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December 22, 2017

The Public Utilities Board of Manitoba
Attention: Mr. Kurt Simonsen
Associate Secretary
400-330 Portage Avenue
Winnipeg, MB R3C 0C4

Dear Mr. Simonsen:

Re: Manitoba Hydro 2017/18 & 2018/19 GRA – Public Presentations

Our clients, the Manitoba branch of the Consumers' Association of Canada and Winnipeg Harvest, wish to acknowledge and thank the Public Utilities Board (PUB) for the key steps it has taken to enhance public engagement in the Manitoba Hydro 2017/18 & 2018/19 General Rate Application process.

Those key steps taken by the PUB in this process include:

1. The PUB's accessible website which has received over 2,300 comments;
2. Sharing the comments of consumers with interested parties;
3. Livestreaming the hearing; and
4. Allowing for a ratepayer panel.

These are critical steps in improving consumer education and better public dialogue. Our clients recognize the PUB's leadership role on public engagement in this proceeding. These efforts are much appreciated.

On behalf of our clients, the purpose of this letter is to offer comments with the intent of reinforcing the PUB commitment to listening to and engaging directly with consumers.

Our clients believe strongly in the importance of public participation in decision-making processes. Public participation has been defined as follows:

'Public participation' means to involve those who are affected by a decision in the decision-making process. It promotes sustainable decisions by providing participants with the information they need to be involved in a meaningful way, and it communicates to participants how their input affects the decision.¹

Our clients believe there are two potential challenges to public participation in the current schedule for the Manitoba Hydro General Rate Application 2017/18 and 2018/19. We have outlined the two challenges from our clients'

¹ International Association of Public Participation, online: <http://www.iap2.org/>.

perspective, as well as potential solutions.

Based on the current schedule for the Manitoba General Rate Application, our understanding is that public presentations are scheduled for the afternoon of Friday January 5, 2018 and the afternoon of Thursday February 1, 2018.

The first concern our clients wish to bring to the Board's attention is the deadline for public presentations. It is our understanding that the deadline for the public to apply as presenters was December 8, 2017.² Our clients are concerned that the deadline for presentations may unduly restrict the public from participating as presenters.

Adequate and accessible information is a key element of public participation, given that people cannot provide informed input or opinion unless they have been adequately informed of the alternatives and their consequences.³ Some members of the public may be learning about and following the proceeding as it is unfolding both in the media and on the Public Utilities Board website. Many members of the public may not have had sufficient information before December 8, 2017 to decide whether they wanted to make a presentation, given that this was only four days after the public hearing began.

In addition, many of the issues in this proceeding are complex and the information on the record may not be accessible to all consumers. Our clients are organizing a public town hall event on Tuesday January 16, 2018 with the purpose being to inform and educate consumers on the breadth of the issues in this proceeding. Another purpose of the town hall will be to provide consumers with information on how they can participate. Our clients expect that following this town hall where consumers will hear about the issues at play in this hearing, some may be interested in participating and making their voices heard by the independent decision-maker.

Our clients would encourage the Public Utilities Board to extend the deadline for public presenters to participate until Monday, January 22, 2018, which would allow members of the public more time to make an informed decision about whether they wish to participate in this decision-making process.

Our clients believe this would still give sufficient scheduling flexibility to the Public Utilities Board, given that Friday February 2, 2018 could potentially be used as an additional public presentation day, if necessary. Our understanding is that February 2, 2018 is currently scheduled as a hearing day, with possible Manitoba Hydro Rebuttal Evidence taking place.

The second concern our clients wish to bring to the Public Utilities Board's attention is the time currently set aside for public presentations. Our understanding is that both times, January 5 and February 1, are during business hours. Our clients believe these times may not provide sufficient options for members of the public to meaningfully participate.

² <http://www.pubmanitoba.ca/v1/proceedings-decisions/appl-current/mh-2017-gra.html>

³ Praxis, "Public involvement: Planning and implementing public involvement programs" (1988), at Executive Overview, at 7.

Our clients would encourage the Public Utilities Board to offer consumers the option of a public presentation session during an evening or a weekend to accommodate members of the public who are at work during regular business hours, Monday to Friday. Many members of the public may not have the flexibility to take time off work and may be unable to participate in this process through their preferred method.

While our clients recognize that members of the public can also provide written comments to the Public Utilities Board and that this is a valuable tool, they also believe that public participation is not a 'one-size-fits-all' process. In our clients' experience and according to literature on public participation, the public should have access to choices of alternative methods of participation, which are appropriate for the circumstances and the public's needs.⁴

Finally, while our clients recognize that it was not possible for this hearing, they were pleased to hear that the Public Utilities Board considered holding public listening sessions throughout the province of Manitoba. Given the importance of public participation in decision-making processes and of providing options for methods of participation, they would encourage the Public Utilities Board to consider holding these types of sessions for future proceedings.

Please do not hesitate to contact the undersigned at (204) 985-5220 or Mr. Byron Williams at (204) 985 8533 should you have any questions.

Sincerely,



Katrine Dilay
Attorney

KD/BW/km

cc Board Counsel
Consumers Coalition

⁴ See for example, Anna Johnston, "Federal Environmental Assessment Reform Summit Executive Summary", August 2016 at p 8, online: <http://wcel.org/sites/default/files/publications/WCEL_FedEnviroAssess_ExecSum%2Bapp_fnldigital.pdf>.