rates prove to follow the
4 recent history of increases and decreases as shown on
5 Exhibit number 8, and the Public Utility Board decides
6 not to allow the one point eight (1.8) rate increase,
7 I expect that next year, because our financial results
8 will be hurt by that particular occurrence of both
9 lower interest rates and no rate increase, then we'll
10 be back here asking for a potentially higher rate
11 increase and an RSR building -- or, pardon me,
12 rebuilding surcharge to compensate for what will have
13 occurred in -- in this year.

14 MR. REGIS GOSSELIN: Could -- could I
15 ask a question before you go on, Ms. Kal --
16 Kalinowsky? Specifically looking at Exhibit 8, MPIC's
17 document you just tabled, again, could you repeat what
18 that red line is? I didn't quite understand.

19 MS. HEATHER REICHERT: Sorry. The red
20 line? The red line is my presentation of what's
21 occurred in the past, where you've seen increases in
22 rates and then a decrease by more than the increase;
23 an increase and then another decrease; an increase and
24 then a very significant decrease. So if you look at
25 the black line, it is my forecast, my own attempt to

1 forecast, what could possibly happen if that same
2 pattern continued to occur.

3 So we've seen in the current fiscal
4 year, interest rates have increased significantly.
5 And they could continue to increase by that portion of
6 the red line that's just above February '13, February
7 '14. But then if what has happened historically
8 happens, i.e. after a period of increases there's a
9 decrease, then the line could drop.

10 Now, the -- the length of that drop on
11 the red graph is not inconsistent with the length of
12 the drop that occurred in February '11 -- between
13 February '11 and February '12. So it's -- it is
14 possible that interest rates could, in fact, decline.
15 And so that -- that is what this red line is trying to
16 depict, is a sudden decline after these increases and
17 then a -- a return to increasing interest rates.

18 MR. REGIS GOSSELIN: So -- so how did
19 you -- how did you extrapolate that line? I mean,
20 where did -- where did you get the numbers to
21 establish this graph?

22 MS. HEATHER REICHERT: It is based on
23 the standard interest rate forecast that you see for -
24 - see there for September, the blue line. Okay? And
25 so I continued along what that forecast was saying for

1 the first part, for the -- for the February '13 to
2 February '14. And then about midway through the
3 February '14 to February '15 year, I assumed a
4 decrease in the rates similar to what had occurred
5 between February '11 and February '12.

6 At that point I then resumed the level
7 of increases. So if they were -- if the banks were
8 predicting that rates were going to increase by twenty
9 (20) basis points over the period from February -- the
10 middle of February to the middle of -- of February
11 '15/'16, I -- I used that same anticipated increase
12 that the banks are currently projecting and did the
13 same for the -- the last part of this graph. So it's
14 got the same slope as what the banks are projecting.
15 You can sort of see that red line slope at the last
16 two (2) years is very similar in -- in its slope to
17 the blue line above.

18 MR. REGIS GOSSELIN: But that drop,
19 the very precipitous drop between February '14 and
20 February '15, the quantity of that drop, how did you
21 establish? I just --

22 MS. HEATHER REICHERT: The -- the
23 quantity of that drop, I used what had occurred in the
24 quantity of the drop between February '11 and February
25 '12. If you look at how the black line decreased by

1 about 1.5 percent in that period, that's what I did.
2 I -- I did a 1.5 percent decline in my -- my attempt
3 at the forecast.

4 MR. REGIS GOSSELIN: I wonder if I --
5 before you -- you continue with your script, I wonder
6 if you've used a number of different values in your
7 remarks before. You talked about fifty (50) basis
8 point equals 17 million, and you talked about seven
9 (7) -- sorry, 36 million, and then you used 17 million
10 as another.

11 Could you please put that into a sheet
12 so that we get it right? In other words, where you
13 use fifty (50) babys -- fifty (50) basis point drop or
14 increase, what -- what does it represent in terms of
15 net revenues, claim costs, claims liability, so that
16 we get it right, please?

17 I just wanted to make sure that --
18 because I was try -- having trouble following it. I'm
19 not writing fast enough, so...

20 MS. HEATHER REICHERT: Yeah, no, that
21 -- that's not a problem at all. And if -- if you
22 would like, I can actually refer you specifically to -
23 - in our investment section we have the table that
24 clearly lays out what happens if there's a fifty (50)
25 basis point higher than what we forecasted, and a

1 fifty (50) basis points lower than what we forecasted.

2 And it shows what the impact is to our
3 investment income as well as the impact to our claims
4 liability, and therefore what the net impact is to the
5 Corporation. So that's contained in your Volume II in
6 the section that's titled, "Investments" -- or,
7 "Investment Income," and I can give you the exact
8 page. Page 7.

9

10 (BRIEF PAUSE)

11

12 MS. HEATHER REICHERT: At the top of
13 page 7, Table 1.1. So there you'll -- you -- you can
14 see the different numbers that I was referencing in --
15 in my direct testimony. Is that helpful?

16 MR. REGIS GOSSELIN: Yes. Now I guess
17 the other obvious question at this point is, you
18 talked about the mismatch of claims liabilities in the
19 bond portfolio, and -- and I guess the follow-up
20 question would -- wouldn't -- would be:

21 Is it -- would it be your intention to
22 ensure that -- that those durations are matched to the
23 extent possible over time?

24 MS. HEATHER REICHERT: Our forecast is
25 based on maintaining the same level of duration band

1 difference between our assets and our liabilities as
2 what we have had historically. And the reason for
3 that is that as I was explaining in past years we had
4 this mismatch, if you will, of assets and liability
5 duration when interest rates were declining. And that
6 impacted us negatively.

7 Now, as interest rates are increasing -
8 - and we are still forecasting. Even though it's not
9 as high a forecast as what the banks are doing, we are
10 still forecasting that interest rates will increase.

11 So as we're in a increasing interest
12 rate environment, the Corporation benefits more by
13 having that wider duration between our assets and our
14 liabilities. So if we were to suddenly perfectly
15 match our assets and our liabilities, then we wouldn't
16 get the benefit that we are currently seeing because
17 our liabilities, in an increasing interest rate
18 environment, benefit far more, they decrease far more
19 than what our bond portfolio decreases.

20 So we want to be able to take advantage
21 of the fact that in an increasing interest rate
22 environment, which we are forecasting to have occur,
23 that we benefit from the duration band width that we
24 currently have.

25 So it is something, because of how

1 closely we have forecasted and looked at investment
2 income, the impact of the duration of our bond lia --
3 or of our bond portfolio, and the duration of our
4 liability portfolio, it is something that we are going
5 to be watching and monitoring very closely so that
6 next year if -- should interest rates start to
7 stabilize, right, and not go up and not be going
8 dramatically down but we see them starting to
9 stabilize, and that forecasters are saying that
10 they're going to stabilize, well, then it's much to
11 our benefit as a corporation to move that -- those
12 durations closer together.

13 So it is something that right now,
14 because we're in an increasing interest rate
15 environment, we want to benefit from that wider
16 duration that we have. And, so, the plan is to try to
17 maintain it at that wider duration. Does that help?

18 MR. REGIS GOSSELIN: Yes.

19 MS. KATHY KALINOWSKY: Thank you. And
20 I would like to say that we do welcome questions.
21 This is a very tough area. It's conceptually
22 difficult and, of course, it has major implications
23 for the Corporation and, of course, is one of the
24 major decisions that the Board members will have to
25 decide upon. So it's a -- please stop us at any time

1 to ask questions. It's very helpful for us.

2 MR. REGIS GOSSELIN: Okay. So since
3 you invited questions I'll -- I'll -- I'll ask
4 questions. And I'm not sure this is the appropriate
5 time, but you -- will -- will you be qu -- ta --
6 discussing the -- the proposed change in forecast
7 methodology from the standard interest rate to the GRA
8 interest rate at some point in that -- I -- is it an
9 appropriate time to ask that question now?

10 MS. KATHY KALINOWSKY: Sure, why don't
11 you ask the question? Ms. Reichert can respond to
12 that.

13 MR. REGIS GOSSELIN: So based on what
14 I -- I've just heard, it's pretty clear that -- that
15 if you were to use a higher interest rate forecast and
16 what you're proposing to use, the outcome of that
17 would be, generally, based on the mismatch, would be
18 generally higher returns than what you are using for
19 your numbers going forward.

20 MS. HEATHER REICHERT: That is
21 correct.

22 MR. REGIS GOSSELIN: Right. Okay. So
23 -- so and in a sense, the conservativis --
24 conservatism that you're proposing has the impact of
25 reducing forward earnings because of the mismatch.

1 MS. HEATHER REICHERT: That -- that is
2 correct. So what I was explaining is that if we were
3 to use the standard interest rate forecast that was
4 demon -- or that is shown, actually, on here, as well
5 as on page 9 of -- of the overview document, that
6 first graph that I -- or chart that I showed you; if
7 we use that as our forecast, yes, it would show more
8 favourable results in our forecast than what we are
9 currently showing.

10 However, we don't believe, based on the
11 history that has occurred, and the mismatch between
12 banks forecasts in the past five (5) years and what's
13 actually happened. So they've always been forecasting
14 interest rates to increase by about three hundred
15 (300) basis points over a five (5) year period.

16 And as you can see by the graph, the
17 black line, that hasn't occurred in the last five (5)
18 years. The have been -- the actuals have been far
19 lower than what the banks have been forecasting.

20 So if we continue to just use what the
21 banks think are going to happen and it doesn't happen,
22 right, then the impact to us is significant. That in
23 -- what I call the interest rate risk, is very
24 significant and we -- the fifty (50) basis points
25 table shows how significant of a -- of an impact that

1 could have on us.

2 So that is why we chose, and -- and to
3 be clear, the GRA rate forecast is a combination
4 choosing the midpoint. So it's to find that right
5 balance between what the banks are currently
6 forecasting and what the Conference Board of Canada is
7 forecasting; finding that happy medium, that balance
8 between those forecasts that -- that, again, balance
9 and assume that we will benefit in an increasing
10 interest rate environment, but not assuming that it is
11 going to be such a big benefit that it negates the
12 need to have a moderate rate increase.

13 MR. REGIS GOSSELIN: I guess the --
14 the question I'm going to ask is a philosophical one.
15 I'll give you my background. My background is the
16 grain business. So in the grain business you don't --
17 you try to hedge your positions. You know, you -- you
18 -- You don't try to speculate on a direction of rates
19 if you're operating in a grain elevator, you basically
20 say, We'll match the duration of our deliveries to --
21 to our position in the futures market; so very
22 cautious about not exposing yourself to variations
23 between the futures and -- and the -- the cash.

24 And -- and the -- the other experience
25 I have is within the banking system. And the same

1 thing: you try to match your liabilities to your
2 investments, your -- your loans.

3 And so I understand what you're doing
4 with respect to the future direction of rates, you're
5 -- you're forecasting that rates will go up. But, you
6 know, the opposite is true because in the environment
7 that we just experienced rates have been trending down
8 and the mismatch has caused, basically, differences
9 between your claims liabilities and investment income
10 on the -- on the negative side.

11 And I guess the question would have
12 been: Wouldn't it have been wise a few years ago to
13 make sure that you're matching your bond and your --
14 your bond and -- and claims liabilities durations to
15 avoid the spread?

16 I mean, notionally I understand what
17 you're suggesting as a go-forward position, based on
18 what's happening in the markets, but wouldn't it just
19 be a lot easier just to match the duration of your
20 bond liabilities and your -- and your claims
21 liabilities -- I'm sorry, bond investments and your
22 claim li -- and don't worry about the direction of the
23 market?

24 MS. MARILYN MCLAREN: Let me try to
25 respond to this because it takes a little bit more

1 history than Ms. Reichert has and gives a little bit
2 broader context. I couldn't agree more that it would
3 be easier to be just a hundred percent matched.

4 And I became a vice-president at MPI in
5 1997. And I remember that things were very much
6 easier when we were a hundred percent invested in
7 bonds. And it really is a reflection of the sort of
8 growing understanding and knowledge of -- of the
9 executive team and in partnership with the Department
10 of Finance and, certainly, a lot of conversations in
11 that forum, as well, with the long, long tail of our
12 injury claims, that it -- since the move in 1994 to
13 the no-fault system, that it -- that it would only
14 make sense to diversify the investments.

15 So if we're going -- going to match,
16 that's really what we would need to do, would be to,
17 you know, get rid of some equities, get rid of some
18 real estate. It goes right back to the investment
19 allocation. And there's a compelling case to be made
20 that's been made for a very long time that we can
21 afford and ought to have a different view of our
22 investments to invest in more than -- and, you know,
23 the current policy said don't even be 80 percent in --
24 in bonds, you know. Bring that down to sixty (60)
25 something and have some real estate and have some

1 equities and so on, and that's the kind of thing that
2 we've been doing.

3 And it's not so much that we're
4 gambling on the interest rate increase, it's just that
5 we believe that there is enough opportunity and
6 advantage to the ratepayers to the fund to have these
7 other kinds of investments, that, you know, it's
8 important to -- to strike that balance.

9 And, I guess, from a practical point of
10 view, after taking the pain of the down movement, I --
11 I don't know how comfortable I would be with matching
12 now, but that's certain something -- I mean, if the
13 kind of experience we've seen with the volatility and
14 the unpredictability, that's certainly something the
15 Corporation and the Department of Finance have to talk
16 about in the future.

17 Do we just want to -- you know, this is
18 a very -- it's been a very lucrative, I guess, some
19 day in the future, you might say with hindsight,
20 experiment. We've done well on equities. We've done
21 -- so far, done -- done well on real estate. Does it
22 make sense to go back to the easier, more
23 straightforward way of just matching and calling it a
24 day?

25 I -- I don't know that that time is

1 now, but it is certainly something that needs to be
2 asked periodically and -- and we need to think about.
3 This has been a somewhat unprecedented time over the
4 last five (5) or six (6) years. We need to get a
5 better sense as to what the future will hold. If it
6 continues to be very volatile and we have to continue
7 -- I mean, I guess, and there's other changes that'll
8 happen with respect IFSR -- IFRS 4 and 9 that will
9 impact net income.

10 You know, I mean, it -- actuaries have
11 told me for a long time, you know, with --
12 particularly in this no-fault world, the long, long
13 tail of our injury claims, it is ridiculous to put
14 much emphasis -- it is completely ridiculous to pay
15 any attention to monthly results. Quarterly is pretty
16 much meaningless. You almost don't want to spend a
17 lot of time and attention on annual results.

18 The reality of our world here in
19 Manitoba is that everyone pays a lot of attention to
20 annual results. But I think there may be some other
21 changes happening with IFRS-4 and IFRS-9 that remove
22 some of that net income volatility, as well, you know.

23 So, I mean, I think other things that
24 might happen that increase it, so, I mean, that's a
25 bit of a moving target. But I guess I don't know that

1 this is the time to give up on the other aspects of
2 our investment portfolio that have served us well and
3 will continue to serve Manitobans well. I think
4 that's -- that's the short answer.

5 MR. REGIS GOSSELIN: Just -- just to
6 clarify in my own mind, and I -- I should -- I could
7 find the answer to this but you probably have that
8 handier than -- in terms of the quantum of claims
9 liabilities versus the quantum of your bond port --
10 portfolio, what the numbers --

11 MR. LUKE JOHNSTON: Basic policy
12 liabilities would be about the 1.3 to \$1.4 billion
13 range right now.

14 MR. REGIS GOSSELIN: Okay.

15 MS. HEATHER REICHERT: And the bond
16 portfolio is in around 1.4-and-a-half billion.

17 MR. REGIS GOSSELIN: So I guess the --
18 the question though, the -- you know, I -- I hear what
19 Ms. McLaren just said about the equity and I don't
20 disagree with what she's saying, but I'm simply
21 suggesting that the quantum of your bond portfolio is
22 'X' and your -- your claims liabilities are 'X', why
23 can't they match those? You can -- you can do equity
24 on the other...

25 MS. MARILYN MCLAREN: Straying a

1 little bit into the realm of outside just the
2 considerations of the Basic insurance program I -- I
3 would need to ask myself if -- you know, the -- MPI
4 exists because of the Basic Compulsory Autopac
5 program.

6 If we're going to match our PIPP
7 liabilities with bonds, I don't know how much effort
8 and time and -- and energy and money we want to spend
9 investing in real estate and some of these other
10 things for such a small percentage of our business
11 when the core business, we're back -- basically being
12 100 percent bonds, you know.

13 So it -- they're -- they're complex
14 issues. There's a lot to think about. It's certainly
15 something that we're not -- that -- that is not hidden
16 from us. You know, these are conversations we've had.
17 We have had a conversation. Is it now time to think
18 about just matching? And I -- I -- my position is
19 that not -- it -- it's not, right now.

20 But in -- in terms of the basis of the
21 Application, you -- you struck really on the heart of
22 it, right: that this Application is about what do we
23 believe about the -- the short-term impact of -- of
24 interest rates.

25 And, I guess, just the last thing that

1 I'll say in the context of where Mr. Gosselin's
2 questions first started from, I wanted to talk to the
3 panel just a little bit about how this all transpired
4 within the Corporation, right, because we're -- we're
5 finalizing our year-end results at the same time as
6 we're really digging in and getting close to
7 finalizing the forecast for the future and, then, for
8 the current year and for the next year of the
9 Application. It's all kind of happening at the same
10 time.

11 And Mr. Johnston and his -- his
12 colleagues, the claims and revenue forecasting, you
13 know, preliminarily completing that process. They
14 came to the meeting with the executive and they
15 basically said to us, It looks like so far Basic is
16 going to lose about \$76 million.

17 If we don't have some sort of a diff --
18 very different approach to the year that we're in the
19 middle of we're probably going to lose like forty
20 (40), something like that; \$40 million.

21 But going forward, if we just keep
22 using the assumptions that we've used in the past,
23 everything is fine. We don't need a rate increase.
24 It's all good. And said, But you might really want to
25 think about some of the assumptions that we've used in

1 the past and whether you want to continue them.

2 And when they actually created that
3 graph for us that we've been talking about, the
4 historic track record of these five (5) banks and --
5 and Global Insights forecasts, I was shocked. I had -
6 - I had no appreciation, personally, of sort of this
7 growing history of -- you know, it's sort of like,
8 Keep doing the same thing and expect different
9 results, or the other way around.

10 I mean, I -- I was astounded at how
11 relentless they had been at predicting exactly the
12 same thing that had not proven to happen the year
13 before. And, so that's when we started thinking about
14 how in good conscious can we really truly just -- it
15 almost felt to -- to me, you know, and -- and others
16 on our team like we're just going to stick our head in
17 the sand one more time and say, Okay, well let's go
18 with the five (5) banks and Global Insights, and let's
19 try this again 'cause hey we won't need a rate
20 increase and everything will be cool.

21 It just didn't make sense and we had to
22 find a way that we believe appropriately balances the
23 risk. And this is all about our determination, your
24 determination at the end of the day. We've told you
25 what we think and it's your determination about risk,

1 how much to assume, what's the downside, what's the
2 upside, and what is in the best interests of rate
3 stability.

4 MR. REGIS GOSSELIN: You should know
5 that, in respect of the -- of previous applications,
6 that the -- the Board has addressed specifically the
7 Centra -- the most recent Centra gas application that
8 this was an issue, the -- the interest rate
9 forecasting was an issue specifically. And what was
10 decided there by the -- by the panel, was that the
11 highest estimate was removed of the five (5) values
12 that were considered, the five (5) or six (6) values
13 that were considered for -- for developing the -- the
14 average.

15 The -- the highest value was removed
16 and -- and other gy -- gyrations were -- were done to
17 -- to sort of try to put some -- taper down the -- the
18 interest rate forecast. And I -- I would suggest that
19 -- that it would be valuable, I think, if -- if MPIC
20 was to examine that and be able to respond to whether
21 or not the approach you're suggesting is better than
22 what we did with respect to the -- to the Centra Gas
23 decision.

24 And -- and the reason I'm -- I'm saying
25 that is because, you know, we have to be able to

1 respond to why we used one (1) approach with one (1)
2 applicant before us and then we used a -- we're going
3 to be using propo -- you know, proposed to use another
4 approach with another applicant. I'm not suggesting
5 you're the same, but I -- I -- we need to be able to
6 respond to that. So I'd like to hear your views about
7 that approach and -- and, you know, not today. You
8 don't have to do it today, but if you could -- if MPIC
9 could -- could address that I -- I would appreciate
10 that.

11 MS. MARILYN MCLAREN: No, that -- we --
12 - we will do that for sure. But, you know, again I --
13 I think we might -- you -- you may choose different
14 courses because in different circumstances the risk is
15 different, right? But we will certainly look at that,
16 for sure.

17 MR. REGIS GOSSELIN: I don't dispute
18 that. We just have to be rational with ourselves and
19 with the -- the other people who read our orders that,
20 you know, if we're going to vary our -- our approach,
21 that we have some justification to -- to do that.

22 MS. KATHY KALINOWSKY: Yes, it is an
23 undertaking. The undertaking is to review the recent
24 approach that the Public Utilities Board took with
25 regard to their order on Centra Gas's recent

1 application with respect to their treatment of
2 interest rate forecasts.

3

4 --- UNDERTAKING NO. 1: MPI to review interest
5 rate methodology applied
6 to the PUB's order in
7 Centra Gas application

8

9 MR. REGIS GOSSELIN: Now, another --
10 another -- something that's been bugging me a little
11 bit. And if -- I -- I'd like you to -- to turn to
12 Volume I, section -- the overview section.
13 Specifically turn to page 11. There's a table there.
14 And there's a -- the Commercial line, there's a --
15 there's an error there. I mean, the current average
16 rate is six (6) -- six (6) -- six-fifty-five (655) and
17 the proposed average rate is six-sixty-four (664) and
18 you're getting two (2) negatives indicated and
19 experience. So there's -- there's a obvious error
20 there. And this table is repeated on a number of
21 occasions.

22 MS. HEATHER REICHERT: Yes, noted.
23 That should be a positive one point eight (1.8).

24 MR. REGIS GOSSELIN: A positive one
25 point eight (1.8)? Okay. Well, you know, perhaps --

1 perhaps you could give us the revised numbers. I -- I
2 wouldn't expect you to give us an answer right away,
3 but I just -- this table --

4 MS. HEATHER REICHERT: Yeah, we'll --
5 we'll correct the table.

6 MR. REGIS GOSSELIN: There is more
7 than one (1) table, so I just want to make sure we get
8 revised copies of all the tables, if you -- you don't
9 mind? It's the summary table, just repeated.

10 MS. HEATHER REICHERT: We will do
11 that.

12 MS. KATHY KALINOWSKY: Sure. And that
13 -- that will be an undertaking that we'll also take
14 care of, is to update the table at page 11 of the
15 overview, and other tables where it is also repeated.

16

17 --- UNDERTAKING NO. 2: MPI to update table at
18 page 11 of the overview
19 and other tables where it
20 is repeated

21

22 CONTINUED BY MS. KATHY KALINOWSKY:

23 MS. KATHY KALINOWSKY: Okay. I just
24 have one (1) final question of Ms. Reichert at this
25 point. But, Ms. Reichert, you handed out an exhibit

1 that's marked as Exhibit number 9 for MPI and it's a
2 financial model scenario summary. It has several
3 pages of different summaries for the forecasts.

4 Would you explain this table to the
5 panel members, please?

6 MS. HEATHER REICHERT: And I just want
7 to assure everyone I have no intentions on going
8 through this line by line and I haven't got magnifying
9 glasses to -- to hand out to everyone. What this is,
10 is the summary. And we may have missed a few, but
11 this is a summary of all of the different scenarios
12 that were requested either through the -- the Public
13 Utility Board IRs or through the CAC IRs where we were
14 asked to model assumptions within our -- different
15 assumptions from what we had put in our application
16 where we created another pro forma financial statement
17 and another pro forma retained earnings schedule.

18 So this is just a summary showing what
19 the difference in all of these different scenarios
20 that were run from our base scenario that is in our
21 submission. But what I would like to refer you -- or
22 ask you to look at is, on the very last page of this,
23 page 4, I have highlighted in yellow one (1)
24 particular scenario that was written -- or pardon me,
25 that was performed, and not because we believe that

1 this is, you know, more reflective of what will happen
2 in the future, but as a demonstration.

3 We were asked within one (1) of the IRs
4 from the Public Utility Board to model various
5 different assumptions as it related to interest rates,
6 as it related to dividends, as it related to equity
7 returns, as it related to infrastructure returns. And
8 all of those individual different assumptions have
9 been forecasted on this last page, okay.

10 And, then, at the very bottom of this
11 page was what's the impact if all of those assumptions
12 that we asked you to model, if they were all to occur,
13 what would be the combined impact of all of those
14 various scenarios? And that's at the very bottom of
15 this page.

16 What I wanted to show the Board is the
17 highlighted -- the highlighted scenario, which was
18 assuming different interest rates, and it -- it
19 doesn't really matter, you know, what the assumption
20 on those particular interest rates are. This is for
21 illustrative purposes only.

22 If you look at the difference to base,
23 the -- the line that says, "Different to base," and
24 you go over and just -- you just go over even two (2)
25 columns and you see the difference to base on basic

1 net income in that particular year, which would be
2 '14/'15, is fourteen million, six hundred and three
3 (14,000,603); if you can see that number.

4 So this particular scenario, if we had
5 used those rates, we would have forecasted a higher
6 net income for that particular year by fourteen
7 million, six hundred and three (14,000,603). If you
8 can just take that -- follow that column down to the
9 very bottom, where you have the difference to the base
10 of all of the different scenarios combined, all the
11 different assumptions combined, and you'll see in that
12 column twenty-two million, three hundred and sixty-
13 three (22,000,363).

14 So the point that I just wanted to help
15 the Board understand, the most significant assumption
16 within our base forecast is with respect to the
17 interest rates. All the other assumptions that relate
18 to dividends, equity returns, IP -- IPD, which is the
19 infrastructure one, all of these other potential
20 changes to assumptions are not as significant as just
21 the potential change to the interest rate assumption.

22 So again, to --

23 MR. REGIS GOSSELIN: Did we mark this
24 as an exhibit?

25 MS. KATHY KALINOWSKY: Yes, it's ma --

1 MPI Exhibit number 9.

2 MR. REGIS GOSSELIN: Okay.

3 MS. HEATHER REICHERT: So again, I
4 just want to conclude by reiterating that the pivotal
5 decision at this hearing will be whether the Public
6 Utility Board is comfortable that the Corporation has
7 made a reasonable best estimate of the interest rate
8 forecast, and specifically with reference to the
9 rating years. Thank you.

10

11 CONTINUED BY MS. KATHY KALINOWSKY:

12 MS. KATHY KALINOWSKY: Thank you, Ms.
13 Reichert, for that -- those ques -- those responses to
14 the direct examination. I have a number of questions
15 to Mr. Johnston, so we'll moving on to actuarial items
16 now. In Board Order 174/'92, the Board ordered MPI
17 to, and I'm going to quote now, quote:

18 "Until further notice, the
19 Corporation file overall revenue
20 requirements on at least three (3)
21 basis, financial forecast method and
22 the two (2) actuarial methodologies
23 referred to in this order as method
24 A and method B."

25 Unquote. Method A and method B would

1 be the exponential and linear. Can you explain some
2 of the reasons why MPI does not believe there is a
3 need to review the exponential and linear forecasts
4 since it did not file those in this year's General
5 Rate Application?

6 MR. LUKE JOHNSTON: Yes, I can. I
7 should probably first explain what is meant by
8 exponential and linear forecasts. I obviously wasn't
9 here at the time that the order was made, but my
10 understanding is that these were ordered as alternate
11 ways to shoulder rate indication as either a benchmark
12 or a reasonability check.

13 The -- the -- first it's important to
14 note that the -- both the linear and exponential
15 forecasts are only applied to claims costs, so it's an
16 alternate view of -- of claims costs projections.
17 There's no linear or exponential road safety or
18 operating expense forecast. This is purely -- purely
19 for claims.

20 The -- the process is actually very
21 simple. First, we basically split the claims by
22 coverage, and calculate the historical cost per unit
23 by coverage, so the average cost per unit for
24 collision, the average cost per unit for PIPP.

25 We then look at the historical data and

1 calculate both the percentage trends, which would be
2 the exponential method, and the dollar changes, which
3 would be linear, in -- in these cost per unit. Next,
4 we select a trend, again percentage and dollar, from
5 the history. And that -- those selections are used to
6 forecast future claims costs per -- per unit. And
7 that -- that's -- that's essentially it.

8 Like that -- that's about -- that's the
9 complexity of that process. So to -- to answer the
10 question, the -- the simple answer is probable -- is
11 really that these are varily -- very overly simplistic
12 methods, and the -- the Corporation has -- has an
13 entire section in the Rate App devoted purely to this
14 question, how to -- how to forecast claims costs.

15 So we are -- we're recommending to the
16 Board that -- that these not be used as -- as
17 reasonable -- reasonability checks. In -- in some
18 cases they may be entirely inappropriate to use.
19 Comprehensive coverage is a good example where we've
20 had significant changes in -- in theft experience,
21 significant changes in hail experience.

22 Taking a fifteen (15) year trend
23 through that experience is -- is probably not going to
24 give you a reasonable forecast.

25 MS. KATHY KALINOWSKY: So what are you

1 looking for in this regard from the Public Utilities
2 Board?

3 MR. LUKE JOHNSTON: In the order
4 arising from this GRA, we are asking the Board to
5 order that the exponential and linear forecasts need
6 not be prepared and submitted in future GRA filings.

7 MS. KATHY KALINOWSKY: Thank you.

8 Let's take about the DCAT. You attended a tech --

9 MR. REGIS GOSSELIN: Do you mind if I
10 interrupt here at this point? I -- I just want to
11 make sure -- okay. Given that it's a simple process,
12 what's the big deal? I mean -- but I -- I guess the -
13 - but I heard you say that the -- they might actually
14 be entirely inappropriate, which then worries me.

15 Could you expound on that?

16 MR. LUKE JOHNSTON: Absolutely.
17 There's -- there's no question that -- that
18 calculating these trends are not difficult. The --
19 the calc -- the trend calculation isn't difficult.

20 The -- we do have to put together, you
21 know, revised financial statements for the revised
22 rate indications. That's extra administrative work to
23 support a forecast that is essentially completely
24 objective -- not completely, but basically just a
25 trend line through the history.

1 And, so when you look at the -- the
2 claims incurred section of the Rate Application
3 there's a lot of material there that the Board can
4 use, and in some cases may actually want to recommend
5 a different approach on a certain coverage, a
6 different approach to forecasting, and those types of
7 scenario can -- could be run and -- and an indication
8 could be provided that would provide a lot more value
9 to the Board than simply just, you know, assuming a --
10 every coverage has a linear trend.

11

12 CONTINUED BY MS. KATHY KALINOWSKY:

13 MS. KATHY KALINOWSKY: So you attended
14 a technical conference that the PUB ordered with
15 respect to the DCAT. That occurred in -- two days in
16 April. What did you think about that, Mr. Johnston?

17 MR. LUKE JOHNSTON: I -- I found the -
18 - that, first of all, the DCAT technical conference
19 was -- was new, I think, for myself and others. But I
20 found the conference to be very beneficial in my
21 preparation of the -- this year's DCAT report. In
22 particular, the -- the back and forth between the --
23 the PUB actuary and accountant, the CAC actuary and
24 economist, definitely helped me understand the -- the
25 per -- perspectives of the different parties and, in

1 several cases, allowed me to make better assumptions
2 in the DCAT.

3 There -- although there is -- there is
4 still some unfinished work with the DCAT, in
5 particular balance sheets, I hope -- my hope is that
6 all parties agree that -- that we've significantly
7 improved the DCAT report as a result of the -- the
8 collaboration in that -- in that conference. So I
9 definitely look forward to collaborating in the future
10 in -- in this and other areas.

11 MS. KATHY KALINOWSKY: Were there any
12 results from the DCAT technical conference?

13 MR. LUKE JOHNSTON: Yes, yes, there --
14 there are. The -- it's -- there's -- there was
15 actually a list of areas of agreement from the DCAT
16 conference that was prepared by MPI. There was an
17 understanding that this -- the list wouldn't be
18 binding on any of the parties, but it none --
19 nevertheless, it was -- it was a list of the things we
20 talked about. And the easiest way is probably to ask
21 the Board to go to Volume II, the RSR section, page 5.

22

23 (BRIEF PAUSE)

24

25 MR. REGIS GOSSELIN: We -- we don't --

1 there's nothing in the RSR section.

2 MR. LUKE JOHNSTON: RSR-1, page 5.

3 MS. CANDACE GRAMMOND: I -- I think
4 that part of the filing was provided after the fact
5 and it just didn't probably make it into the binders.
6 I'm sure it's here somewhere. I -- I'm actually
7 noting the time. It's -- it's almost 12:00. We do
8 have presenters at 1:15, so maybe since we don't all
9 have the document we should just take the lunch break
10 and then we'll track it down and everyone can have it
11 after the presentations are done.

12 THE CHAIRPERSON: That's a good idea.
13 So we can break for lunch and come back in an hour?

14 MS. CANDACE GRAMMOND: Yeah, we can do
15 that, or we can --

16 THE CHAIRPERSON: Or do you want to
17 come back at 1:15?

18 MS. CANDACE GRAMMOND: Either one. We
19 -- we have two (2) presenters at 1:15 that will be
20 here to speak to the Board, and then I have a letter
21 that I have to read in from another per -- a third
22 person. So I'm -- whatever the Board wants, in terms
23 of length. A lunch hour is fine.

24 MR. REGIS GOSSELIN: I just want to
25 make sure, Ms. McLaren, are you going to be here this

1 afternoon? Or are -- are you -- there's a couple of
2 other questions I wanted to ask to make sure you hear
3 them while you -- while -- are you -- are you going to
4 be here this afternoon?

5 MS. MARILYN MCLAREN: I'll be here.

6 MR. REGIS GOSSELIN: Okay.

7 THE CHAIRPERSON: So come back about
8 ten (10) after 1:00 so we're ready for the presenters,
9 then?

10 MS. CANDACE GRAMMOND: That's fine.

11 Ten (10) after 1:00.

12 THE CHAIRPERSON: Okay.

13 MS. CANDACE GRAMMOND: Yeah, between
14 ten (10) after and 1:15. And then we'll probably just
15 start off with the presenters. I'm sure that they'll
16 be here. I think they're actually both in the room,
17 so...

18 THE CHAIRPERSON: Okay. Thank you
19 very much. Enjoy your lunch.

20

21 (PANEL RETIRES)

22

23 --- Upon recessing at 11:55 a.m.

24 --- Upon resuming at 1:16 p.m.

25

1 THE CHAIRPERSON: Good afternoon,
2 everyone. I hope you all enjoyed your lunch. And I'd
3 like to welcome our presenters. And we're going have
4 Dave Elmore, who's going to be presenting for Bike
5 Winnipeg. And I'm going to call upon you to give your
6 presentation at this point. Thank you, Mr. Elmore.

7

8 PRESENTATION BY MR. DAVE ELMORE:

9 MR. DAVE ELMORE: Good afternoon. And
10 thank you for the opportunity to present for these
11 hearings.

12 My name is Dave Elmore and I am a
13 certified Can-Bike master instructor. Can-Bike is
14 Cycling Canada's Safety and Skills Program. It's a
15 series of courses designed to help people ride bikes
16 safely on the road. And it's oriented towards a
17 variety of different riders, from kids to recreational
18 riders to utilitarian cyclists.

19 I've also been the director of safety
20 and education for Bike Winnipeg, formerly Bike to the
21 Future, for the past six (6) years. Over that time
22 I've worked with MPI on a variety of different
23 cycling-safety-related initiatives. I was a Member of
24 the Safety Committee on Active Transportation for two
25 (2) years, a committee that MPI chaired. I assisted

1 in the development of cycling safety content for their
2 website and provided Can -- a Can-Bike course for
3 several of their employees.

4 I also instructed a series of Can-Bike
5 courses sponsored by MPI, which was in -- intended to
6 develop certified instructors for their cycling
7 champion course, which I also developed.

8 Over the past five (5) years Bike
9 Winnipeg has worked with MPI to try to improve the
10 knowledge and behaviour of cyclists. Cyclists need
11 education and it's prudent that MPI should continue to
12 support and even expand their current programs.

13 Bike Winnipeg has assisted in the
14 development of various materials and courses, as well
15 as offering editorial comment on their road safety
16 advertisements. We value this collaboration and want
17 MPI to continue to grow their cycling training
18 programs. However, this is only one part of the
19 prevention equation.

20 The missing part is instructing drivers
21 on how to behave when they encounter cyclists. Every
22 day motorists make decisions that can result in
23 serious injuries or even death to people riding
24 bicycles.

25 While it's true that cyclists make

1 mistakes and they put themselves at risk of collision,
2 with appropriate knowledge and skills cycling is a
3 relatively benign activity. It's only the interaction
4 with motor vehicles that can cause serious injury or
5 death to the person riding the bike. More effective
6 messaging could significantly reduce these
7 interactions.

8 MPI is an acknowledged leader in
9 communication of safety messaging to Manitobans. It
10 is responsible for making our roads safe and
11 influencing driver behaviour. They've shown
12 themselves adept at safety messaging around drunk
13 driving, speeding, distracted driving, et cetera.
14 However, Bike Winnipeg's concern is that MPI's
15 messaging is not instructing drivers in a clear manner
16 how to behave when interacting with cyclists.

17 In our view, MPI needs to set
18 significantly more stringent goals to eliminate common
19 misunderstandings that drivers have about cyclists.
20 While it is our hope that MPI will continue to grow
21 their bicycle training programs, it is the messaging
22 that MPI provides to drivers that has the greatest
23 potential to save the lives of vulnerable road users
24 and, for MPI customers, rate increases.

25 The submission paper which was provided

1 details information on the messaging that Bike
2 Winnipeg would like to see MPI improve. I would,
3 however, like to briefly outline the concerns that we
4 have with some of MPI's messaging.

5 We'd like to seem them define and
6 emphasize safe passing distance as 1 metre. A 1 metre
7 minimum safe passing distance should not be a sidebar
8 recommendation in MPI's communications but a clearly
9 defined requirement of safe driving. And at speeds
10 greater than 50 kilometres an hour, motorists should
11 increase that safe passing distance.

12 The safest behaviour to pass a cyclist
13 is a full lane change, and MPI should emphasize this
14 and not just indicate that in some situations it may
15 be necessary. By providing the simple numbers, the
16 simple math, it will help -- help drivers understand
17 the importance of safe passing distance.

18 With most curb lanes somewhere between
19 3.5 and 4 metres wide, there simply is not sufficient
20 space for a motor vehicle and a bicycle to share the
21 lane. We provided more details on the -- on the math
22 that I'm referring to in the submission paper.

23 'Share the road' does not mean 'share
24 the lane'. This overused term is often misinterpreted
25 by drivers as sharing the lane. This results in

1 drivers believing that it's okay to squeeze by a
2 bicycle when they can't easily move over. When you
3 look at the math, which is outlined in the submission,
4 it's clear that sharing the lane is simply not safe.
5 MPI should drop this term from all its communications.

6 We'd like to see them define 'as close
7 as is practicable'. The Highway Traffic Act defines -
8 - indicates that cyclists should ride as close as
9 practicable to the edge of the road, or to the curb.
10 Drivers need to understand that 'as close as
11 practicable' means that a cyclist should ride
12 approximately 1 metre from the edge of the road. Many
13 drivers still believe that cyclists should be riding
14 closer to the curb than is either practicable or safe.

15 A person riding 1 metre from the --
16 from the curb is simply being safe. They're not being
17 arrogant. Riding further from the curb allows a
18 cyclist to maintain a straight line while avoiding
19 hazards like pot holes, cracks, and even puddles.
20 Riding close to the curb forces a cyclist to move left
21 when they -- excuse me -- move left into the traffic
22 flow to avoid these hazards. Many drivers do not
23 understand these conditions or the conditions that
24 cyclists face along the edge of the roadway or how
25 quickly a cyclist or a bicycle can end up in the path

1 of a motor -- of a motor vehicle.

2 In recent MPI campaigns, such as the
3 60-Second Driver and the advertisements, the distance
4 from the curb is graphically illustrated or sometimes
5 referred to, but it is not clearly defined.

6 On the website, MPI refers to 1 metre -
7 - the 1 metre road position as a recommendation of
8 safe cycling. However, it would be better for both
9 drivers and for cyclists if they stated clearly that
10 cyclists should ride a minimum from 1 me -- of 1 metre
11 from the curb.

12 Unpredictable road users are a reality.
13 People riding bikes, especially children, can be
14 unpredictable depending on their skill level,
15 distraction, speed variability, hazards that are not
16 always apparent to motor vehicles or the people
17 driving them. Making drivers aware of this reality
18 can help alter their behaviour and persuade them to
19 create more space between them and bicycles.

20 MPI also has an opportunity through its
21 messaging to better inform drivers about some other
22 common misunderstandings, such as passing a parked
23 car. Cyclists need more space when they pass a parked
24 car. A minimum of 1.5 metres of space allows a
25 cyclist to avoid the door zone and the potential of

1 serious injury. It is critical that drivers take this
2 into account when approaching and passing a bike that
3 is riding adjacent to parked cars.

4 Intersection positioning: At
5 intersections cyclist should move to the centre of the
6 lane. Drivers need to understand that this posi --
7 that this position makes cyclists more visible. And
8 since the bike is unstable at low speeds, it provides
9 the needed room to get started up and build the needed
10 momentum to ride in a straight line again. Staying
11 behind a cyclist at an intersection, even if they're
12 positioned adjacent to the curb, is still the safest
13 option.

14 This centre positioning by the cyclist
15 at the intersection, combined with some patience on
16 the part of the driver, eliminates the potential for a
17 right-turning motor vehicle to hook a cyclist that is
18 proceeding in a straight line through the
19 intersection. Diagrams clarifying this are provided
20 in the submission paper.

21 Sidewalk riding is for children only.
22 Adult cyclists do not belong on sidewalks. It's
23 illegal and it's dangerous. Their higher speeds,
24 sometimes combined with poor visibility at
25 intersections or vehicles rolling out into the path of

1 the sidewalk, creates a very serious situation. Yet
2 many drivers yell at cyclists to get up on the
3 sidewalk where they belong. Excuse me. Drivers need
4 to understand that sidewalks are for walking; it's in
5 the name.

6 Multi-use paths are also not just for
7 bikes. The existence of multi-use paths does not mean
8 that a cyclist must use it. Multi-use paths are used
9 for all kinds of activities, you know, including
10 roller-blading, people walking their -- walking their
11 dogs or just out for a casual stroll, and the -- the
12 high speed of a bicycle travelling is not a good mix
13 with other users.

14 You need to inform drivers, new
15 drivers, while the information provided in the driver
16 training manual and, we assume, the classroom has
17 improved over the last few years, there is much that
18 young drivers still need to know about interacting
19 with bicycles. Expanding and clarifying the
20 curriculum to include the above items, all the items
21 that we've talked about here, will ensure that new
22 drivers understand better how to safely interact with
23 cyclists.

24 In closing, Bike Winnipeg submits that
25 MPI should set more stringent goals to improve their

1 messaging and driver training to eliminate common
2 misunderstandings that drivers have about cyclists.
3 While it is in MPI's best interests to continue to
4 grow their cycling training program, it is the
5 messaging that MPI provides to drivers that has the
6 greatest potential to save lives. Thank you.

7 THE CHAIRPERSON: Thank you very much.
8 Are -- are there any questions?

9 MS. ANITA NEVILLE: Thank you for
10 coming here today and your presentation. I don't
11 disagree with anything that you're saying, but what
12 I'm wondering about is what is the responsibilities of
13 cyclists, and what kind of advertising would you
14 advise for cyclists? I'm quite conscious, as a
15 driver, that cyclists don't always follow the rules
16 either.

17 MR. DAVE ELMORE: They don't always
18 follow the rules. We know that. They need -- they
19 need to be provided with training, as I indicated. In
20 terms of the things they need to know, they need to
21 know some of the same things that we talked about in
22 this presentation: riding further -- further away from
23 the edge of the curb, not hugging the curb. Many do
24 that. Many dr -- many cyclists will, when they come
25 up to an intersection, will simply put their foot on

1 the curb. This is a dangerous position, because they
2 put themselves at risk of a -- of an adjac -- a car
3 pulling up beside them and then right-hooking them.

4 They also don't leave themselves space
5 for getting started up again. And -- and a -- a
6 cyclist can't just start up and go in a straight line
7 immediately. There's all -- there's -- the cycling
8 champion course that MPI is -- is -- has been
9 championing, provides some of this information to
10 cyclists. And we need to grow that information and
11 get more and more cyclists trained.

12 However, my experience is that you
13 can't just give them a message. You just cant tell
14 them what they need to do, you need to actually get
15 them out on the road and show them. And that's what
16 their -- MPI's course does. What we're concerned
17 about here is the messaging that they're providing to
18 the drivers that isn't as clear.

19 MS. ANITA NEVILLE: I'm sorry. I
20 understand that. But how many people take the cycling
21 course?

22 MR. DAVE ELMORE: There hasn't been a
23 great number of them. This is something that needs to
24 ha -- we need to have a cycling training program
25 that's available to people. Right now the cycling

1 champion course is available through MPI, but there's
2 only -- there's only a certain number of those. Bike
3 Winnipeg provides some courses through the Leisure
4 Guide, but there is no current -- currently, there is
5 no program for the Can -- for Can-Bike. Can-Bike is a
6 program that's nationwide, however, we do not have
7 regular Can-Bike courses here like they do in some
8 other provinces.

9 MS. ANITA NEVILLE: Should a course
10 for cyclists be mandatory?

11 MR. DAVE ELMORE: I don't believe that
12 it needs to be mandatory. I think that what happens
13 is that we -- we will -- as we start to train
14 cyclists, and as we start to change behaviours, those
15 behaviours will -- will affect other cyclists as well.
16 A perfect example is, if three (3) cyclists are
17 stopped at a stop light, the fourth cyclist is not
18 going through. It's just building that momentum and
19 building -- building that sort of common -- or the
20 change of behaviour by growing that momentum.

21 MR. REGIS GOSSELIN: The -- you've
22 indicated that you've had discussions with MPIC
23 regarding your programs and so on. Have you had
24 discussions regarding the proposed message changes?

25 MR. DAVE ELMORE: We have talked to

1 them about message changes. We've -- as I said in the
2 presentation, we have offered commentary on their
3 advertisements and suggested alternatives and things
4 that we'd like to see in them. So we have talked to
5 them in the past about these things.

6 MR. REGIS GOSSELIN: Now, they -- MPIC
7 is not the only entity that's involved in road safety.
8 There are other players as well. I'm just wondering,
9 in respect of the recommendations you've made
10 regarding distances and so on, are there any
11 legislative provisions or regulatory provisions that
12 need to be changed for that to happen?

13 MR. DAVE ELMORE: I would say
14 absolutely. We need to -- we need to see changes in
15 the Highway Traffic Act to make things such as passing
16 distance, et cetera, make it -- make it law. But we
17 currently don't have that. But -- and I'm not sure
18 that we're moving rapidly in that direction with the -
19 - with the province. There is discussions and there
20 has been talk about changes to the Highway Traffic
21 Act, but we haven't seen anything really happening
22 yet.

23 However, in the -- in the meantime, the
24 messaging that MPI could be providing could be --
25 could be sort of taking it -- taking -- jumping ahead

1 of those possible changes and informing drivers of
2 what is safe behaviour.

3 MR. REGIS GOSSELIN: The provision
4 that prohibits the use of sidewalks by adult cyclists,
5 is that a -- is that a legislative provision?

6 MR. DAVE ELMORE: Yes.

7 MR. REGIS GOSSELIN: Or is it --

8 MR. DAVE ELMORE: Highway Traffic Act
9 says that you cannot ride on a -- on a -- on a
10 sidewalk unless you are riding a bike with a -- with a
11 wheel size of sixteen (16) inches or smaller, which
12 basically restricts to -- to young -- to young
13 children. However, most -- most of the cyclists you
14 see out there, adult cyclists riding on the sidewalk,
15 believe themselves to be safer riding on the sidewalk.
16 However, they not only put themselves at risk but they
17 asky -- actually are putting other pedestrians and
18 other -- other people on those sidewalks at risk as
19 well.

20 MR. REGIS GOSSELIN: Now, the
21 provision applies to bridges as well? So for example,
22 taking a -- a Provencher Bridge, you know, the cyclist
23 trying to cross a Provencher Bridge during traffic is
24 not allowed to use the sidewalk?

25 MR. DAVE ELMORE: No, they are not.

1 MR. JASON CARTER: I'm sorry. Sorry,
2 my name -- is this on? My name is Jason Carter. I'm
3 a member of Bike Winnipeg and the past president of
4 the Manitoba Cycling Association. And I just wanted
5 to make some comments about the -- the two (2)
6 questions.

7 Fo -- for the -- the defining of a safe
8 passing distance, Bill 32 of last year in 2012 or 2013
9 -- or 2012, I should say, we made submissions to
10 Minister Lemieux and its standing committee for
11 defining safe passing distance, which has already said
12 -- those words are already in the legislation. We
13 asked that they define it as one (1) metre,
14 specifically.

15 We also made a submission to this Board
16 last year as well regarding the 1 metre section.

17 Twenty (20) US jurisdictions have
18 already defined the equivalent three (3) feet minimum
19 passing law. I believe Ottawa has also passed a city
20 bylaw defining that as 1 metre as well.

21 This is the wave that is happening
22 across the US and in Canada and saying one (1) method
23 of trying to ask or get drivers to make a full lane
24 change. And that's really the reason we don't expect
25 people to have a yardstick out there to define 1 metre

1 from the car. But we hope that they will do what
2 they're supposed to do, drive the car in a safe
3 manner. If we were, for instance -- I've seen it and
4 I'm sure you have, anybody who's driving a lawn
5 tractor down a Henderson Highway or something like
6 that, a car will make a full change and get around
7 that vehicle safely. But they won't do the same
8 consideration towards cyclists, or even a pedestrian
9 sometimes.

10 On the second matter, I think the
11 previous question about cycling safety. There is a
12 basic distinction that we're making, and perhaps a
13 definition here that MPI is thinking that cycle safety
14 is just about programs directed towards cyclists.

15 And, yes, those are needed. And, yes,
16 we see mistakes, errors all the time. And we see
17 things that happened, of course, and -- and blatant
18 disregard for traffic laws. That happens all the time
19 and it happens all the time to drivers. It happens
20 all -- all the time to pedestrians who jaywalk across
21 the street.

22 And in this situation here we're
23 dealing with a no-fault situation and we're also
24 dealing with a -- a simple matter that humans are
25 fallible, they make mistakes. When they ride on

1 bridges on the sidewalks they are just protecting
2 their own lives from narrow roadways and that sort of
3 thing. It's -- it's against the law but they're going
4 to do so anyways to take those -- those parts to
5 protect themselves.

6 However, what we're trying to -- to
7 show is that there's a basic distinction between
8 whether you have an exoskeleton of steel around you or
9 not. There's a basic distinction between motor
10 vehicle -- people who are in motor vehicles and
11 vulnerable road users. The motor itself is -- is
12 irrelevant; it's a matter of the protection around
13 you.

14 So it's almost like in -- you're in a
15 school yard with somebody carrying a baseball bat.
16 Whose behaviour do you want to modify here? The bully
17 or the person being bullied? The person who can, by
18 their mistake, make severe injury or death of somebody
19 who is not protected.

20 So here is the fallacy that is
21 happening in -- in -- in programming the road safety
22 programming and that MPI needs to direct its messaging
23 -- its programming towards the -- the sector that it
24 has the most responsibility and control over, and that
25 is drivers.

1 It's driver behaviour training that
2 we're talking about here. So that's the -- the
3 paradigm shift that we've seen in many jurisdictions.
4 We've seen it in New Zealand, Australia. We've seen
5 it in Europe. We're seeing it everywhere else, and
6 the reason why we came here is was actually because
7 MPI did realize that change to do with motorcycles.

8 They came out with an ad saying, Look
9 twice for the -- for the motorcycle. That adver --
10 advertisement is talking to the driver of the vehicle
11 to adopt a different behaviour regardless of fault,
12 completely irrelevant to fault, in order to save the
13 life of the motorcycle rider, right. So who is that
14 ad directed towards. That's a huge distinction.

15 So vulnerable road -- road users versus
16 people within motor vehicles is a basic distinction
17 we'd like to see MPI adopt and develop more fully.

18 MR. REGIS GOSSELIN: You made a
19 reference right at the outset. I didn't have time to
20 take it down. But you suggested that all of the
21 serious injuries are -- involved -- involved
22 automobiles -- vehicles. Did -- did I hear you
23 correctly say that? I don't -- you -- I think --

24 MR. JAMES CARTER: I don't think we
25 said "all" serious injuries but the ones involved --

1 that's our -- that's the main case. I don't know
2 anybody who has lost their lives from a simple one (1)
3 cyclist accident, so.

4 MR. REGIS GOSSELIN: Well, my son did
5 -- two (2) prongs collapsed on his bicycle. He was
6 driving it by himself, and he fell on the street. He
7 was quite -- quite injured. Can bicyclists get
8 coverage for incidents like that?

9 MR. JAMES CARTER: If you're in -- in
10 a cycling association and you're involved in a
11 training ride as part of a club or in a race, then you
12 do have private third-party insurance which is
13 negligible, really. You know, it's -- it's not even
14 close to a permanent impairment chart -- permanent
15 impairment award that we see in the -- in the MPI
16 structure -- in the PIPP payments and that, but there
17 is insurance there.

18 Aside from that then when you're
19 looking at a commuter or a recreational cyclist that's
20 out there of any age then if they happen to have, you
21 know, insurance programs associated with their work,
22 that's it. But there isn't any other insurance --
23 insurance provider.

24 THE CHAIRPERSON: Thank you very much.
25 Now I'd ask if Doug Houghton would come forward,

1 please, from CMMG. Go ahead. Thank you.

2

3 PRESENTATION BY MR. DOUG HOUGHTON:

4 MR. DOUG HOUGHTON: Okay. Thank you.

5 Good afternoon, Madam Chair, Board members, MPI staff,
6 legal counsel, and other presenters. I'd like to
7 thank you for this opportunity to speak at this year's
8 General Rate Application, and I'll try to keep my
9 presentation brief.

10 I have to apologize. For those that
11 were here maybe the last couple years, you've probably
12 heard a lot of this before but there are some new
13 faces and I found that when I was a kid if I whined
14 long enough and often enough we sometime -- I
15 sometimes got my own way, so you'll have to hear it
16 again.

17 I'm currently the president of the
18 Coalition of Manitoba Motorcycle Groups, known as the
19 CMMG, but today I'm speaking on my own behalf and some
20 of the views expressed may be my own and not
21 necessarily those of CMMG. Hopefully, though, I won't
22 contradict those of CMMG's solicitor, Mr. Raymond
23 Oakes.

24 Motorcycling background: I'm sixty-six
25 (66) years old. I'm a retired municipal planner. I

1 guess if you're in Winnipeg you'd be a city planner.
2 I've been a motorcyclist most of my life. I've been
3 riding motorcycles for about fifty (50) years, and
4 it's been about forty-four (44) years since I actually
5 bought my own first motorcycle and started riding on a
6 regular basis.

7 Motorcycling is what I do. It's how I
8 spend much of my spare time, my vacations, my weekends
9 with my friends and my adult children. Also -- it's
10 also how I often visit my grandchildren. I ride
11 between 50 and 25,000 kilometres per year, and I'd
12 like to ride more if I could afford it.

13 Motorcycle premiums. I'm encouraged
14 that this year's Rate Application proposes an overall
15 rate decrease of 6.03 percent for the motorcycle
16 class. And, of course, I understand if motorcycles
17 are excluded, the decrease is 7.3 percent. And I've
18 also heard 7.6 percent. And this results in an
19 average rate of nine hundred and sixty-one dollars
20 (\$961).

21 Fir -- at first glance this may not
22 appear expensive, but we must realize this is only for
23 a five (5) month seasonally adjusted per -- rate that
24 does not include comprehensive coverage.

25 Current premiums still remain

1 prohibitive for many. And as the following example
2 typifies, the motorcycle rate is still very high when
3 contrasted with equivalent rates for passenger
4 vehicles and light trucks.

5 In Winnipeg, now using 2013 rates and
6 sort of an estimate of proposed increases and
7 decreases for this -- for next year, the minimum fully
8 discounted premium, that would be the 33 percent,
9 including registration fees for a 2009 GMC 4x4
10 extended cab pickup truck valued at eighteen thousand
11 dollars (\$18,000) -- and that's using the minimum
12 liability and maximum deductibles allowed, should be
13 about nine hundred and eleven dollars (\$911), or about
14 seventy-six dollars (\$76) a month.

15 On the other hand, even with proposed
16 decreases, the premium for a 2009 Harley Davidson
17 touring model of the same value will be at eleven
18 hundred and thirty dollars (\$1,130), or about two
19 hundred and twenty-six (\$226) a month for the five (5)
20 month seasonal rate.

21 On an annual basis, the equivalent
22 motorcycle premium is about twenty-seven hundred
23 dollars (\$2,700), or nearly -- nearly three (3) times
24 the truck rate. If one acquires the typical 1 or 2
25 million liability and two hundred (200) deductible the

1 rates are even more extreme.

2 For a younger person without
3 accumulated merits, and I don't have a lot accumulated
4 myself, the rates are even more severe, and it could
5 be even sixteen hundred dollars (\$1,600) or about
6 three hundred and twenty dollars (\$320) a month. The
7 sport bikes rates, especially for younger people
8 without a lot of experience, would be even much
9 higher.

10 What are the effects of high premiums?
11 Although we've experienced a levelling off and a
12 reduction of motorcycle premiums during the past four
13 (4) -- three (3) or four (4) years, this has done
14 little to offset the previous decade of double-digit
15 compounded premium increases.

16 For pensioners as well as others on
17 moderate incomes motorcycle premiums have become an
18 extreme financial burden, especially when coupled with
19 rising fuel costs and other living expenses. Other
20 than food, vehicle insurance is probably my single
21 greatest household cost and nearly equal to my
22 property taxes. That isn't just my motorcycle, but
23 the truck, as well.

24 The insurance premium on my 13-year-old
25 motorcycle is nearly twice as much as the insurance

1 premium for a two hundred and eighty thousand dollar
2 (\$280,000) home. Even though motorcycle numbers have
3 increased over the past few years, there are many
4 former motorcycles that have quit riding, not because
5 they've lost interest in the sport -- their love for
6 the sport, but solely for the fact that they have
7 modest incomes and can no longer justify in paying up
8 to two thousand dollars (\$2,000) or more for five (5)
9 months of riding.

10 When a husband and wife both ride the
11 cost can be very prohibitive, even for the more
12 affluent families. Many have resorted to using the
13 five (5) -- temporary five (5) day permits for special
14 occa -- events or occasions. This concerns me as it
15 exposes motorcyclists to accidents during peak periods
16 with resulting claims but without the total annual
17 premium contribution to the motorcycle pool.

18 Escalating premiums in PIPP. Although
19 motorcycles welco -- motorcyclists welcome the
20 proposed two hundred and fourteen (214) (sic)
21 decreases, they are not ready to accept the fairness
22 or lack thereof of the current methodology for premium
23 allocation.

24 Therefore, today's pro -- presentation
25 will focus on premium methodology, more specifically,

1 the allocation of Personal Injury Protection Plan
2 losses, or PIPP losses.

3 Before proceeding further I must
4 commend the Boar -- commend the Board for its past
5 orders that have resulted in positive changes related
6 to loss transfer and the allocation of losses for PIPP
7 and collision claims, as well as those losses related
8 to wildlife and hit and run collisions.
9 Motorcyclists, however, still feel the methodology is
10 unfairly discriminatory.

11 The reason for escalating motorcycle
12 premiums go back to 1993 with the introduction of no-
13 fault insurance and the corresponding Personal Injury
14 Protection Plan. I believe there's also a past ruling
15 that there should be no cross-subsidization between
16 vehicle classifications, which essentially means that
17 premiums for each classification must reflect claims
18 costs for that classification. This has resulted in
19 many years of double-digit compounded increases.

20 Contrary to what some may believe,
21 motorcyclists are not involved in a greater percentage
22 of accidents than automobiles. In fact, past
23 statistics have shown that there are a greater
24 percentage of motorcyclists with full merits than
25 automobile owners.

1 Now, are PIPP premiums applied fairly?
2 Motorcyclists have been placed in a separate riding --
3 rating classification, not because motorcyclists have
4 more accidents, but due to the severity of their
5 injuries which result in grace -- greater personal
6 injury or PIPP costs.

7 It is my understanding that PIPP costs
8 represent about 85 percent of the motorcycle premium
9 and about 35 percent of the automobile premium. On
10 the surface, thi -- this would seem fair, but many
11 don't pay. Although PIPP coverage is paid by most
12 vehicle owners, some vehicle classes do not pay. Also
13 not paying are those persons with driver's licences
14 who do not own vehicles but who also contribute to
15 accident costs. As well, there are others who receive
16 ped -- PIPP benefits who neither own a vehicle or have
17 a driver's licence.

18 According to MPI, and I can't recall
19 the exact year, but it was either 2000 and 2012 --
20 2011 or 2012, there were almost twelve thousand nine
21 hundred and fifty-four (12,954) vehicles or 1.5
22 percent of registered vehicles did not pay for PIPP
23 coverage. This nearly equalled the thirteen thousand,
24 one hundred and sixty-three (13,163) motor cyclists
25 which were subject to PIPP premiums. This excluded

1 group includes inter-provincial trucks and exempt
2 vehicles such as Government of Canada vehicles and
3 fire department vehicles.

4 Off-road vehicles, dirt bikes,
5 snowmobiles and bicycles do not contribute to PIPP --
6 PIPP, however, if the riders are involved in a
7 collision with an automobile in motion they receive
8 PIPP benefits even if at fault. I believe the same
9 applies to pedestrians as well. One-third (1/3) of
10 PIPP claims are from non-ve -- non-vehicle owners. In
11 2011, one-third (1/3) of all PIPP claims were from
12 non-vehicle owners.

13 According to MPI there were eleven
14 thousand seven hundred eighty-four (11,784) PIPP
15 claims in two hundred and eleven (211) -- in 2011.
16 Drivers without a registered vehicle accounted for
17 three thousand one hundred and ninety-two (3,192), or
18 27 percent of these claims. In addition, unlicensed,
19 non-vehicle owners accounted for six hundred and
20 ninety-three (693) claims, or another 6 percent of
21 total vehicle claims.

22 Since much -- much of PIPP involves
23 bodily injury, personal care, and rehabilitation, it
24 is some -- somewhat analogous to our healthcare
25 system, which is free to all Manitobans and shouldered

1 by all Manitoba taxpayers. Since all Manitobans can
2 see -- can receive benefits, and since one-third (1/3)
3 of all PIPP claims are from non-contributors, why then
4 should motorcyclists pay substantially more for the --
5 this coverage, when other vehicle owners, ATV owners,
6 snowmobile owners, and licenced non-vehicle owners pay
7 nothing?

8 We don't charge additional health
9 premiums for those who are chronically ill or require
10 more health care. Why, then, should PIPP costs not be
11 treated in a similar manner?

12 Flat rate for PIPP. I believe it's
13 time for Manitoba Public Insurance to review and
14 rethink its methodology for assigning PIPP costs to
15 premiums and spread them equally across all vehicle
16 groups. The fairest way might be to establish a fat
17 rate -- flat rate for PIPP premiums when -- which
18 increases based on driving record, and not severity of
19 injuries.

20 Although motorcyclists are more likely
21 to sustain more serious bodily injuries in accidents,
22 they are less likely to inflict serious injury on
23 pedestrian, cyclists, or the occupants of automobiles
24 and motor -- and trucks. Conversely, larger vehicles
25 have the potential to inflict serious injury to

1 pedestrians, riders, and occupants of smaller
2 vehicles. But I don't believe this is factored into
3 the premium structure of those vehicles. Perhaps
4 premium methodology should be revised so these
5 vehicles bear a greater share of PIPP costs.

6 Although a proper actuarial analysis is
7 required, I don't believe that a flat rate for PIPP
8 will create undue hardship on other vehicle owners.
9 If -- even if off-road vehicles and trailers are
10 excluded, the total number of other vehicles
11 outnumbers motorcycles by a ratio of nearly sixty (60)
12 to one (1).

13 In simple terms, an average five dollar
14 (\$5) premium increase, or about .5 percent for other
15 vehicles, would generate nearly \$4 million with a
16 resulting premium increase of about three hundred
17 dollars (\$300) for each motorcycle. An actual rate,
18 of course, would have to include many other factors,
19 such as driving record, the proportion of PIPP
20 contributions from driver's licence premiums, and
21 whether or not more of PIPP costs should be allocated
22 to the driver's licence.

23 And getting on to that subject,
24 considering that neither 25 percent or one-third (1/3)
25 of PIPP claims are from licensed drivers who do not

1 own a vehicle, it would be much -- a much more
2 equitable system if PIPP premiums were transferred all
3 or in part to the driver's licence, rather than placed
4 solely on the vehicle.

5 At present there is a small insurance
6 portion associated with a driver's licence. However,
7 this premium is not proportional amongst the various
8 coverages. Apparently these premiums are used as a
9 direct offset to the cost of Basic insurance for
10 Highway Traffic Act vehicles, so it is not known if
11 any of the -- if any of it is assigned to offset PIPP
12 costs.

13 Transferring PIPP costs to the driver's
14 licence would also le -- lessen the attractiveness of
15 the current system, which encour -- encourages high-
16 risk drivers to transfer ownership to other family
17 members so as not to pay higher vehicle premiums, and
18 therefore not contributing fairly to the public
19 insurance system.

20 Now, there's also PIPP double-dipping.
21 It is my understanding that the premiums for each
22 classification of vehicles is based on the risk and
23 accident history of that vehicle classification,
24 independent of other classifications. Like most
25 motorcyclists, I also own another vehicle and pay PIPP

1 on both. However, unlike other insurers, MPI provides
2 no discount for a second vehicle, the assumption being
3 that both vehicles can be driven at the same time with
4 risk of accidents.

5 It is my observation that when the
6 motorcycle is being ridden, in most cases, the other
7 vehicle remains unused, thereby reducing its risk. I
8 would request that MPI review its data and contrast
9 the average claim cost for automobiles, pickups, et
10 cetera, of non-vehicle owners -- sorry, of non-
11 motorcycle owners with that of the same vehicles owned
12 by motorcyclists. If the latter case depict lower
13 claims, there may be a case for a two (2) or a multi-
14 vehicle dis -- discount for motorcycle owners.

15 Public policy. I'm not aware of
16 whether a rate change of this nature falls within the
17 Board's mandate, and can -- can appreciate that it may
18 be a matter of public policy to be implemented by
19 government through amendments to the Public Insurance
20 Act, or by giving policy direction to MPI.

21 I will, however, request that this
22 Board recommend that MPI and/or the Government of
23 Manitoba study this issue, and advise how a PIPP flat
24 rate would affect average premiums for all classes
25 and, as well, how premiums could be affected should

1 excluded vehicle classes such as interprovincial
2 trucking were required to pay PIPP.

3 Now, there's still some inequities
4 between motorcycle and passenger vehicle coverage
5 available. At previous hearings, I've outlined some
6 insurance products such as rental insurance,
7 replacement vehicles, and new vehicle protection
8 available to passenger vehicle owners but not enjoyed
9 by motorcyclists.

10 I realize that they may fall -- fall
11 under the extension umbrella but I think it's
12 important to place on public record that in spite of
13 past discussions these still remain unavailable to
14 motorcyclists.

15 Another matter that concerns some of
16 our members is the buy-back policies and formulas at
17 MPI in the case where repair costs of a damaged
18 motorcycle exceeds market value. And I'm going to
19 insert a phrase here, so don't go flipping pages
20 looking for what I'm saying. In such cases, some of
21 our members are of the opinion that -- that adjusters,
22 or some adjusters, may lack the knowledge, experience,
23 and exposure in dealing with motorcycle values and
24 repairs, particularly where customization and
25 modification is involved.

1 Motorcycle owners are noted for
2 spending thousands of dollars and many hours of labour
3 customizing their rides, and adding very expensive
4 accessories and motor upgrades which may not
5 necessarily be reflected in market value. A probable
6 -- probable scenario is as follows.

7 A motorcyclist purchases a ten (10)
8 year old motorcycle for twelve thousand (12,000).
9 Spends many hours and ten thousand dollars (\$10,000)
10 customizing with up -- motor upgrades and paint for a
11 total investment of twenty-two thousand (22,000).

12 Now, you won't believe this but just
13 rebuilding your motor or -- or putting a custom motor
14 in could run between, oh, four (4) -- four (4) and
15 seven thousand dollars (\$7,000). Paint jobs on a bike
16 are even more than a car. They can be anywhere from
17 three (3) to ten thousand dollars (\$10,000), depending
18 on the -- the complexity.

19 In any case, in this particular
20 scenario -- and this is not an actual one, this is
21 just a scenario, a year later their bike is damaged to
22 the extent of fourteen thousand (14,000) but MPI is
23 only prepared to pay eleven thousand (11,000), which
24 is the current book value. The owners is paid the
25 eleven thousand (11,000) but has mechanical skills and

1 wants to buy back the motorcycle, do his own repairs,
2 and recover his investment.

3 MPI tells him that the buy-back cost is
4 six thousand dollars (\$6,000). The owner cannot
5 afford the six thousand dollars (\$6,000) as he has
6 just recently spent ten thousand dollars (\$10,000)
7 upgrading, and the motorcycle goes to auction and
8 sells for only four thousand (4,000).

9 Motorcyclists think this is unfair and
10 that in cases where a motorcycle is written off and
11 repairable the owner should -- that in such cases
12 where the motorcycle is written off and repairable the
13 owner should have the option of buying the motorcycle
14 for the amount equal to the difference between the
15 settlement price and the repair cost, which in this --
16 this example would be three thousand dollars (\$3,000).

17 Now, that include -- concludes my
18 presentation, and I thank you for giving me this
19 opportunity to -- to speak and for your attention to
20 this matter. Thank you.

21 THE CHAIRPERSON: Thank you. Are
22 there any questions?

23 MR. REGIS GOSSELIN: Mr. Houghton,
24 you've -- you've indicated that you've raised some of
25 these issues before. Have you had discussions

1 directly with MPIC about some of these issues as an
2 organization?

3 MR. DOUG HOUGHTON: As an
4 organization, yes, we -- we have meetings with MPI
5 usually on an annual basis. We also have a meeting --
6 Mr. Luke Johnston comes to our meetings and presents
7 us a lot of the accident data in the actuarial
8 evidence --

9 MR. REGIS GOSSELIN: Okay.

10 MR. DOUG HOUGHTON: -- that he -- he's
11 gained over the past five (5) or ten (10) years.

12 MR. REGIS GOSSELIN: And, so have all
13 of these issues you've raised, have they all been
14 discussed with MPIC?

15 MR. DOUG HOUGHTON: We've talked about
16 the flat rate but that's -- varies between a PUB issue
17 and a public policy issue. Now, the areas dealing
18 with the comprehensive, we've had discussions with MPI
19 reps on that although there has been no decision on --
20 in those areas yet. And we -- as motorcyclists we
21 can't understand why these benefits or prod --
22 products are not available to motorcyclists as well.

23 For instance, if I am -- if I buy --
24 buy a new motorcycle I can't get new vehicle coverage
25 like you can with a new car or truck for a two (2)

1 year period. If it were stolen, I would get the
2 market value, not the replacement value, for that new
3 vehicle.

4 If I have an acc -- my vehicle -- I'll
5 use the same scenario. If I'm on a tour and it's
6 stolen while I'm in the southern states on a winter
7 holiday, I can't get rental insurance to cover the
8 cost of renting an equivalent vehicle, or just another
9 vehicle to drive around and not have to fly home to
10 get my truck, and go back.

11 So those type of things aren't --
12 aren't available and we don't see why they cannot be
13 made available.

14 MR. REGIS GOSSELIN: I guess the
15 question is: Are they available elsewhere? I mean,
16 are they available in other jurisdictions?

17 MR. DOUG HOUGHTON: That I'm not aware
18 of. My concern was mainly with -- they're not
19 available here for motorcyclists, and they are
20 available here for motorcyclists, and they are
21 available for automobile and light truck owners.

22 THE CHAIRPERSON: Okay. Thank you
23 very much, Mr. Houghton.

24 MR. DOUG HOUGHTON: Thank you.

25 THE CHAIRPERSON: Now I guess we'll go

1 back to Ms. Kalinowsky and -- oh, sorry.

2 MS. CANDACE GRAMMOND: Sorry, just
3 before we do that, we don't have any other presenters
4 here but there was a letter submitted to the Board
5 that I'll just quickly read into the record. So this
6 is from Edward Toker, 67 Martell Crescent, Winnipeg.
7 It's addressed to the Chairperson and Board, the
8 Public Utilities Board, 330 Portage Avenue, Winnipeg,
9 Manitoba, letter dated September 9th, 2013.

10 "Chairman of the Public Utilities
11 Board re MPI request for 1.8 percent
12 increase for 2014. Today is the
13 first notification of the PUB
14 hearings with respect to the above-
15 noted hearings. The writer will be
16 away the early part of September
17 23rd hearings and I would request
18 the Board consider this letter as
19 one (1) person's opposition to any
20 kind of increase in premiums.
21 MPI refuses, because of privacy, to
22 release documents of gratuitous
23 donations to any unauthorized
24 organizations. In effect, they are
25 converting funds improperly and

1 illegally.

2 I have had one (1) at-fault
3 accident, nine hundred dollars
4 (\$900), in the past thirty (30)
5 years. Under the present structure
6 of merits I am at plus 13 this year.
7 I have been targeted without
8 explanation or reasonable cause to
9 have a medical approval before I can
10 obtain a driver's licence every
11 couple years.

12 I am 79, curl with seniors around my
13 age, and, of course, information is
14 exchanged over coffee. I'm
15 enclosing an abstract -- an abstract
16 of my driver's licence and of the
17 order to obtain medical clearance.

18 I can only surmise that MPI is
19 targeting myself, is discriminating
20 against random seniors, and/or is
21 being dishonest, deceptive in their
22 approach to the Board and the
23 public.

24 Number 1. Transferring a \$2 million
25 building and property is

1 conversation and should be viewed as
2 a criminal offence. MPI must be the
3 only insurer in the world to have
4 its own prosecutorial staff. When
5 am I and others like me going to
6 stop paying for the horrific
7 tragedies? Oh, yes, I don't drink
8 alcohol, nor text, nor smoke the
9 weed.

10 Under private insurance, I did
11 receive a discount. Yes, it's all
12 about fairness, but for whom? To my
13 mind, this is conversion of funds,
14 borders on criminality.

15 Number 2. Why doesn't MPI properly
16 notify us poor premium payers of the
17 total costs of our/their operations?

18 Number 3. If 1 and 2 above are
19 legitimate, I and thousands like
20 myself question their tactics. I
21 would submit that a public inquire
22 (sic) might be the way to go.

23 Respectfully, Edward Toker."

24 And then there's a handwritten note
25 that says, "Oh, yes, I have no wish to discuss this

1 with MPI." And there are a few attachments. There
2 are two (2) free -- or one (1) Free Press article, one
3 (1) Winnipeg Sun article, together with the driving
4 abstract, as indicated, as well as a copy of Mr.
5 Toker's two (2) page insurance renewal dated September
6 3rd, 2013.

7 So that's the conclusion of the read-
8 in. We can now go back to the MPI direct.

9 THE CHAIRPERSON: Okay. Thank you,
10 Ms. Grammond. Ms. Kalinowsky, direct examination,
11 please.

12

13 MPI PANEL:

14 MARILYN MCLAREN, Resumed

15 HEATHER REICHERT, Resumed

16 LUKE JOHNSTON, Resumed

17

18 CONTINUED EXAMINATION-IN-CHIEF BY MS. KATHY

19 KALINOWSKY:

20 MS. KATHY KALINOWSKY: Yes. Good af -
21 - good afternoon. I trust now that the Board members
22 have the RSR materials that were provided to them over
23 the lunch break. So with that, I'll ask Mr. Johnston
24 to explain the results from the DCAT technical
25 conference.

1 MR. LUKE JOHNSTON: Okay. So in your
2 RSR binder or folder, whatever you were given, RSR-1,
3 page 5, lists areas of agreement from the DCAT
4 technical conference. Okay. The -- the list is -- is
5 fairly lengthy, but I think it's important that we go
6 through it because these are essentially the -- the
7 outcomes from -- from that technical conference.

8 The -- so I'll read each one. And --
9 and then I'll explain what actions myself or the
10 Corporation have taken to -- to meet that area of
11 agreement. The first one is:

12 "MPI is not required to prepare the
13 DCAT as prescribed by law, but it is
14 best to prepare it in accordance
15 with the actuarial standards of
16 practice. MPI will continue to
17 prepare the DCAT in accordance with
18 the actuarial standards of practice
19 and will file this in the GRA. The
20 PUB may order a variation therefrom
21 for the purposes of setting the RSR
22 target."

23 So the -- the action here is that MPI
24 again is -- or myself is filing a DCAT according to
25 the actuarial standards of practice. And nothing that

1 we collaborated on at the technical conference made me
2 deviate from those -- those standards.

3 Number 2. MPI will include a balance
4 sheet forecast in future GRAs, likely commencing in
5 the 2015 GRA. The action is that a balance sheet will
6 be included in the 2014 DCAT, which will be filed at
7 the next GRA.

8 Number 3. MPI will add a section to
9 the DCAT disclosing changes from the previous year to
10 enhance transparency. The action is, for each adverse
11 scenario, the 2013 DCAT includes an explanation of
12 changes from the previous DCAT. In this particular
13 year, there were quite a few changes given the -- the
14 technical conference. But going forward, we'll
15 continue to do that.

16 Number 4. MPI will run adverse
17 scenarios and risk tolerance levels as requested by
18 the PUB and Intervenor, subject to the requests being
19 very limited in numbers, recognizing the extensive
20 work required. This process and timing is yet to be
21 established. The action here, what -- what I did in
22 this DCAT report was to kind of provide alternate
23 scenarios in advance. And -- and the -- the DCAT
24 standards require that a scenario be between a one (1)
25 and twenty (20) -- at least between a one (1) in

1 twenty (20) event, and a one (1) in a hundred (100)
2 event.

3 So for each scenario, we ran multiple
4 risk tolerance levels with the hope that this would
5 give the Board and other parties, you know, an idea of
6 the range around -- around some of those outcomes and
7 -- and, hopefully, would prevent a -- running a bunch
8 of other scenarios at all these different tolerance
9 levels.

10 Number 5. MPI will provide more
11 disclosure in the DCAT, including reconciliation. The
12 action here, a lot of it stems just from the
13 Corporation's new financial model. So there are more
14 detailed exhibits, particularly around investments,
15 which was a big topic in last year's hearings. There
16 is also more detailed exhibits on claims incurred.

17 MR. REGIS GOSSELIN: Reconciliation,
18 you mean including rec -- reconciliation. Could you
19 explain that?

20 MR. LUKE JOHNSTON: I think last year,
21 for the investment model in general and the investment
22 models used in the DCAT, it wasn't always clear
23 exactly how the -- the result was arrived at. And we
24 -- we spent a lot of time here, you know, what's
25 realized, what's unrealized, what percent are you --

1 return, you know. And there was no investment exhibit
2 in the DCAT, and now there's a full investment
3 exhibit.

4 Following on that, number 6. MPI will
5 provide more disclosure explaining how investment
6 income is derived. So that -- that's to my last
7 point.

8 Number 7. MPI will, for purposes of
9 calculating the actuarial liabilities, incorporate the
10 projected interest rates from the investment model
11 rather than assuming no change. So this is a DCAT-
12 based area of agreement, but it's also -- applies to
13 the Corporation's base GRA forecast as well. And
14 you're seeing the -- the effect of that for the first
15 time.

16 Number 8. The purpose here is to put
17 the DCAT framework in place to allow the PUB to
18 establish an appropriate risk tolerance level for the
19 RSR. That's kind of more of like -- more of an
20 objective. And, again, we've filed the DCAT this year
21 and asked the Board to approve RSR target based on the
22 DCAT.

23 Number 9. The DCAT should be run in a
24 pure form first, without inclusion of either
25 management or regula -- regulator action, since the --

1 since these are unknown. Then the DCAT should be run
2 including both management and regulator action. The
3 action here was that each adverse scenario is run
4 first with no assumptions about regulatory action, or
5 management action. And then another scenario is run
6 assuming some of those actions. And I'll -- I'll talk
7 about those more.

8 Number 10. The weighting of historical
9 data, such as equity returns, since 1919, or inflation
10 returns, is permissible and is the judgment of the
11 actuary in the DCAT. That judgment has yet to be
12 determined. The action is that the adverse scenarios
13 in the 2013 DCAT report include a more detailed
14 discussion of these assumptions and a lot of the --
15 the topic will be familiar from last year and from the
16 technical conference as a result of the collaboration
17 that we did at that conference.

18 11. DCAT will provide a description of
19 terms and statistical methods utilized in the
20 analysis. On this particular item we -- we did not
21 include that. I actually started writing it and
22 realized that this was -- could potentially be an
23 enormous section. The -- so we do think that -- I
24 can't remember how many pages that it is, but the --
25 the DCAT report as it currently exists is over a

1 hundred pages long.

2 We do our best to describe, you know,
3 the -- the methodology we've used in as clear of
4 detail as possible. When we started trying to define
5 every statistical term we were -- it was a bit
6 cumbersome. So we think that it's best that, you
7 know, you know, the general statistical terms can be
8 looked up elsewhere by the parties. And that's it.

9 MS. KATHY KALINOWSKY: So thank you.
10 You've incorporated those action items into the DCAT
11 for the 2013 DCAT. So what were the results of the
12 technical conference and what was the final result of
13 the DCAT?

14 MR. LUKE JOHNSTON: Okay. So we -- as
15 I just went through, we did the best we could to
16 incorporate all the -- the areas of agreement that we
17 -- that we recorded at the conference. And based on -
18 - based on that, we created a new 2013 DCAT report.
19 And from the report the Corporation is recommending
20 that the Board approve a minimum RSR target of 172
21 million.

22 The 172 million target represents the
23 most significant decline in retained earnings relative
24 the Corporation's base forecast for the plausible
25 adverse scenarios tested in the DCAT report.

1 These plausible adverse scenarios were
2 tested at a one (1) in forty (40) year probability
3 level and include assumed management and regulatory
4 action in regards to rate increases and rate
5 surcharges. I would ask the Board turn to RSR-1 page
6 3.

7

8 (BRIEF PAUSE)

9

10 MR. LUKE JOHNSTON: Okay.

11

12 (BRIEF PAUSE)

13

14 MR. LUKE JOHNSTON: Okay. On page 3
15 there's tables, and what the tables are showing are --
16 are the results of the most adverse scenarios
17 presented in the DCAT report. These scenarios are --
18 are described in detail in the DCAT. For now, what
19 I'll do is I'll describe the -- the most adverse
20 scenario and the one (1) that -- that results in the
21 \$172 million target.

22 So as -- as shown in the table, the --
23 the most adverse scenario is what we call the co --
24 this combined interest rate, equity, loss ratio
25 scenario. And as -- as the name indicates, this --

1 this scenario is based on the -- a combined impact
2 from these -- these three (3) risk factors, again
3 being interest rate changes, equity performance, and
4 -- and claims costs.

5 The -- a -- a good example of -- of
6 how, you know, thi -- this type of situation could
7 occur is -- actually just happened in the last fiscal
8 year where we had a \$72 million net loss. Really,
9 this -- this loss was effectively a combination of
10 these three (3) risk factors: declining interest
11 rates affecting multiple aspects of our -- of our
12 forecasts, equity performance was -- was less than
13 expected, and claims costs were more than expected.

14 I don't think anyone would describe any
15 of those three (3) risks as performing extremely
16 different than we expected, but all, you know,
17 somewhat bad resulting in -- in a loss of -- a
18 significant loss of 72 million.

19 So for the specific scenario that we're
20 modelling, what -- a description of this scenario is
21 as follows. Interest rates were assumed to remain
22 flat. So in -- in last year's forecast, where we
23 didn't model interest rate movements, that would --
24 would not have been an issue.

25 Given that the base forecast this year

1 is forecasting favourable net income as a result of
2 interest rate improvements, there is now a risk that
3 that doesn't materialize.

4 The equity component of this scenario
5 is a four (4) year equity return of plus 4.2 percent
6 or about 1 percent per year, and that compares to a
7 budget of about 6 percent a year. So we're not
8 modelling in -- in this particular scenario we're not
9 talking about a 20 or a 30 or a 40 percent equity
10 decline. We're talking about a positive equity return
11 but quite a bit less than our forecast.

12 And finally, claims. The scenario has
13 claims costs, about \$68 million over forecast over a
14 four (4) year period, which again is -- is adverse.
15 But this is about -- only about 2 -- 2 1/2 percent
16 more than our actual forecast.

17 Both eq -- I would -- I would say both
18 equity and -- and cla -- the -- both the equity return
19 and the claims models were debated quite a bit at last
20 year's hearings and the DCAT technical conference.
21 The interest rate impacts are -- are new, of course,
22 because that -- that's coming to the Board this year
23 for the first time. The combination of these three
24 (3) events resulted in a reduction in retained
25 earnings of \$271 million before considering management

1 and regulatory action.

2 As I discussed earlier, the 2013 DCAT
3 report was to consider regulatory action, in
4 particular, rate increases and rate surcharges. So --

5 MR. REGIS GOSSELIN: Sorry, you said -
6 - yeah. What was the value without regulatory action?

7 MR. LUKE JOHNSTON: Those three (3)
8 items I listed \$271 million decline in retained
9 earnings.

10 MR. REGIS GOSSELIN: Yeah.

11 MR. LUKE JOHNSTON: And that -- that
12 is shown in the DCAT reports. I don't know the page,
13 but it's in there. In regards to our regulatory
14 action, I made two (2) assumptions. First, that the
15 Board would continue to require break-even rates. So
16 if circumstances changed as a result of this scenario,
17 you know, leading to a negative net income, the Board
18 would increase rates to break even.

19 The second was that the Board would
20 order a surcharge if retained earnings fell below 125
21 million and the maximum additional surcharge in any
22 year would be 2 percent. So let me -- I think the
23 first point there is somewhat implied. We've always
24 applied for break-even rates with the exception of
25 years where we need surcharges.

1 In terms of the -- the surcharge
2 assumptions, I did have to make some judgments there.
3 The -- this wasn't an area that we specifically talked
4 about in detail at the DCAT conference. How did I
5 come to -- to these assumptions? I did talk to the --
6 our CEO and CFO about the threshold. And -- and we
7 decided that \$125 million was a reasonable threshold
8 in light of the initial results before management
9 action, 271 million being the most extreme.

10 Although this is a judgment, it -- it
11 really -- all that's really happening with this --
12 with this threshold is we're either speeding up or
13 slowing down the response to this scenario. So if --
14 if we picked a lower threshold, say no surcharges
15 until 75 million, the scenario would become more
16 adverse because you -- you've waited longer to do
17 something about it. Similarly, if you reacted sooner,
18 anything below 150 million wouldn't be as adverse
19 because, you know, you've -- you've reacted to it
20 really fast.

21 In -- in regards to the -- the 2
22 percent surcharge assumption, I -- I looked at past
23 PUB orders and -- and again had conversations with the
24 CEO and CFO. In terms of the past orders, if you look
25 at the 1996 to 2000 period, between 1996, '97, and '98

1 the Board ordered surcharges of 2 percent, an
2 additional 2 percent, an additional 1 percent, to deal
3 with a declining retained earnings situation.

4 And those surcharges were then removed
5 as the Corporation's performance improved in the years
6 following. And that -- in 1999 and 2000. So that's
7 were I got the -- that's what I based those
8 assumptions on. Again, if you -- you have quicker sur
9 -- higher surcharges, you react -- you react faster.

10 Based on these assumptions, the -- the
11 \$271 million scenario that I -- I spoke of resulted in
12 rate increases of 1 percent in 2015/'16, 3.78 percent
13 and a 2 percent rate surcharge in 2016/'17, and a two
14 (2) -- two point o-five (2.05) rate increase and a 4
15 percent rate surcharge in 2017/'18. And these are
16 actually shown on page 4 of the document that you're
17 looking at right now.

18 After applying these rate increases,
19 the -- the impact of the scenario declines from two
20 hundred and seventy-one (271) to the -- the \$172
21 million target that we're proposing.

22

23 CONTINUED BY MS. KATHY KALINOWSKY:

24 MS. KATHY KALINOWSKY: Thank you for
25 that, Mr. Johnston. I won't ask you about other

1 scenarios because that's a long explanation, and it
2 also combines the three (3) different factors, and
3 those other factors are either combined or they --
4 they're standalone adverse scenarios.

5 But I'd like to ask you: Has this DCAT
6 been approved by the board of directors of Manitoba
7 Public Insurance?

8 MR. LUKE JOHNSTON: The -- the MPI
9 board received the findings from the DCAT in June of -
10 - of this year. The -- the full DCAT report wasn't
11 completed at the time as there was a significant
12 amount of additional work that -- that came from the
13 technical conference.

14 However, all the calculations and
15 support were available for the board. And the board
16 approved a target -- the target of 172 million at that
17 time. The -- based on the feedback from the
18 Information Requests and -- and the -- the time that's
19 past none of my recommendations from that report that
20 went to the -- or to that presentation to the board
21 have changed.

22 The October 4th board meeting, the MPI
23 board will be given the DCAT for approval.

24 MS. KATHY KALINOWSKY: Even without
25 the balance sheet, can the PUB, in your opinion, still

1 use the DCAT to determine the RSR target?

2 MR. LUKE JOHNSTON: Again, as -- as I
3 mentioned, the Corporation is -- has committed to
4 providing a balance sheet. So we -- we are in
5 agreement that -- that that should be included.

6

7 And we do understand that the balance
8 sheet is important, and a few -- and a few of the
9 reasons that have come up from IRs and just
10 discussions, one (1), it does provide a bit more
11 transparency into -- into the retained earnings
12 calculations at the end of the year.

13 Another reason would be that it allows
14 you to pro -- project minimum capital test ratios.
15 And that's, you know, capital requirements used by
16 other jurisdictions. Even if we don't want to use it,
17 you might want to compare to it.

18 And the -- the third reason that we --
19 has -- has been brought up is that other actuaries'
20 DCAT reports would have balance sheets in it. So
21 these are important for -- definitely important
22 considerations.

23 However, the Corporation, and -- and
24 myself as -- as the signer of the report, doesn't
25 believe that -- that these considerations per --

1 preclude the Board from approving a DCAT target of 172
2 million. And I'll go through a few reasons as to why.

3 Firstly, the -- the claims incurred
4 section of the Rate Application does project the
5 Corporation's claims liabilities at the end of each
6 year. And this is, obviously, the most significant
7 portion of the Corporation's balance sheet. So those
8 projections are already provided.

9 Secondly, the -- on the asset side, the
10 Corporation has a revised investment income forecast
11 that similarly projects the year-end values of assets,
12 also the unrealized gains and losses on those assets.
13 So that would be the most significant item on the
14 asset side of the balance sheet.

15 Third, the DCAT report provides a
16 detailed description of how each adverse scenario
17 impacts retained earnings. And as far as we can
18 determine, we don't believe that the existence of the
19 balance sheet is going to change any of these
20 projections that -- that we've made.

21 And -- and, finally, I can al -- in
22 regards to the MCT, we know it's -- it would be a -- a
23 good thing for the Board to have MCT projections, but
24 it -- it isn't something that the Board uses to set
25 the RSR target. So being able to do that is not, I

1 think, of vital importance right now.

2 MR. REGIS GOSSELIN: Would you mind
3 going over the first two (2) again?

4 MR. LUKE JOHNSTON: Sure.

5 MR. REGIS GOSSELIN: Just the first
6 two (2) explanations because I didn't fully understand
7 them.

8 MR. LUKE JOHNSTON: So the -- in the
9 claims incurred section of the rate app, we describe
10 our forecast in -- in the text portion. And in the
11 exhibits, and in the text portion, we do forecast the
12 total value of all claim liabilities at each fiscal
13 year end. We then -- we then use that information to
14 determine, you know, what's going to be reported in
15 each fiscal year and how that impacts the -- the pro
16 forma statements.

17 But -- but the projections are there
18 and I don't see anything by having a balance sheet
19 that would change those claims projections. They're
20 essentially already prepared. On the -- on the asset
21 side, one (1) thing that wasn't in my areas ag -- of
22 agreement, but were -- were in the actuarial peer
23 review, was discussion of unrealized gains and losses
24 on assets and particular equities. And we did, with
25 the new investment model, perform those calculations.

1 And -- and then when you look at the
2 equities scenario in the DCAT, or any scenario
3 involving investments, we do have the ability with the
4 new model to calculate unrealized gains and losses.
5 So in the -- in the equities scenario, for example,
6 it'll say, The impact to retained -- retained earnings
7 is 'X' amount, a hundred million dollars, say. And,
8 by the way, there's another 50, \$60 million of
9 unrealized losses. So we have the -- already have
10 that ability to -- to forecast that.

11

12 (BRIEF PAUSE)

13

14 MS. KATHY KALINOWSKY: With that, I
15 was going to move on to another area of questioning
16 for Mr. Johnston, so away from the DCAT, if that's all
17 right. So, Mr. Johnston, with review -- with respect
18 to the review of unpaid claims liabilities, in recent
19 years there have been large changes in this.

20 Can you provide a brief update on this
21 year's review of unpaid claims liabilities?

22 MR. LUKE JOHNSTON: Yes, I can. The -
23 - there have been some larger changes to claim
24 liabilities in prior years. I would describe this
25 year's changes as rel -- relatively minor. We're

1 talking, again, about a -- almost a \$1.4 billion
2 liability with a lot of uncertainty in some of the
3 PIPP projections, of course. We're dealing with
4 lifetime injuries. Ms. Reichert talked about around a
5 \$10 million hit, or more. I would consider that
6 relatively minor. Not -- not desired, but minor.

7 A couple of highlights from the -- from
8 the October and February reviews. The first one, the
9 interest rate provision for adverse deviation. We --
10 when we were here last year, we -- we had some debate
11 about our external actuary was concerned about
12 inflation at the time, in 2011, and wanted us to
13 increase this investment risk provision because of
14 higher Manitoba inflation.

15 The provision was increased from a 1
16 percent risk margin to a 1.25 percent risk margin.
17 That increased our liabilities by about \$35 million.
18 We suspected that that would be removed now that --
19 since inflation has subsided, and -- and it was in
20 fact removed but we couldn't -- I didn't want to speak
21 for the external actuary, say that -- what happened
22 for sure. It -- so that was removed. And it was a
23 \$36 million reduction to our estimates just from that
24 one (1) provision.

25 Offsetting this -- the decrease, was a

1 change in our methodology for estimating our ultimate
2 liabilities on the -- on the PIPP side. And this is a
3 little bit difficult to describe in words but I'll --
4 I'll give it a shot.

5 In the first three (3) -- in -- in the
6 most recent three (3) accident years -- so an accident
7 year being the year the loss happens, we look at both
8 paid losses and incurred losses, incurred losses being
9 paid plus case manager estimates.

10 There's a lot of uncertainty around
11 serious loss claims in those first three (3) years,
12 and we want to make sure that we have some safety in
13 those estimates. So we estimate what we think our
14 ultimate liability is based on paid, and what we think
15 it is on -- based on incurred, and then we pick the
16 higher of those two (2) numbers.

17 After three (3) years we revert to what
18 case managers are telling us on the assumption that --
19 that they have the best information, right. All we're
20 dealing with now is their big -- their big serious
21 claims, and the numbers they put in are the most
22 appropriate.

23 The -- in the October review we -- we
24 did have concerns about variability in the PIPP
25 numbers. In particular since -- since the

1 introduction of the new injury claims management
2 system, BI-3. We definitely suspected we were going
3 to get some changes from that, right. It's a new
4 system. We're changing the way claims are reserved.

5 In -- in privacy we talked a little bit
6 about some of this auto-reserving that was happening.
7 These are all new things. We knew we were going to
8 get some variability but we weren't sure exactly what
9 it would look like.

10 So in light of this, we decided to push
11 out this higher of process to five (5) years to make
12 sure that we weren't missing anything, and we would
13 now be fully relying on case manager estimates after
14 five (5) years. So that -- that change alone resulted
15 in an increase of \$30 million -- pardon me -- yes, 30
16 -- 36 million, so essentially offsetting impacts.

17 There is various other assumption
18 changes in the report of smaller magnitude but those
19 are the -- the main highlights.

20 MS. KATHY KALINOWSKY: There's been
21 this offset and an adjustment to PIPP reserves that
22 was reported in the first quarter.

23 How come this was not known earlier?

24 MR. LUKE JOHNSTON: So I mentioned
25 that we -- we did highlight that there was some

1 volatility and -- and PIPP losses in the October 2012
2 actuarial report. And this was communicated to the
3 MPI Board in January of 2013.

4 So when I say, "October report," it's
5 really data as of October 31st. We start working on
6 it in November or December, and finalize it with the
7 Board December or January.

8 So based on one of the out -- outcomes
9 or outputs from that information was that the BI, or
10 the bodily injury department, would conduct a full
11 review of reserves on all PIPP claims. And that
12 review was done in March 2013.

13 The review resulted in an increase in
14 weekly indemnity and accident benefit other reserves
15 of about 27 million in excess of what we would call
16 'normal reporting'. And that's -- that flowed through
17 -- all in March. So what we're -- what we've seen
18 since March is not much else being added.

19 Like -- and that's understandable. You
20 do a full review. All reserves are brought up. It's
21 not going to just flow through the -- or like -- like
22 it normally does. So we're keeping our eye on that,
23 but that was -- that was the result.

24 The -- the increase, however, confirms
25 that there were some reserving issues around how case

1 reserves were entered in -- in the new system. And
2 again, it's -- it's not unreasonable to expect that
3 there would be a little bit of time taken for case
4 managers to -- to adapt to the new system.

5 MS. KATHY KALINOWSKY: So, Mr.
6 Johnston, what has the Corporation done to ensure that
7 this issue does not reoccur in the future?

8 MR. LUKE JOHNSTON: So given that
9 there's -- there's literally a full review of all BI,
10 bodily injury, PIPP reserves, we're -- we're fairly
11 confident this is a onetime adjustment to basically
12 bring all the PIPP reserves in line with reserving
13 guidelines, or maybe some of these were not dealt
14 with, you know, completely timely manner under the new
15 system.

16 If you -- you don't have to turn here,
17 but there wa -- there was a pre-ask question in
18 regards to this, that we have fairly detailed
19 information provided by the Injury Claims Management
20 Department about some of the solutions around how
21 we're dealing with this.

22 I do know that the March review was --
23 we've called it -- essentially, we called it a lab.
24 And there are going to be quarterly labs on a go-
25 forward basis. Not always going to be about

1 reserving, but -- but at a minimum, we're going to
2 making sure that all reserves are essentially cleaned
3 up, following guidelines, et cetera. So that -- that
4 gives me the confidence that this will be taken care
5 of on a go-forward basis.

6 MS. KATHY KALINOWSKY: Thank you, Mr.
7 Johnston. I have no further questions of Mr.
8 Johnston. But I would have a number of questions of
9 Ms. McLaren on road safety. So I didn't know whether
10 now is an appropriate time for a break or not.

11 THE CHAIRPERSON: I think it would be
12 very appropriate. I also think somebody was going to
13 come in and fix our mics during this period, so.

14 MS. CANDACE GRAMMOND: That was the
15 hope, that -- that someone would come in and take a
16 look at the mics at around 2:30, so hopefully that
17 will happen.

18 THE CHAIRPERSON: Okay, thank you.
19 We'll take a fifteen (15) minute break.

20

21 --- Upon recessing at 2:36 p.m.

22 --- Upon resuming at 2:59 p.m.

23

24 THE CHAIRPERSON: Well, I guess we're
25 ready to start again. Ms. Kalinowsky...?

1 CONTINUED BY MS. KATHY KALINOWSKY:

2 MS. KATHY KALINOWSKY: Thank you very
3 much. I'll be moving into some areas of questioning
4 of Ms. McLaren with respect to road safety. So, Ms.
5 McLaren, we'll start off with how does the Corporation
6 allocate its road safety expenditures?

7 MS. MARILYN MCLAREN: To answer that,
8 I can refer people to the supporting material, the SM,
9 section of Volume I of the application. In SM-5 is
10 the -- SM-5.4 is the road safety section. But just
11 really drawing your attention particularly to page 21
12 of that section, where we break down our overall \$11
13 1/2 million expenditure on road safety.

14 And almost 40 percent of that
15 expenditure is dedicated towards the high school
16 driver ed program. I can tell you that our support
17 for that program is really grounded in history. The
18 province ran a high school driver education program
19 for a very long time. In 1987, responsibility for
20 administering the high school driver ed program moved
21 to Manitoba Public Insurance.

22 MR. REGIS GOSSELIN: I'll just find
23 the reference, please, that one.

24 MS. MARILYN MCLAREN: Yeah. It's in
25 the small one, Volume I, in the SM, the supporting

1 materials section, the last blue coloured tab in that
2 book, and then under Tab 5, page 21.

3 In 1987 Manitoba Public Insurance began
4 to be responsible for administration of the high
5 school driver education program. Sometime in the mid-
6 1990s, after many years of having the price to
7 students of a hundred dollars, the -- the Corporation
8 made a decision to cut that in half to fifty dollars
9 (\$50) and saw a significant increase in enrollment.

10 And we -- we suspected that that might
11 happen but we weren't sure, and we -- we took that to
12 mean that there were, you know, a good number of kids
13 in the province where the hundred dollars really was a
14 barrier, and that they were able to take advantage of
15 high school driver ed when the -- when the cost was
16 dropped to the fifty dollars (\$50).

17 It's remained at fifty dollars (\$50)
18 ever since, while our costs of -- of administering the
19 program have increased substantially. So it's
20 probably somewhere between four (4) and five hundred
21 dollars (\$500) now per student, and the students are
22 still paying fifty dollars (\$50) and we're paying the
23 balance.

24 And we've had a look at increasing the
25 cost to students now and again, you know, but if we

1 increased it marginally over a few years maybe sixty
2 dollars (\$60), sixty-five dollars (\$65), seventy-five
3 dollars (\$75), at some point we would find the same
4 thing; that it's a barrier for some kids and an extra
5 twenty dollars (\$20) to us is not going to make a huge
6 difference on our expenditure. So we've really left
7 that alone.

8 But we really believe -- and I guess
9 just if you flip the page over once, you know, we have
10 such an opportunity to connect with young people and
11 to help them get off on the right foot, we're -- we're
12 really committed to spending that money.

13 That having said, there's been lots of
14 conversation here over the years and -- and at MPI
15 itself that, you know, it's very hard to prove that
16 kids that go through high school driver ed are any
17 better drivers than the kids who get their licence
18 without. Young drivers are higher-risk drivers, and
19 that's why we have started this process this year with
20 the folks that you'll hear from in a couple of weeks,
21 helping us learn what is really, truly the best
22 practice out there for high school driver ed. For
23 teaching young, new drivers safe driving practices.

24 I -- I can also tell you -- we'll
25 probably get into this a little more -- more through

1 the hearings, but I can tell you that it's a little
2 discouraging when you read the executive summary of
3 that report from ADTSEA that there are very, very few
4 best practices, confirmed proven best practices.

5 There are a lot of promising practices,
6 and lots of emerging practices, which means that it
7 looks like we might have some good ideas but nobody
8 has proven that yet. But we really believe this is an
9 opportunity that we need to sort out, and we need to
10 figure what is a reasonable plan for Manitoba Public
11 Insurance to make the high school driver education
12 program as good as it can be within financial reason
13 because it really could be a bit of a money pit, and
14 we -- we expect that it will continue to be our single
15 largest expenditure, and we want to make sure that we
16 do as best as we possibly can with new, young drivers.

17 Auto crime is the next largest
18 category, and most of that money is still related to
19 things like, you know, funding one (1) shift of the
20 Winnipeg Police Service stolen auto unit. It's the
21 WATSS program, and things like that. It is the one
22 (1) program in what we broadly call road safety and
23 loss prevention that is absolutely, truly a measurable
24 loss prevention program.

25 We have saved well over twice as much

1 as we've ever invested in this program. We had a
2 business case to do that, and it's paid off every
3 single year since we started almost ten (10) years ago
4 now. So that will wind down just through the natural
5 evolution of time and the fact that there are fewer
6 and fewer vehicles coming into Manitoba that are on --
7 the most at risk to be stolen and don't have
8 immobilizers. So that is really -- will take care of
9 itself through the next few years that will, for all
10 intents and purposes, at some point completely
11 disappear.

12 The road safety advertising and
13 sponsorships is -- is important to us because that
14 allows us through other organizations to get out in
15 the mind and hopefully the hearts of Manitobans, and
16 make a difference in the way they drive.

17 And the road safety programming, I
18 guess -- I wanted to talk about this a little bit
19 because there's a number of programs there. A million
20 and a half dollars is really not a lot of money when
21 you look at the total expenditure of over \$11 million
22 or our annual revenue at MPI, but if you look turning
23 over to page -- let me just find it here. All the way
24 to page 26. You can see that these are, for the most
25 part, programs that we administer through other

1 organizations or with other organizations. And they
2 just really help to make a difference in some very,
3 very tangible ways.

4 Now, we'll talk a little bit more later
5 about some of the comments Ms. Johnson made in her
6 report. But one (1) of the things she said is,
7 Perhaps MPI is doing too much. Honestly, I -- I can't
8 see us cutting support to the organizations that help
9 Manitobans make sure their child car seats are
10 installed properly. This is something that takes very
11 few resources of the Corporation staff to work on, and
12 has a meaningful difference in -- in people's lives.

13 So it is, you know, quite a breadth of
14 different programs. Many of them are delivered
15 through others, whether it is, you know, the Canada
16 Safety Council Program for motorcycle training, the
17 school safety patrol. We're not going to stop buying
18 vests and flags for school patrols across the
19 province. They don't take a lot of programming effort
20 for the Corporation, but they're important supports
21 that we provide and work with other organizations
22 across the province.

23 MS. KATHY KALINOWSKY: Thank you for
24 that, Ms. McLaren. So how does the Corporation, then,
25 know where to put its efforts in road safety?

1 MS. MARILYN MCLAREN: We've had three
2 (3) key road safety priorities for at least the last
3 couple of decades, which we -- ever since we've really
4 started to do our best to apply best practices. That
5 being impaired driving, speeding, and occupant
6 restraints.

7 More recently, distracted driving has
8 clearly become an issue and that is one (1) of our --
9 our top priorities as well. But we have had those
10 priorities for a very long time, and we work as
11 closely as we can with others to make sure that that
12 continues to be important. We use evidence based --
13 we use evidence, we use data, we use evidence-based
14 approaches to determine those priorities and work with
15 partners to -- to do as much as we can in that regard.
16 But within those large categories, again, we use
17 evidence, we use the data we have available to target
18 those messages.

19 We know, at this point, that distracted
20 driving is targeted sub -- more specifically at young
21 people, because that is one (1) of the higher-risk
22 areas. Occupant restraints is more of a problem
23 outside Winnipeg than it is inside Winnipeg. There's
24 been a little bit of emerging information lately that
25 drinking and driving is becoming more of an issue for

1 women, which was primarily an -- an issue for men for
2 many years.

3 So we -- we look at that evidence. We
4 use that data to focus our efforts on the priorities
5 that we understand to be priorities, both from our own
6 claims data and also from the --- the broader road
7 safety universe.

8 MS. KATHY KALINOWSKY: Thank you.
9 With regards to effectiveness, how does MPI know what
10 it is doing in road safety is effective and, indeed,
11 improving road safety?

12 MS. MARILYN MCLAREN: Well, that's
13 always an important question and I think that's
14 certainly the focus of what the PUB has stated is its
15 interest in this area as well. You know, the adequacy
16 and effectiveness of the -- of the programs that we're
17 operating. And performance management is never clear
18 cut; it certainly isn't in this area. How do you know
19 a particular advertising campaign ever had any impact
20 on actually saving lives?

21 So we try to stay away from measures
22 like that. We are absolutely using what we've learned
23 from, you know, the Canadian Road Safety Strategy. We
24 understand the importance of focussing on trending in
25 the right direction on these things. But on our own

1 programs, in our own advertising and things like that,
2 we monitor and measure the effectiveness in a very
3 structured way to make sure as best we can that we're
4 getting the results we expect.

5 Things like Road Watch, the police
6 report to us on how many stops and what kinds of
7 convictions. And we use measures wherever we can.
8 Very similar, in some ways, as we do in terms of our -
9 - our donations and sponsorships. We have agreements
10 with organizations up front, This is what we hope to
11 get for the funds we're providing. And then after the
12 fact, we come back and circle around to say, Did we
13 get it, and what happened as a result of the
14 investment that we made.

15

16 (BRIEF PAUSE)

17

18 MS. KATHY KALINOWSKY: What is the
19 Corporation's view on targets and performance
20 benchmarks for road safety?

21 MS. MARILYN MCLAREN: We -- as I said
22 earlier, we -- we have aligned ourself with the
23 Canada's road safety strategy 2015, most other
24 Canadian jurisdictions, as well, and really seeking to
25 achieve overall downward trending in fatalities and

1 serious injuries.

2 We think multi-year rolling averages is
3 an important way to do that. And that is something
4 that is critically important overall for the province
5 as a system to pay attention to. You can't do that to
6 say, Did -- one (1) of MPI's particular programs, for
7 example, the Brandon 9-1-1 program, did that program
8 work.

9 You can't necessarily determine if that
10 program worked by looking at multi-year rolling
11 averages of fatalities and serious injuries. You have
12 to be much more specific as much as we can on
13 individuals because we're only one (1) little piece of
14 the puzzle.

15 MS. KATHY KALINOWSKY: I'm going to
16 ask you a question about the traffic collision
17 statistics report. How do you view the 2011
18 statistics related to collisions and fatality since
19 much has been made of that in Ms. Johnson's report?

20 MS. MARILYN MCLAREN: Yeah,
21 particularly she commended on the 2011 statistics.
22 And on the face of it, it appears that there was a
23 significant increase. But when we look behind the
24 numbers, and as she did reference, you know, a lot of
25 the difference is because we changed the basis of

1 reporting when historically a lot of people would have
2 a crash, and they would report to us, as the insurer,
3 but they would not report to the police. There was
4 always a lot of uncertainty about what was reportable
5 and what wasn't to the police in terms of more minor
6 injuries.

7 And now, because we are collecting that
8 as part of the claiming process, we're getting all of
9 those, so it looks like a huge spike. That's not so
10 true when you start talking about fatalities and
11 serious injuries though.

12 MR. REGIS GOSSELIN: Is there a
13 reference to that we can examine, or reference to a
14 document that we could examine quickly? No. If there
15 isn't, that's fine.

16 MS. MARILYN MCLAREN: We'll find the
17 reference.

18 MR. REGIS GOSSELIN: Okay.

19 MS. MARILYN MCLAREN: Yeah, we'll find
20 the reference for you. But in addition to that
21 anomaly and the change, which that change will
22 continue going forward because that is the way we will
23 be reporting from now on -- but the other thing is, is
24 that when we look into the detail of the fatalities in
25 that 2011 year there was an inordinate number of

1 multi-vehicle, multi-fatality accidents in the first
2 six (6) months of 2011, and that was enough in a
3 province of only somewhat over a million people, to
4 really skew the -- the totals for that entire year.

5 Unfortunately, a little more recently,
6 we have seen some of the same thing, as well. There's
7 been more than one (1) weekend lately where we've had
8 multiple multiples, and it's -- it's tragic, and it
9 has a big impact on -- on your overall numbers, as
10 well.

11

12 CONTINUED BY MS. KATHY KALINOWSKY:

13 MS. KATHY KALINOWSKY: Ms. McLaren,
14 you've read Ms. Johnson's report, haven't you?

15 MS. MARILYN MCLAREN: Yes.

16 MS. KATHY KALINOWSKY: And in Ms.
17 Johnson's report, that's from the CAC with respect to
18 road safety, she made sixteen (16) recommendations.
19 I'd like to go over each of the recommendations to
20 allow you to provide the Corporation's response. I'm
21 just going to refer to each recommendation in -- in a
22 short -- in a shortened form and ask you to provide
23 your thoughts on each of them.

24 So the first recommendation is, in
25 cooperation with MPI, the Province of Manitoba should

1 consider developing a strategy -- strategy similar to
2 Alberta that has had a formal road safety strategy.

3 MS. MARILYN MCLAREN: That -- I get --
4 that recommendation's understandable. I guess the key
5 point for these proceedings is it's not really a
6 recommendation to MPI. It -- it's really beyond the
7 jurisdiction of MPI. It's a recommendation to the
8 province is really out of scope of MPI's authority and
9 out of scope of these proceedings.

10 MS. KATHY KALINOWSKY: And then what
11 about the next recommendation that Ms. Johnson has,
12 that a component of the road safety strategy should be
13 the development of safety performance indicators which
14 should include outcome measures, immediate measures,
15 process or effort measures?

16 MS. MARILYN MCLAREN: The same thing.
17 She -- that's a carry-on to the recommendation that
18 the province consider developing a strategy. So
19 again, it's not really a recommendation to MPI and
20 it's kind of out of scope.

21 MS. KATHY KALINOWSKY: And then the
22 third recommendation from Ms. Johnson is identifying a
23 lead agency for -- to deal with road safety?

24 MS. MARILYN MCLAREN: Again, that
25 wouldn't be our job to do that. If somebody calls a

1 meeting, we'll come.

2 MS. KATHY KALINOWSKY: And the fourth
3 recommendation is to recommend the development of a
4 comprehensive road safety strategy. This should
5 include target and -- targets and performance
6 measures.

7 MS. MARILYN MCLAREN: Same response.
8 It's -- it's not a recommendation to MPI. Should the
9 Province of Manitoba decide to establish a broad road
10 safety strategy that kind of a recommendation
11 certainly makes sense as to what to be part of it.

12 I can also let -- let the Board know
13 that after the publication of, you know, the -- the
14 recent National Road Safety Framework, the majority of
15 jurisdictions have not yet come forward with a
16 published road safety strategy, so Manitoba's not
17 alone.

18 I don't know if Manitoba will do that
19 in the near future or not, but again, that -- that's a
20 role for the province, not -- not for MPI.

21 MS. KATHY KALINOWSKY: And then the
22 next recommendation is that as a whole, the Province
23 of Manitoba, in consultation with MPI, should develop
24 an organizational framework that links all levels of
25 government, individual government ministries, NGOs,

1 and, where appropriate, other partners.

2 MS. MARILYN MCLAREN: Same response.

3 That's a recommendation of the province.

4 MS. KATHY KALINOWSKY: And the sixth
5 recommendation is under appropriate legislative
6 framework, the recommendation is the Province of
7 Manitoba and MPI should maintain its links with CCMTA,
8 and TAC, or the TAC, to ensure that they remain
9 abreast of those legislative changes that affect road
10 safety.

11 MS. MARILYN MCLAREN: Again, you know,
12 M -- MPI would likely be a player. But that's a
13 recommendation to the province.

14 MS. KATHY KALINOWSKY: And a further
15 recommendation under strategic linkages between
16 counter-measure programs and agencies is a move to a
17 safe system approach. It would ensure that the
18 strategic lengths are developed and maintained
19 particularly with infrastructure in vehicle safety.

20 MS. MARILYN MCLAREN: Again, and
21 especially given some of the references within that,
22 that is a recommendation to the province, not to MPI.

23 MS. KATHY KALINOWSKY: How about road
24 -- road safety advocacy promotion and publicity, the
25 recommendation is that MPI should continue to monitor

1 the effectiveness of their media and advertising
2 programs to ensure they are hitting their mark.

3 MS. MARILYN MCLAREN: I personally
4 like it when I get recommendations to keep doing what
5 we're doing. This would be one (1) of those. So
6 we've clearly stated our intention to continue. So no
7 issue with that recommendation.

8 MS. KATHY KALINOWSKY: And the ninth
9 recommendation under 'Monitoring and Evaluation' is
10 that as a strategic road safety plan is developed an
11 integral component needs to be a robust monitoring and
12 evaluation plan.

13 MS. MARILYN MCLAREN: Again, tha --
14 that is a continuation of the province-wide strategy
15 she's recommending and therefore is a recommendation
16 to the province and not to MPI.

17 MS. KATHY KALINOWSKY: Well, I know
18 that in your previous direct examination you've been
19 speaking about high school driver ed, and that seems
20 to be in line with the next recommendation of Ms.
21 Johnson that MPI should take a serious look at the
22 future potential and effectiveness of the high school
23 driver ed program as recommended in the North Po --
24 Port Associates report.

25 MS. MARILYN MCLAREN: Again, we are

1 taking a very serious look at high school driver ed.
2 There -- there are any number of opportunities to do
3 some things different. And what we need to decide are
4 which of those opportunities are most likely to have
5 the biggest impact on the safety of those new young
6 drivers. So again, that is something that we've got
7 underway.

8 MS. KATHY KALINOWSKY: And of course,
9 the next recommendation is seat belts, that MPI should
10 continue supporting this topic as a key priority,
11 together with its partners.

12 MS. MARILYN MCLAREN: And again, we've
13 provided evidence that we do plan to continue to make
14 restraints a priority.

15 MS. KATHY KALINOWSKY: And different
16 type of restraints is child passenger safety where the
17 recommendation is at least every four (4) or five (5)
18 years MPI should do an evaluation of this program to
19 sure -- to ensure it is effective.

20 MS. MARILYN MCLAREN: And -- and today
21 we do facilitate partnerships between the Citizens on
22 Patrol Program and the RCMP to do observational seat
23 belt surveys in rural communities. That data feeds
24 back to the RCMP to help them -- it -- it helps to
25 guide their local enforcement activities. That

1 happens today.

2 MS. KATHY KALINOWSKY: And with de --
3 with regard to speeding the next recommendation is
4 that MPI should ensure that the advertising related to
5 speeding is targeted at the appropriate audience using
6 the most appropriate medium. They should also infer
7 there will be enhanced enforcement during advertising
8 periods.

9 MS. MARILYN MCLAREN: We certainly
10 work with the police to link advertising and
11 enforcement wherever we possibly can. And, again,
12 we've provided evidence that when MPI undertakes an
13 advertising campaign, it defines its audience, the
14 medium it'll be delivered in, the message to be given,
15 time of year when it's delivered, make sure to the
16 extent we can that it is coordinated with enforcement.
17 And, at the end, we circle back and monitor the
18 effectiveness.

19 MS. KATHY KALINOWSKY: And the next
20 one is about impaired driving. So the recommendation
21 is MPI should ensure that the advertising related to
22 alcohol-impaired driving is targeted at the
23 appropriate audience using the most appropriate
24 medium. And, of course, there should be enhanced
25 enforcement during advertising periods.

1 MS. MARILYN MCLAREN: Yes, and I would
2 say just about exactly the same as I did to the last
3 recommendation. When we undertake an advertising
4 campaign, we do define our audience, the medium it'll
5 be delivered in, and so on. The report on impaired
6 driver 9-1-1 is a very clear example of aligning
7 enforcement with public awareness, education, grass
8 roots community involvement. And it's always
9 important to -- to circle back and make sure the
10 extent we can that the -- the objectives that we
11 established at the front end were achieved.

12 MS. KATHY KALINOWSKY: And the
13 fifteenth recommendation is with respect to distracted
14 driving. But MPI should ensure that the advertising
15 related to distracted driving is targeted at the
16 appropriate audience, using the appropriate medium.
17 And that it should, of course, ensure enhanced
18 enforcement during advertising periods once again.

19 MS. MARILYN MCLAREN: And, again, we
20 do that. We -- I don't want to repeat the same words
21 again. But when we undertake an advertising campaign,
22 yes, we do all of those things. I can also add, in
23 this particular area, more recently the Citizens on
24 Patrol group, you may -- everyone should know this who
25 is ever travelling to Brandon. The Citizens on Patrol

1 group has partnered with the police in that area.
2 They are out there doing observational surveys on
3 driving and cell phone use, or -- or texting cell
4 phone use.

5 Where possible, they report plate
6 numbers to the police and the police follow up. The
7 traffic enforcement in a community like Brandon, it
8 seems that something about just the size of that
9 community, engagement of the population can do things
10 like that. They have a very active group. And
11 because we are the funder of the Citizens on Patrol
12 program, we can really help to foster some of that and
13 make sure that it works effectively as we can.

14 MS. KATHY KALINOWSKY: And the final
15 recommendation is that while there generally is not a
16 lot of money, and some of the grants will be used to
17 leverage partnership in other funding, it is essential
18 that if this funding is coming from the road safety
19 budget, then the focus of the program for community
20 relations and grants should be solely focussed on one
21 (1) of MPI's road safety priorities.

22 MS. MARILYN MCLAREN: And, again, we
23 do that. We've determined that our sponsorship
24 arrangements allow us to direct the right messages at
25 the right time. We would have -- more likely have a

1 drinking and driving message at certain sporting
2 sponsorships than we would in other events. So we
3 really understand the demographic of who is likely to
4 attend these events, how that ties into our risk
5 areas, and the -- the priorities that we're trying to
6 focus on, and the messaging aligns.

7 MS. KATHY KALINOWSKY: So I've been
8 trying to keep track of your responses to the
9 recommendations. And I think I've counted that out of
10 the sixteen (16) recommendations, eight (8) of them
11 are not directed at MPI, and then eight (8)
12 recommendations do suggest that you continue doing
13 things that you've already said you can -- indeed
14 intend to continue.

15 Is that a fair assessment?

16 MS. MARILYN MCLAREN: I think that's
17 about right, yes.

18 MS. KATHY KALINOWSKY: So in your
19 view, what should the PUB take from Ms. Johnson's
20 report?

21 MS. MARILYN MCLAREN: Well, I think
22 it's clear that she thinks Manitoba would be well-
23 served by the province starting a formal road safety
24 strategy, that -- that's not within the jurisdiction
25 of MP -- MPI. It's not within the jurisdiction of the

1 PUB. But I think the Board should also take away from
2 her report that effective road safety requires
3 collaboration between many road safety stakeholders
4 who have different roles and different
5 responsibilities.

6 I think we're all agreed that the most
7 effective road safety occurs when stakeholders work
8 collaboratively together with each one (1) carrying
9 out their roles. I can refer back to the MPIC Act,
10 Section 6(2)(h), that MPIC:

11 "Carry out either alone or jointly,
12 introduce, establish, supervise,
13 finance and promote research or
14 educational programs related to
15 safety and the reduction of risk."

16 And so on. That's the end of the
17 quotation that -- that I'm actually reading in. But,
18 you know, it's important for the PUB to understand how
19 we spend our money. It's important for the PUB to --
20 similar to the questions that you've asked about
21 benchmarking and so on, to understand that, you know,
22 our expenditures are -- are prudent. Everything we
23 spend has an impact on rates on some level.

24 But I think -- I would ask the PUB to
25 also understand -- expect I think we'll learn more

1 when -- when we hear from the representatives from
2 ADTSEA, this -- there -- there are no magic bullets in
3 this -- in this business of road safety.

4 There are many, many more promising or
5 emerging practices than there are proven best
6 practices. We are in a unique position in Manitoba.
7 We understand our role as the public insurer, the
8 compulsory insurer. We can do things that other
9 insurers can't do. We have a role to play, but we
10 really need to have some confidence that we're
11 spending the money in the right way. And if we just
12 spent more and -- and I don't believe it's true that
13 if we just spent more we'd get better results.

14 So we have to be thoughtful about how
15 we proceed in some of these areas. It is a
16 frustrating area because anytime there's a whole bunch
17 of promising and emerging ideas and very few proven
18 best practices, I find that frustrating. It is so
19 tragic.

20 Our staff in the injury claims area
21 deal with the aftermath of -- of terrible situations
22 that happen. I mean, again this last weekend more
23 than one (1) multiple fatality crashes in this
24 province. It's awful.

25 But we have to be clear on what our

1 individual roles are. We have to take leadership
2 where we can appropriately but we have to accept
3 leadership from, in this case more than anyone else,
4 from the province and from the police agencies, and do
5 our best to work with them. And I'm confident that
6 our -- our staff do their very best in doing that.

7 MS. KATHY KALINOWSKY: Thank you.
8 That concludes my direct examination of the witness
9 panel. Mr. Gosselin, you had asked about reference
10 for the traffic collision statistics report, and that
11 is found at CAC-1-48.

12 MR. REGIS GOSSELIN: I was looking for
13 the reference to -- to the data that you were
14 describing. And I finally found the -- found the
15 report but I couldn't find the reference to the exact
16 data you were -- you were alluding to, but -- but
17 that's okay. I'll find it.

18 MS. KATHY KALINOWSKY: We can find
19 that and give it to you in just a few moments, of
20 course. So at this stage I -- if Ms. Grammond would
21 like to commence her cross-examination, I believe the
22 witnesses --

23 MS. CANDACE GRAMMOND: I --

24 MS. KATHY KALINOWSKY: -- are ready to
25 go.

1 MS. CANDACE GRAMMOND: -- I certainly
2 can. It's 3:30 so we would sit another half hour, or
3 if the Board wants to adjourn I'm fine with that, too.
4 Whatever the panel prefers.

5 THE CHAIRPERSON: Okay. Mr. Gosselin
6 has a few questions and then I think maybe what we'll
7 do is start fresh tomorrow with your cross-exam, if
8 that's okay.

9 MS. CANDACE GRAMMOND: Thank you.

10 MR. REGIS GOSSELIN: I -- I get your
11 message around the fact that MPIC is only one (1) of
12 the players amongst the entities responsible for road
13 safety in the province. Clearly we're still trying to
14 understand the limits of your jurisdiction and the
15 limits of ours. And frankly that -- that is a process
16 in discovery.

17 But last year in your -- your annual
18 report you did indicate that you were prepared to take
19 leadership in road safety. And I -- I think that my
20 question is around: Has that changed in terms of your
21 approach or is it -- is it -- my -- am I ascribing too
22 heavy a role on MPIC than you intended as part of that
23 statement? And by statement I'm paraphrasing, I'm not
24 citing.

25 MS. MARILYN MCLAREN: Maybe -- yeah,

1 maybe too -- too big to a certain extent. I mean, I
2 think the one (1) -- we have the opportunity at MPI to
3 take a very, very long-term view of our
4 responsibilities and of -- of -- and of change.

5 There's only -- we have a limited
6 ability to influence a lot of areas, and I -- I really
7 -- I believe, you know, that if -- if we really truly
8 can make a significant difference with high school
9 driver ed, and actually do something that could be a
10 leader in the world, if not even Canada. That will
11 have impacts in -- for generations, but it'll take
12 generations too. So that is something where we truly
13 can lead.

14 We also have -- probably we have more
15 data than anybody else. And I think we can do more
16 than we have there in terms of really providing
17 different kinds of access to it and forums to use the
18 data. So within our very clear, legislated, and
19 public mandate, those are the two (2) areas that I
20 think we can provide some leadership.

21 If -- if you thought that it might be
22 MPI that would have said, Well, you know, we've got
23 this new road safety vision on a national level, MPI
24 is going to go forward and try to get everybody at the
25 table to create one for Manitoba, I -- I never would

1 have seen that as -- as an appropriate role for the
2 Corporation to take.

3 I don't know if that helps.

4 MR. REGIS GOSSELIN: You indicated
5 that there were three (3) long-standing priorities,
6 impaired driving and so on. But you indi -- you also
7 indicated that there was an emerging priority
8 involving distracted driving.

9 Could you talk about what's going on
10 there within MPIC? Like what are you doing to address
11 distracted driving?

12 MS. MARILYN MCLAREN: We're -- we're
13 doing a few things. As we started to wor -- working
14 with the police, getting feedback from the public,
15 making it a priority. We ran our first, you know,
16 campaign before there was any legislation associated
17 with it. We -- we pri -- started to make it a
18 priority in our communication with the public in a
19 road safety context.

20 Then the government passed the
21 legislation. And then our job, often, when that
22 happens is to increase the profile more. More
23 recently, the government applied demerits and we ran a
24 cam -- it is very important to us and it's not -- it's
25 -- we don't view it so much as spending MPI money to

1 tell Manitobans about a government change to the law.
2 It -- it affects the way their Autopac premiums are
3 established. And so we look it as communicating to
4 our customers a change that affects what they may pay.

5 So we funded that advertising. We did
6 the campa -- campaign last spring. We've done another
7 major campaign just a few months ago now. We
8 partnered with, I think, every major police agency in
9 the province to have an enhanced awareness and
10 enforcement as the demerit law took effect on the 1st
11 of August.

12 And again, as -- I don't know that
13 Brandon is the only citizens on patrol group that is
14 actually working with the police and -- and running
15 street-side audits, surveys of people phoning and
16 texting while they're driving, but they certainly --
17 we've certainly been able to foster that through our
18 leadership in the COPP Program. And we will -- we
19 will continue to -- to focus on that.

20 I know that for many, many years we
21 worked hard to get Manitoba's seatbelt usage rate up
22 closer to national averages. And that didn't happen
23 until the government applied demerits and doubled or
24 tripled the fine, something like that.

25 So I think this August 1st change with

1 the demerits is -- is really likely to have a bit more
2 of an impact, you know. And I think it really comes
3 back to -- I know the police are very, very motivated
4 in enforcing this. Every year since the law was passed
5 to make it against the law they -- there's been more
6 and more convictions. They're very motivated. The
7 see the impact of it, of, you know, the crashes
8 related to it.

9 So we will continue to work, but those
10 are some of the things that we have been doing in that
11 regard.

12 MR. REGIS GOSSELIN: Now, looking at
13 that section of the report you were dealing with on
14 road safety, I'm looking at page 25. And there's a
15 paragraph there that deals with the broad -- broad
16 cycling safety promotion campaign, right in the middle
17 of the page...

18

19 (BRIEF PAUSE)

20

21 MR. REGIS GOSSELIN: Volume -- Volume
22 -- section SM-5, page 25.

23 MS. MARILYN MCLAREN: I've got the
24 page. What part of the page are you --

25 MR. REGIS GOSSELIN: The middle of the

1 page it -- there's a paragraph that talks about
2 another example for 2013/'14 as delivery of a -- do --
3 do you have that, right in the middle of the page?

4 MS. MARILYN MCLAREN: I have it.

5 MR. REGIS GOSSELIN: The question I'm
6 asking is, the -- the presenter talked about the
7 messaging. And I guess I'm a bit of -- a little bit
8 confused in the sense that this is suggesting that
9 they had a role to play in -- in formulating the
10 strategy.

11 Is -- is there something -- did we hear
12 something different than what was said as part of that
13 consultation?

14 MS. MARILYN MCLAREN: No, I -- my
15 unders -- they were absolutely part of that process.
16 I believe it was one (1) of their members is the
17 actual cyclist in that bus board and billboard that
18 we're running. It -- the one (1) that says, you know,
19 that it's a two (2) way street, that sharing the road
20 is a two (2) way street. They were very much a part
21 of it, very glad to do it, glad that -- supportive of
22 our messaging.

23 But I -- you know, I think the reality
24 is, and fair enough, that they would like it to be
25 more assertive. And more -- and that's -- that's what

1 they're hear -- we've heard the same things from them.
2 They want the HTA changed. They want our messaging to
3 -- I don't want to put words in their mouth, but my
4 understanding of what they would like our messaging to
5 do would be to act like the HTA has been changed they
6 wa -- the way they want it to be changed.

7 So they're pushing, they're pushing the
8 envelope on how this language happens. But absolutely
9 they were part of developing that and they were
10 pleased with the final iteration compared to where we
11 started. It -- it evolved to be -- to be more
12 suitable to them than we started with, and we were
13 happy to have that collaboration and participation.

14 MR. REGIS GOSSELIN: Somewhat related
15 to what we just talked about, and I just want to
16 confirm that MPIC will be responding in detail to the
17 presenters that we heard this afternoon? Will you? A
18 detailed response?

19 MS. MARILYN MCLAREN: Yes, we will be.
20 Yes.

21 MR. REGIS GOSSELIN: Okay. More --
22 more general questions, and I think it's probably
23 appropriate that I ask -- ask them of you, Ms.
24 McLaren. Given that MPIC is requesting a 1 per -- a
25 1.8 percent increase, I wonder if it -- if it would be

1 possible for MPIC to describe, in -- in fairly general
2 terms, a high level, what will be the value
3 enhancement they will get from that increased
4 expenditure?

5 And by that, I mean, what is it that
6 you'll be doing new and -- and differently in the year
7 going forward? In other words, MPIC is getting a
8 higher level of revenues, employees at MPIC are
9 getting better pay, the policy holders get to pay the
10 bill. And I -- and I -- really, I mean that from the
11 standpoint of what is it that you're doing -- going to
12 be doing differently that represents a gain from the
13 perspective of policy holders?

14 And I -- I don't -- it's not facetious.
15 I'm just trying to understand. Have you improved
16 service delivery, are you intending to invest in new
17 technology that will benefit policy holders? I don't
18 expect you to answer this off the cuff, but I -- I
19 would like to hear from -- from MPIC, and to be able
20 to point to the record when we render our decision
21 saying that, you know, they -- will be increased
22 benefits to policy holders from the increased
23 investment that they're prepared to -- we will be
24 called upon to make in MPIC.

25 MS. MARILYN MCLAREN: I'll ask for Ms.

1 Reichert's help to actually make this a little more
2 tangible, less off the cuff, and maybe on a piece of
3 paper. But speaking off the cuff, this rate increase
4 is not going towards any -- certainly not going to any
5 salary increases because the contract we have which
6 applies to management as well, is -- has two (2) years
7 of salary freeze that we have entered into. So
8 nobody's getting any more salary at MPI.

9 We are very confident that we have done
10 a very good job of keeping a lid on expense increases.
11 In the section of Volume II, we go to great length to
12 explain the expenses. So there are no increases
13 related to that. This rate increase is a reflection
14 of the fact that collisions claims are up a bit and
15 investment income is not what we thought it was going
16 to be. So it certainly isn't related to funding new
17 ideas, or -- or having some more new service centres,
18 or improving -- it's nothing like that. We have done
19 our very best to keep a lid on expenses to mitigate
20 the increase that we need. But the increase ties back
21 very, very specifically to more crashes and investment
22 income being less than it otherwise would have been.

23 MR. REGIS GOSSELIN: I hear you on the
24 -- the rate increase being targeted at improving the
25 financial results. But I guess what I'm looking for

1 is some indication of the experience that clients will
2 have in their relationship with MPIC.

3 I realize you're running a big
4 operation. You're trying to maintain costs, but I
5 also want to understand what am I getting out of MPIC
6 that I'm not getting now? What -- what will I be
7 getting next year out of MPIC that I'm not getting
8 now?

9 And I guess it's an opportunity for you
10 to describe what improvement initiatives you have been
11 implementing at MPIC, and what the outcome will --
12 what that -- what the -- the service outcome will be
13 for policyholders.

14 MS. MARILYN MCLAREN: Sure, we'll --
15 we'll take that offline and -- but I can -- you know,
16 the benchmarking section that -- that I spoke to
17 earlier today in my direct has three (3) examples of
18 initiatives that we have implemented that lowered
19 costs and increased satisfaction, increased customer
20 satisfaction.

21 So those are the kinds of things that
22 we do. We are not trying to specifically do more of
23 those if you give us a rate increase. That -- that is
24 just not the nature of our financial situation at this
25 time. But every time we do implement something like

1 that -- we've been talking to you about the physical
2 damage re-engineering effort. We expect that to help
3 us manage our costs and to improve service.

4 There's -- I can't think of anything
5 that we've done that don't have both of those --
6 they're not two (2) sides of the same coin. They are
7 really one (1) -- one (1) side. They go together. We
8 don't often come forward and say, We just need fifty
9 (50) more people so we can improve service.

10 We find ways. Again, that's why our
11 technology costs are higher than some of our peers but
12 some of our labour and other costs are lower. We do
13 our best to find efficiencies that hit right on the
14 front line of the service that we provide to
15 Manitobans.

16 So let us give that some thought.
17 We'll see what we can put on a piece of paper, but
18 those would be my off-the-cuff thoughts.

19 MS. ANITA NEVILLE: Could I just
20 follow up on that? Could you in that presentation
21 indicate what the impact would be on the organization
22 if you did not receive the 1.8 percent increase?

23 MS. MARILYN MCLAREN: Yes.

24 MS. KATHY KALINOWSKY: Yes, we'll
25 respond to it as an undertaking.

1 (BRIEF PAUSE)

2

3 MS. KATHY KALINOWSKY: The undertaking
4 is to discern -- to dete -- to provide an explanation
5 to the Public Utilities Board what benefits the
6 ratepayers will receive from a 1.8 percent increase in
7 rates, and also at the same time to provide an
8 explanation to the Public Utilities Board as to what
9 the ratepayers would have to forego if a 1.8 percent
10 rate increase were not provided.

11

12 --- UNDERTAKING NO. 3: MPI to provide an
13 explanation as to what
14 benefits the ratepayers
15 will receive from a 1.8
16 percent increase in rates,
17 and also provide an
18 explanation as to what the
19 ratepayers would have to
20 forego if a 1.8 percent
21 rate increase were not
22 provided

23

24 MR. REGIS GOSSELIN: Another more
25 general question, and -- and this is related to the

1 comparison of rates across the country for a similar
2 vehicle. And I -- you know, I can't help noticing
3 that the rate in Saskatchewan is lower than
4 Manitoba's. And I -- I think that difference is
5 increasing, at least that's my impression. I didn't
6 go back to last year's or the previous years
7 comparison.

8 And I guess what I wanted to -- wanted
9 to know is could you -- could you explain why that is?
10 Why there would be a difference for -- for
11 Saskatchewan -- a ratepayer of Saskatchewan -- pardon
12 me, a policy holder in Saskatchewan versus in
13 Manitoba?

14 And again I don't expect you to answer
15 that off the cuff, but I -- I would like to understand
16 what factors would be coming into play such that
17 Saskatchewan policy holders are paying slightly less
18 than Manitoba.

19 MS. MARILYN MCLAREN: Yes, we'll do
20 that.

21 MS. KATHY KALINOWSKY: And that will
22 also be an undertaking, too.

23

24 --- UNDERTAKING NO. 4: MPI to indicate why there
25 is a rate difference for a

1 policy holder in
2 Saskatchewan versus one in
3 Manitoba
4

5 THE CHAIRPERSON: Okay. With -- thank
6 you very much, Ms. Kalinowsky, and the -- and your
7 direct examination, and all those that participated in
8 that. I would like to now call today's proceedings to
9 a close. It's 3:45, and I think we will start
10 tomorrow at 8 -- at 9:30. So have a good evening. I
11 think we were getting a lot of sun at the back here.
12 We'll try to make it a little cooler for all of you
13 tomorrow and -- but you can go out now and enjoy that
14 sun.

15 MS. MARILYN MCLAREN: Thank you.

16

17 (PANEL RETIRES)

18

19 --- Upon adjourning at 3:46 p.m.

20

21 Certified correct,

22

23

24 _____

25 Cheryl Lavigne, Ms.

\$	160:23	117:13,16, 20,22,25	200:22	129:14
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