



“When You Talk - We Listen!”



MANITOBA PUBLIC UTILITIES BOARD

Re: MANITOBA PUBLIC INSURANCE CORPORATION (MPI)  
2025/2026 GENERAL RATE APPLICATION  
HEARING

Before Board Panel:

- Irene Hamilton, KC - Panel Chairperson
- Rober Gabor, KC - Board Chair
- Susan Nemec - Board Member
- George Bass, KC - Board Member
- Patrick Ireland - Board Member

HELD AT:

Public Utilities Board  
400, 330 Portage Ave.

Winnipeg Manitoba

October 21, 2024

Pages 1 to 289

Day 1

1 APPEARANCES

2

3 Todd Andres ) Board Counsel

4 Kara Moore ) Board Counsel

5 Darren Christle ) Board Staff

6 Jennifer Dubois ) Board Staff

7 Kristen Schubert ) Board Staff

8 Roger Cathcart ) Advisor

9 Blair Mankelow (TEAMS) ) Advisor

10

11 Steve Scarfone (Counsel) ) Manitoba Public

12 Anthony Guerra (Counsel) ) Insurance

13 Eric Wishnowski ) Counsel

14 Ted Meira )

15

16 Chris Klassen ) CAC (Manitoba)

17 Katrine Dilay )

18

19 Charlotte Meek ) CMMG

20 Douglas Houghton )

21

22 Sharna Nelko ) Taxi Coalition

23

24 Charles Feaver ) Bike Winnipeg

25 Christian Monnin )

1	TABLE OF CONTENTS	
2		Page No.
3	List of Exhibits	4
4		
5	Opening remarks by Panel Chairperson	91
6		
7	Opening remarks by Mr. Todd Andres	100
8	Opening submissions by MPI	109
9	Opening submissions by CAC (Manitoba)	128
10	Opening submissions by CMMG	143
11	Opening submissions by Taxi Coalition	149
12	Opening submissions by Bike Winnipeg	155
13		
14	Public Presentations	164
15		
16	STRATEGIC VISION PANEL:	
17	SATVIR JATANA, Sworn	
18	AMANDA HILDAHL, Affirmed	
19	CEO OVERVIEW	235
20	Examination-in-chief by Mr. Steve Scarfone	245
21	Cross-examination by Mr. Todd Andres	249
22		
23	Certificate of transcript	289
24		
25		

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	MPI-1	Manitoba Public Insurance (MPI) - 2025	
4		General Rate Application and cover	
5		letter filed July 5, 2024	
6	MPI-2	Part VIII - EXP Appendix 24 KPMG	
7		Intergraded Cost Allocation Methodology	
8		Review (ICAM) - July 10, 2024	
9	MPI-3	Supplementary filing in support of the	
10		3 percent overall rate increase -	
11		figures INV-2, 44, 45, 46, 47, 48, 49,	
12		RMO-1, RI-12, GLM-1, 2, PF-1, 2, 3,	
13		EPF-1 and 3, and Part VII GLM Appendix	
14		8-9, DR appendices 1-4 and Chapters 1	
15		and 2, ART appendix 1 and RC Appendix	
16		11 - July 18, 2024	
17	MPI-4	Part VII - RC Appendix 11 - fleet	
18		tables July 18, 2024	
19	MPI-5	Part V - IT Appendix 2 to 18, 2024	
20	MPI-6	Part VII - Updates: Ratemaking Overview	
21		Chapter (figure RMO-1) rate indication	
22		chapter (figures RI-11 and RI-12) and	
23		RI appendix 3, table 5, dislocation	
24		reports chapter (figures DR-1, DR-2,	
25		DR-3, DR-4, DR-5, and DR-6), DR appendix	

1	List of Exhibits	Page No.
2 Exhibit No.	Description	Page No.
3	1, DR appendix 2, DR appendix 3, and DR	
4	appendix 4, application rate tables ART	
5	appendix 1 and Generalized Linear	
6	Models (Figures GLM-1, and GLM-2), GLM	
7	appendix 8 and GLM appendix 9 - July	
8	18, 2024	
9 MPI-7	Part XI - RMF - appendix 1 - risk	
10	appetite statement - July 18, 2024	
11 MPI-8	Part IV - BMK -appendix 4 - Crown auto	
12	benchmark - July 18, 2024	
13 MPI-9	Part VIII - EXP appendix 1: basic	
14	internal operations levels August 14,	
15	2024	
16 MPI-10	Part VII-RC appendix 6: DSR actuarial	
17	review (blackline and clean) - August	
18	14, 2024	
19 MPI-11	Part VIII-EXP Chapter Fig 46 page 71	
20	(blackline and clean) - August 14, 2024	
21 MPI-12	Part V NOV appendix 8: Nova MFR F22b	
22	redacted (blackline and clean) August	
23	14, 2024	
24		
25		

1	List of Exhibits	
2	Exhibit No.	Description Page No.
3	MPI-13	Part V IT Chapter (blackline and clean
4		- August 14, 2024.
5	MPI-14	Part VIII FFM Chapter (blackline and
6		clean) August 14, 2024
7	MPI-15	Part VIII-EXP Chapter blackline figure
8		47 (blackline and clean) - August 14,
9		2024
10	MPI-16	MPI letter to PUB re MPI 2025 GRA Round
11		1 Information Requests (IRs) - August
12		14, 2024
13	MPI-17	Responses to CAC(MPI) 1-30 and PUB(MPI)
14		1-48 - August 16, 2024
15	MPI-18	Part VIII EXP appendices 9, 10, and 21
16		(blackline and clean) - August 16, 2024
17	MPI-19	Response to CAC(MPI) 1-43 revised and
18		Attachments C&D - August 19, 2024
19	MPI-20	Response to CAC(MPI) 1-27 revised -
20		August 19, 2024
21	MPI-21	Response to CAC(MPI) 1-29 and 1-31 and
22		PUB(MPI) 1-43 - August 20, 2024
23	MPI-22	Response to PUB(MPI) 1-41 - August 21,
24		2024
25		

1	List of Exhibits	
2	Exhibit No.	Description Page No.
3	MPI-23	MPI response to CAC motion - August 23,
4		2024
5	MPI-24	Part IV benchmarking appendix 1 -
6		August 30, 2024
7	MPI-25	MPI letter to PUB re MPI 2025 GRA round
8		II Information Requests (IRs) -
9		September 17, 2024
10	MPI-26	Responses to PUB(MPI) 1-22 and PUB(MPI)
11		125 in compliance with directive 3.1 of
12		PUB Board Order 107/24 - September 17,
13		2024
14	MPI-27	Part XIII SFR appendix 2 - corporate
15		quarterly financial report 1st quarter
16		-September 17, 2024
17	MPI-28	Blackline and clean version of MPI's
18		response to CAC(MPI) 11-19 - September
19		23, 2024
20	MPI-29	Redacted version of CAC(MPI) 11-12
21		appendix 1 (previously filed
22		confidentially) - September 23, 2024
23	MPI-30	Round II IR responses to PUB(MPI) 11-
24		20, 25,26, 28 and 77 - September 23,
25		2024

1	List of Exhibits	
2	Exhibit No.	Description Page No.
3	MPI-31	Part IX - financial condition testing -
4		EY FCT report - public redacted -
5		October 4, 2024
6	MPI-32	Part VII - RC - appendix 6 page 9 of 11
7		(blackline and clean) October 10, 2024
8	MPI-33	Manitoba Public Insurance 2025 General
9		Rate Application - rate update -
10		October 15, 2024
11	MPI-34	Part IX FCT attachment A - peer review
12		- October 16, 2024
13	MPI-35	Updated response to CAC(MPI) 1-46
14		including attachment A (quantitative
15		research results) - October 17, 2024
16	MPI-36	Blackline and clean version of MPI's
17		response to PUB(MPI) 1-34 - October 17,
18		2024
19	MPI-37	Updated version of PUB(MPI) 2-13
20		appendix 1 including - October 17, 2024
21	MPI-38	MPI response to CAC pre-ask 001 -
22		October 17, 2024
23	PUB-1	Notice of Public Hearing and Pre-
24		hearing Conference - June 6, 2024
25		

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-2	The Public Utilities Board's Rules of	
4		Practice and Procedure	
5	PUB-3	PUB letter re MPI 2024 GRA - timetable,	
6		MFRs and IR template - July 5, 2024.	
7	PUB-4	PUB letter re: MPI 2024 GRA - pre-	
8		qualifications - July 5, 2024	
9	PUB-5	Board Order 74-24 re: Manitoba Public	
10		Insurance Corporation (MPI or The	
11		Corporation): interim procedural order	
12		respecting preliminary issues list and	
13		commercially sensitive information	
14		(CSI) process for the 2024 General Rate	
15		Application for compulsory 2025/26	
16		driver and vehicle insurance premiums	
17		and other matters - June 21, 2024	
18	PUB-6	Board Order 84-24 re: Manitoba Public	
19		Insurance Corporation (MPI or the	
20		Corporation) Procedural Order for the	
21		2025/26 General Rate Application - July	
22		16, 2024	
23	PUB-7	PUB-MPI Round I Information Requests 1-	
24		119 (Responses due August 14, 2024) -	
25		July 23, 2024.	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-7-1	PUB-MPI Round I Information Requests 1-	
4		119 (Responses due August 14, 2024) -	
5		July 23, 2024. Part 1 - application -	
6		meeting minutes	
7	PUB-7-2	PUB-MPI Round I Information Requests 1-	
8		119 (Responses due August 14, 2024) -	
9		July 23, 2024. (Part VII - GLM -	
10		ratemaking methodology - generalized	
11		linear models	
12	PUB-7-3	PUB-MPI Round I Information Requests 1-	
13		119 (Responses due August 14, 2024) -	
14		July 23, 2024. Part VII - GLM -	
15		ratemaking methodology - generalized	
16		linear models - other options	
17	PUB-7-4	PUB-MPI Round I Information Requests 1-	
18		119 (Responses due August 14, 2024) -	
19		July 23, 2024. Part VII - RC -	
20		ratemaking methodology - fleet cost	
21		causation	
22	PUB-7-5	PUB-MPI Round I Information Requests 1-	
23		119 (Responses due August 14, 2024) -	
24		July 23, 2024. Part VII - RC -	
25		ratemaking methodology - rate groups	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-7-6	PUB-MPI Round I Information Requests 1-	
4		119 (Responses due August 14, 2024) -	
5		July 23, 2024. Part VII - ratemaking -	
6		rate request	
7	PUB-7-7	PUB-MPI Round I Information Requests 1-	
8		119 (Responses due August 14, 2024) -	
9		July 23, 2024. Part VII - ratemaking -	
10		ratemaking methodology	
11	PUB-7-8	PUB-MPI Round I Information Requests 1-	
12		119 (Responses due August 14, 2024) -	
13		July 23, 2024. Part VIII - Net Incurred	
14		Claims - Financial forecast - Interest	
15		Rate.	
16	PUB-7-9	PUB-MPI Round I Information Requests 1-	
17		119 (Responses due August 14, 2024) -	
18		July 23, 2024. Investments -	
19		Investment Income forecast	
20	PUB-7-10	PUB-MPI Round I Information Requests 1-	
21		119 (Responses due August 14, 2024) -	
22		July 23, 2024. Part VII - Pro Formas -	
23		Interest Rate - Asset Liability	
24		Management	
25			

1	List of Exhibits	
2	Exhibit No.	Description Page No.
3	PUB-7-11	PUB-MPI Round I Information Requests 1-
4		119 (Responses due August 14, 2024) -
5		July 23, 2024. Part VII - Net Incurred
6		Claims - Impact of IFRS 17 - Risk
7		Adjustment
8	PUB-7-12	PUB-MPI Round I Information Requests 1-
9		119 (Responses due August 14, 2024) -
10		July 23, 2024. Part VIII - Financial
11		Forecasting - Pro Formas - Expenses
12	PUB-7-13	PUB-MPI Round I Information Requests 1-
13		119 (Responses due August 14, 2024) -
14		July 23, 2024. Part VIII - Financial
15		Forecasting - Claims Expense
16	PUB-7-14	PUB-MPI Round I Information Requests 1-
17		119 (Responses due August 14, 2024) -
18		July 23, 2024. Part IX - Minimum
19		Capital Test
20	PUB-7-15	PUB-MPI Round I Information Requests 1-
21		119 (Responses due August 14, 2024) -
22		July 23, 2024. Part VIII - Financial
23		Forecast - Interest Rates
24	PUB-7-16	PUB-MPI Round I Information Requests 1-
25		119 (Responses due August 14, 2024) -

1	List of Exhibits	
2	Exhibit No.	Description Page No.
3		July 23, 2024. Part VIII - Financial
4		Forecast - Financial Forecast
5	PUB-7-17	PUB-MPI Round I Information Requests 1-
6		119 (Responses due August 14, 2024) -
7		July 23, 2024. Part VIII - Pro Formas
8		/ Part X - Investments - Interest Rate
9		Impacts
10	PUB-7-18	PUB-MPI Round I Information Requests 1-
11		119 (Responses due August 14, 2024) -
12		July 23, 2024. Part X - Investments -
13		Investment Forecast - Interest Rate
14		Forecast
15	PUB-7-19	PUB-MPI Round I Information Requests 1-
16		119 (Responses due August 14, 2024) -
17		July 23, 2024. Part VIII - Pro Formas
18		- Transfer of Extension excess capital
19	PUB-7-20	PUB-MPI Round I Information Requests 1-
20		119 (Responses due August 14, 2024) -
21		July 23, 2024. Part II - Overview /
22		COM - Compliance with Orders
23	PUB-7-21	PUB-MPI Round I Information Requests 1-
24		119 (Responses due August 14, 2024) -
25		July 23, 2024. Part VIII - Pro Formas -

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		Extension transfers	
4	PUB-7-22	PUB-MPI Round I Information Requests 1-	
5		119 (Responses due August 14, 2024) -	
6		July 23, 2024. Part VIII - REV -	
7		Extension Financial Forecast -	
8		Extension Profit Margin	
9	PUB-7-23	PUB-MPI Round I Information Requests 1-	
10		119 (Responses due August 14, 2024) -	
11		July 23, 2024. Part IX - Forecasting /	
12		Pro Formas - Financial Forecast	
13	PUB-7-24	PUB-MPI Round I Information Requests 1-	
14		119 (Responses due August 14, 2024) -	
15		July 23, 2024. Part V - IT / Part IX -	
16		EXP - Financial Forecast	
17	PUB-7-25	PUB-MPI Round I Information Requests 1-	
18		119 (Responses due August 14, 2024) -	
19		July 23, 2024. Part V - IT / Part IX -	
20		EXP - Operating Expenses	
21	PUB-7-26	PUB-MPI Round I Information Requests 1-	
22		119 (Responses due August 14, 2024) -	
23		July 23, 2024. Part VIII - Pro Formas	
24		- Transfer of Extension excess capital	
25		- DVA for capital transfers	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-7-27	PUB-MPI Round I Information Requests 1-	
4		119 (Responses due August 14, 2024) -	
5		July 23, 2024. Part IX - Capital	
6		Management and RSR - Capital Management	
7		Plan	
8	PUB-7-28	PUB-MPI Round I Information Requests 1-	
9		119 (Responses due August 14, 2024) -	
10		July 23, 2024. Part X - Investments -	
11		Investment Income (INV-2, 24 and 26)	
12	PUB-7-29	PUB-MPI Round I Information Requests 1-	
13		119 (Responses due August 14, 2024) -	
14		July 23, 2024. Part X - Investments -	
15		Investment Income (INV-2, 31 and 32)	
16	PUB-7-30	PUB-MPI Round I Information Requests 1-	
17		119 (Responses due August 14, 2024) -	
18		July 23, 2024. Part X - Investments -	
19		Investment Income (INV-2) accuracy	
20	PUB-7-31	PUB-MPI Round I Information Requests 1-	
21		119 (Responses due August 14, 2024) -	
22		July 23, 2024. Part X - Investments -	
23		ALM Study Implementation - Inflation	
24		Risk	
25			

1	List of Exhibits	
2	Exhibit No.	Description Page No.
3	PUB-7-32	PUB-MPI Round I Information Requests 1-
4		119 (Responses due August 14, 2024) -
5		July 23, 2024. Part X - Investments -
6		Performance Benchmark Monitoring
7	PUB-7-33	PUB-MPI Round I Information Requests 1-
8		119 (Responses due August 14, 2024) -
9		July 23, 2024. Part X - Investments -
10		Investment Policy Statement Changes
11	PUB-7-34	PUB-MPI Round I Information Requests 1-
12		119 (Responses due August 14, 2024) -
13		July 23, 2024. Part VIII - Expenses -
14		Financial Forecasts - Corporate
15		Expenses
16	PUB-7-35	PUB-MPI Round I Information Requests 1-
17		119 (Responses due August 14, 2024) -
18		July 23, 2024. Part VIII - Expenses -
19		Operating Expenses - Data Processing
20	PUB-7-36	PUB-MPI Round I Information Requests 1-
21		119 (Responses due August 14, 2024) -
22		July 23, 2024. Part VIII - Operating
23		Expenses - Special Services Expense
24		
25		

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-7-37	PUB-MPI Round I Information Requests 1-	
4		119 (Responses due August 14, 2024) -	
5		July 23, 2024. Part VIII - Expenses -	
6		Integrated Cost Allocation Methodology	
7		- Allocation of Expenses	
8	PUB-7-38	PUB-MPI Round I Information Requests 1-	
9		119 (Responses due August 14, 2024) -	
10		July 23, 2024. Part VIII - Expenses -	
11		Operating Expenses - Operating expense	
12		changes	
13	PUB-7-39	PUB-MPI Round I Information Requests 1-	
14		119 (Responses due August 14, 2024) -	
15		July 23, 2024. Part VIII - Expenses -	
16		Compensation - Head Count	
17	PUB-7-40	PUB-MPI Round I Information Requests 1-	
18		119 (Responses due August 14, 2024) -	
19		July 23, 2024. Part VIII - Expenses -	
20		Compensation	
21	PUB-7-41	PUB-MPI Round I Information Requests 1-	
22		119 (Responses due August 14, 2024) -	
23		July 23, 2024. Part VIII - Expenses /	
24		MFRs - Compensation - Corporate	
25		Reorganization	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-7-42	PUB-MPI Round I Information Requests 1-	
4		119 (Responses due August 14, 2024) -	
5		July 23, 2024. Part VIII - Expenses -	
6		Compensation	
7	PUB-7-43	PUB-MPI Round I Information Requests 1-	
8		119 (Responses due August 14, 2024) -	
9		July 23, 2024. Part VIII - Expenses -	
10		Compensation - Change in Forecast	
11		Assumptions	
12	PUB-7-44	PUB-MPI Round I Information Requests 1-	
13		119 (Responses due August 14, 2024) -	
14		July 23, 2024. Part VIII - Expenses -	
15		Compensation - FTE Count and strike	
16		impacts	
17	PUB-7-45	PUB-MPI Round I Information Requests 1-	
18		119 (Responses due August 14, 2024) -	
19		July 23, 2024. Part VIII - Expenses -	
20		Compensation - Vacancy Allowance	
21	PUB-7-46	PUB-MPI Round I Information Requests 1-	
22		119 (Responses due August 14, 2024) -	
23		July 23, 2024. Part VIII - Expense -	
24		Basic Capital Expenditures - Land &	
25		Building	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-7-47	PUB-MPI Round I Information Requests 1-	
4		119 (Responses due August 14, 2024) -	
5		July 23, 2024. Part III - Expenses -	
6		Basic Capital Expenditures - Project	
7		Cost Comparisons	
8	PUB-7-48	PUB-MPI Round I Information Requests 1-	
9		119 (Responses due August 14, 2024) -	
10		July 23, 2024. Part VIII - Expenses -	
11		Operating Expenses	
12	PUB-7-49	PUB-MPI Round I Information Requests 1-	
13		119 (Responses due August 14, 2024) -	
14		July 23, 2024. Part VIII Expenses -	
15		Compensation - Staff Budget	
16	PUB-7-50	PUB-MPI Round I Information Requests 1-	
17		119 (Responses due August 14, 2024) -	
18		July 23, 2024. Part VIII Expenses -	
19		Road Safety	
20	PUB-7-51	PUB-MPI Round I Information Requests 1-	
21		119 (Responses due August 14, 2024) -	
22		July 23, 2024. Part VIII Expenses -	
23		Operating Expenses - Basic Deferred	
24		Development Costs	
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-7-52	PUB-MPI Round I Information Requests 1-	
4		119 (Responses due August 14, 2024) -	
5		July 23, 2024. Overview / Expenses -	
6		Internal Operating Metrics	
7	PUB-7-53	PUB-MPI Round I Information Requests 1-	
8		119 (Responses due August 14, 2024) -	
9		July 23, 2024. Part VIII Expenses -	
10		Information Technology Expenses	
11	PUB-7-54	PUB-MPI Round I Information Requests 1-	
12		119 (Responses due August 14, 2024) -	
13		July 23, 2024. Part VIII Expenses -	
14		Operating Expenses - Broker Commissions	
15	PUB-7-55	PUB-MPI Round I Information Requests 1-	
16		119 (Responses due August 14, 2024) -	
17		July 23, 2024. Part VIII Expenses -	
18		Operating Expenses - Premium Taxes	
19	PUB-7-56	PUB-MPI Round I Information Requests 1-	
20		119 (Responses due August 14, 2024) -	
21		July 23, 2024. Part II Overview -	
22		2023/24 Claims	
23	PUB-7-57	PUB-MPI Round I Information Requests 1-	
24		119 (Responses due August 14, 2024) -	
25		July 23, 2024. Part VI - Claims	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		Forecasting - Collision - Maximum	
4		Insured Value (MIV) impact	
5	PUB-7-58	PUB-MPI Round I Information Requests 1-	
6		119 (Responses due August 14, 2024) -	
7		July 23, 2024. Part VI - Claims	
8		Forecasting - Comprehensive	
9	PUB-7-59	PUB-MPI Round I Information Requests 1-	
10		119 (Responses due August 14, 2024) -	
11		July 23, 2024. Part VI - Claims	
12		Forecasting - Comprehensive - long term	
13		trend	
14	PUB-7-60	PUB-MPI Round I Information Requests 1-	
15		119 (Responses due August 14, 2024) -	
16		July 23, 2024. Part VI - Claims	
17		Forecasting - Accident Benefits Other	
18		(non-indexed)	
19	PUB-7-61	PUB-MPI Round I Information Requests 1-	
20		119 (Responses due August 14, 2024) -	
21		July 23, 2024. Part VI - Claims	
22		Forecasting - Property Damage (Third	
23		Party Loss of Use)	
24	PUB-7-62	PUB-MPI Round I Information Requests 1-	
25		119 (Responses due August 14, 2024) -	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		July 23, 2024. Part VI - Claims	
4		Forecasting - Accident Benefits Other	
5		(indexed)	
6	PUB-7-63	PUB-MPI Round I Information Requests 1-	
7		119 (Responses due August 14, 2024) -	
8		July 23, 2024. Part VII - Risk	
9		Classification - Driver Safety Rating	
10	PUB-7-64	PUB-MPI Round I Information Requests 1-	
11		119 (Responses due August 14, 2024) -	
12		July 23, 2024. Part VII - Risk	
13		Classification - Driver Safety Rating -	
14		Directive 12.15 Board Order 4/23	
15	PUB-7-65	PUB-MPI Round I Information Requests 1-	
16		119 (Responses due August 14, 2024) -	
17		July 23, 2024. Part VII - REV - DSR	
18		Scale	
19	PUB-7-66	PUB-MPI Round I Information Requests 1-	
20		119 (Responses due August 14, 2024) -	
21		July 23, 2024. Part V - IT - Gartner	
22		IT Benchmarking	
23	PUB-7-67	PUB-MPI Round I Information Requests 1-	
24		119 (Responses due August 14, 2024) -	
25		July 23, 2024. Part V - IT - Lean	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		Portfolio Management (LMP) Update	
4	PUB-7-68	PUB-MPI Round I Information Requests 1-	
5		119 (Responses due August 14, 2024) -	
6		July 23, 2024. Part V - IT - Lean	
7		Portfolio Management (LMP) Update -	
8		Value Management	
9	PUB-7-69	PUB-MPI Round I Information Requests 1-	
10		119 (Responses due August 14, 2024) -	
11		July 23, 2024. Part V - IT - Gartner	
12		IT Benchmarking - Target Levels	
13	PUB-7-70	PUB-MPI Round I Information Requests 1-	
14		119 (Responses due August 14, 2024) -	
15		July 23, 2024. Part V - IT -	
16		Benchmarking Alignment	
17	PUB-7-71	PUB-MPI Round I Information Requests 1-	
18		119 (Responses due August 14, 2024) -	
19		July 23, 2024. Part V - IT - IT	
20		Staffing and External Labour	
21	PUB-7-72	PUB-MPI Round I Information Requests 1-	
22		119 (Responses due August 14, 2024) -	
23		July 23, 2024. Part VIII - EXP - Non-	
24		Nova IT Projects	
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-7-73	PUB-MPI Round I Information Requests 1-	
4		119 (Responses due August 14, 2024) -	
5		July 23, 2024. Part X - Investments -	
6		Financial Condition Test (FTC) -	
7		Inflation Risk	
8	PUB-7-74	PUB-MPI Round I Information Requests 1-	
9		119 (Responses due August 14, 2024) -	
10		July 23, 2024. Part X Investments -	
11		Inflation hedging strategy	
12	PUB-7-75	PUB-MPI Round I Information Requests 1-	
13		119 (Responses due August 14, 2024) -	
14		July 23, 2024. Part X - Investments -	
15		ALM Study - EFB Portfolio Asset Mix	
16		Optimization Analysis	
17	PUB-7-76	PUB-MPI Round I Information Requests 1-	
18		119 (Responses due August 14, 2024) -	
19		July 23, 2024. Part X Investments -	
20		ALM Performance Reporting	
21	PUB-7-77	PUB-MPI Round I Information Requests 1-	
22		119 (Responses due August 14, 2024) -	
23		July 23, 2024. Part X Investments - ALM	
24			
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-7-78	PUB-MPI Round I Information Requests 1-	
4		119 (Responses due August 14, 2024) -	
5		July 23, 2024. Part XI - Risk	
6		Management Framework (RMF) - Corporate	
7		Risk Assessment	
8	PUB-7-79	PUB-MPI Round I Information Requests 1-	
9		119 (Responses due August 14, 2024) -	
10		July 23, 2024. Part VIII - EXP	
11		Expenses - Forecast Changes	
12	PUB-7-80	PUB-MPI Round I Information Requests 1-	
13		119 (Responses due August 14, 2024) -	
14		July 23, 2024. Part VIII Expenses -	
15		ICAM - Project NOVA - Cost Allocation	
16	PUB-7-81	PUB-MPI Round I Information Requests 1-	
17		119 (Responses due August 14, 2024) -	
18		July 23, 2024. Part VIII Expenses -	
19		impact on Basic	
20	PUB-7-82	PUB-MPI Round I Information Requests 1-	
21		119 (Responses due August 14, 2024) -	
22		July 23, 2024. Part VIII Expenses -	
23		Cost Allocation and non-insurance costs	
24			
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-7-83	PUB-MPI Round I Information Requests 1-	
4		119 (Responses due August 14, 2024) -	
5		July 23, 2024. Part VIII Expenses -	
6		accounting units	
7	PUB-7-84	PUB-MPI Round I Information Requests 1-	
8		119 (Responses due August 14, 2024) -	
9		July 23, 2024. Part VIII Expenses -	
10		Operating Expenses	
11	PUB-7-85	PUB-MPI Round I Information Requests 1-	
12		119 (Responses due August 14, 2024) -	
13		July 23, 2024. Part VIII Expenses -	
14		Integrated Cost Allocation Methodology	
15	PUB-7-86	PUB-MPI Round I Information Requests 1-	
16		119 (Responses due August 14, 2024) -	
17		July 23, 2024. Part XIII SFR -	
18		Integrated Cost Allocation Methodology	
19		- Financial Reporting	
20	PUB-7-87	PUB-MPI Round I Information Requests 1-	
21		119 (Responses due August 14, 2024) -	
22		July 23, 2024. Part VIII Expenses -	
23		Operating Expenses - ICAM	
24			
25			

1	List of Exhibits	
2	Exhibit No.	Description Page No.
3	PUB-7-88	PUB-MPI Round I Information Requests 1-
4		119 (Responses due August 14, 2024) -
5		July 23, 2024. Part VIII Expenses -
6		Operating Expenses - ICAM - Corporate
7		Expense Policy Change
8	PUB-7-89	PUB-MPI Round I Information Requests 1-
9		119 (Responses due August 14, 2024) -
10		July 23, 2024. Part VIII Expenses -
11		Operating Expenses - ICAM KPMG
12	PUB-7-90	PUB-MPI Round I Information Requests 1-
13		119 (Responses due August 14, 2024) -
14		July 23, 2024. Part VIII Expenses -
15		ICAM - Project Management Office
16	PUB-7-91	PUB-MPI Round I Information Requests 1-
17		119 (Responses due August 14, 2024) -
18		July 23, 2024. Part V - Nova - Project
19		Nova Update
20	PUB-7-92	PUB-MPI Round I Information Requests 1-
21		119 (Responses due August 14, 2024) -
22		July 23, 2024. Part V - Project Nova -
23		Basic Deferred Development Cost
24		
25		

1	List of Exhibits	
2	Exhibit No.	Description Page No.
3	PUB-7-93	PUB-MPI Round I Information Requests 1-
4		119 (Responses due August 14, 2024) -
5		July 23, 2024. Part V - Project Nova -
6		Business Case - Redacted
7	PUB-7-94	PUB-MPI Round I Information Requests 1-
8		119 (Responses due August 14, 2024) -
9		July 23, 2024. Part V - VA - Capital
10		Expenditures - Cost of Capital
11	PUB-7-95	PUB-MPI Round I Information Requests 1-
12		119 (Responses due August 14, 2024) -
13		July 23, 2024. Part V - NOVA -
14		Executive Summary
15	PUB-7-96	PUB-MPI Round I Information Requests 1-
16		119 (Responses due August 14, 2024) -
17		July 23, 2024. Part V Nova - Nova
18		Release 2 - Release Status
19	PUB-7-97	PUB-MPI Round I Information Requests 1-
20		119 (Responses due August 14, 2024) -
21		July 23, 2024. Part V Nova - Program
22		Governance and Delivery Organization
23	PUB-7-98	PUB-MPI Round I Information Requests 1-
24		119 (Responses due August 14, 2024) -
25		July 23, 2024. Part V Nova - Overall

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		Program Status	
4	PUB-7-99	PUB-MPI Round I Information Requests 1-	
5		119 (Responses due August 14, 2024) -	
6		July 23, 2024. Part V Nova - Overall	
7		Program Status - SRE Decommissioning	
8	PUB-7-100	PUB-MPI Round I Information Requests 1-	
9		119 (Responses due August 14, 2024) -	
10		July 23, 2024. Part V Nova - Overall	
11		Program Status - Release 2	
12	PUB-7-101	PUB-MPI Round I Information Requests 1-	
13		119 (Responses due August 14, 2024) -	
14		July 23, 2024. Part V Nova - Overall	
15		Program Status - Release 4	
16	PUB-7-102	PUB-MPI Round I Information Requests 1-	
17		119 (Responses due August 14, 2024) -	
18		July 23, 2024. Part V Nova - Overall	
19		Program Status	
20	PUB-7-103	PUB-MPI Round I Information Requests 1-	
21		119 (Responses due August 14, 2024) -	
22		July 23, 2024. Part V Nova - Update on	
23		Strategic Projects	
24			
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-7-104	PUB-MPI Round I Information Requests 1-	
4		119 (Responses due August 14, 2024) -	
5		July 23, 2024. Part V Nova - Program	
6		Governance and Risk Advisory Service	
7		Update	
8	PUB-7-105	PUB-MPI Round I Information Requests 1-	
9		119 (Responses due August 14, 2024) -	
10		July 23, 2024. Part V Nova -	
11		Resourcing - 5.3 Resourcing Update	
12	PUB-7-106	PUB-MPI Round I Information Requests 1-	
13		119 (Responses due August 14, 2024) -	
14		July 23, 2024. Part V - IT - Nova	
15		Budget - Transition Budget	
16	PUB-7-107	PUB-MPI Round I Information Requests 1-	
17		119 (Responses due August 14, 2024) -	
18		July 23, 2024. Part V Nova - Program	
19		Governance and Risk Advisory Service	
20		Update - current and budgeted forecasts	
21	PUB-7-108	PUB-MPI Round I Information Requests 1-	
22		119 (Responses due August 14, 2024) -	
23		July 23, 2024. Part V Nova - Nova	
24		Actual and Forecasted Incremental MPI	
25		Resources	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-7-109	PUB-MPI Round I Information Requests 1-	
4		119 (Responses due August 14, 2024) -	
5		July 23, 2024. Part V - Information	
6		Technology - IT Strategy	
7	PUB-7-110	PUB-MPI Round I Information Requests 1-	
8		119 (Responses due August 14, 2024) -	
9		July 23, 2024. Part V - Information	
10		Technology - Lean Portfolio Management	
11		(LPM) Update	
12	PUB-7-111	PUB-MPI Round I Information Requests 1-	
13		119 (Responses due August 14, 2024) -	
14		July 23, 2024. Part V IT - External	
15		Labour Measures and Metrics - Status	
16		Update - IT Personnel Costs - Redacted	
17	PUB-7-112	PUB-MPI Round I Information Requests 1-	
18		119 (Responses due August 14, 2024) -	
19		July 23, 2024. Part V - Value	
20		Assurance - High School Driver	
21		Education - Phase 3-4 - Driver Z	
22		Instructor Recruitment and Retention	
23			
24			
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-7-113	PUB-MPI Round I Information Requests 1-	
4		119 (Responses due August 14, 2024) -	
5		July 23, 2024. Part XII RS - Road	
6		Safety - MPI Road Safety Strategy	
7	PUB-7-114	PUB-MPI Round I Information Requests 1-	
8		119 (Responses due August 14, 2024) -	
9		July 23, 2024. Part XII RS - Road	
10		Safety - Education and Training	
11	PUB-7-115	PUB-MPI Round I Information Requests 1-	
12		119 (Responses due August 14, 2024) -	
13		July 23, 2024. Part XII RS - Road	
14		Safety - Prevention	
15	PUB-7-116	PUB-MPI Round I Information Requests 1-	
16		119 (Responses due August 14, 2024) -	
17		July 23, 2024. Part II COM -	
18		Organizational Changes	
19	PUB-7-117	PUB-MPI Round I Information Requests 1-	
20		119 (Responses due August 14, 2024) -	
21		July 23, 2024. Ernest & Young	
22		Organizational Review - Project Nova	
23		Observations	
24			
25			

1	List of Exhibits	
2	Exhibit No.	Description Page No.
3	PUB-7-118	PUB-MPI Round I Information Requests 1-
4		119 (Responses due August 14, 2024) -
5		July 23, 2024. Part VII Financial
6		Forecast Model - Financial Forecast
7	PUB-7-119	PUB-MPI Round I Information Requests 1-
8		119 (Responses due August 14, 2024) -
9		July 23, 2024. Part II - COM -
10		Organizational Charts
11	PUB-7-120	IRs filed July 30, 2024 re July 18,
12		2024 MPI Update. Part VII Financial
13		Forecasting Pro Formas - July 18,
14		Filing - 3% overall rate increase
15	PUB-7-121	IRs filed July 30, 2024 re July 18,
16		2024 MPI Update. Part VII Financial
17		Forecasting Pro Formas - July 18,
18		Filing PF 4-7.
19	PUB-7-122	IRs filed July 30, 2024 re July 18,
20		2024 MPI Update. Part VII Pro Formas -
21		Financial Forecast Changes
22	PUB-7-123	IRs filed July 30, 2024 re July 18,
23		2024 MPI Update. Part VIII Financial
24		Forecasting Pro Formas - 2% Extension
25		Rate Change

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-7-124	IRs filed July 30, 2024 re July 18,	
4		2024 MPI Update. Part II MFR -	
5		Financial Reporting of Basic Operations	
6	PUB-7-125	IRs filed July 30, 2024 re July 18,	
7		2024 MPI Update. Part VIII Financial	
8		Forecasting - Extension Transfers	
9	PUB-7-126	IRs filed July 30, 2024 re July 18,	
10		2024 MPI Update. Part X INV -	
11		Investment Income July 18 filing	
12	PUB-8	PUB-MPI Round I CI Information Requests	
13		with Public Responses (August 14, 2024)	
14	PUB-8-1	PUB-MPI CI I-7 Part V NOV - Nova	
15		Reforecasts - increases / DVA funded	
16	PUB-8-2	PUB-MPI CI I-10 Part V Value Assurance	
17		- Cityplace Redevelopment	
18	PUB-9	PUB-MPI Round II Information Requests	
19		Responses (1-78) - August 26, 2024.	
20	PUB-9-1	PUB-MPI Round II Information Requests	
21		Responses (1-78) - August 26, 2024.	
22		Basic Insurance discounts	
23			
24			
25			

1	List of Exhibits	
2	Exhibit No.	Page No.
3	PUB-9-2	PUB-MPI Round II Information Requests
4		Responses (1-78) - August 26, 2024.
5		Rate-making methodology - Generalized
6		Linear Models.
7	PUB-9-3	PUB-MPI Round II Information Requests
8		Responses (1-78) - August 26, 2024.
9		Rate-making methodology - Generalized
10		Linear Models - PIPP
11	PUB-9-4	PUB-MPI Round II Information Requests
12		Responses (1-78) - August 26, 2024.
13		Rate-making methodology - Generalized
14		Linear Models - adjustments
15	PUB-9-5	PUB-MPI Round II Information Requests
16		Responses (1-78) - August 26, 2024.
17		Rate-making methodology - Generalized
18		Linear Models - Insurance Use
19	PUB-9-6	PUB-MPI Round II Information Requests
20		Responses (1-78) - August 26, 2024.
21		Rate-making methodology - Generalized
22		Linear Models - curve fitting
23		
24		
25		

1	List of Exhibits	
2	Exhibit No.	Description Page No.
3	PUB-9-7	PUB-MPI Round II Information Requests
4		Responses (1-78) - August 26, 2024.
5		Rate-making methodology - Generalized
6		Linear Models - DSR positive levels
7	PUB-9-8	PUB-MPI Round II Information Requests
8		Responses (1-78) - August 26, 2024.
9		Rate-making methodology - Generalized
10		Linear Models - adjustments
11	PUB-9-9	PUB-MPI Round II Information Requests
12		Responses (1-78) - August 26, 2024.
13		Rate-making methodology - Generalized
14		Linear Models - differences
15	PUB-9-10	PUB-MPI Round II Information Requests
16		Responses (1-78) - August 26, 2024.
17		Rate-making methodology
18	PUB-9-11	PUB-MPI Round II Information Requests
19		Responses (1-78) - August 26, 2024.
20		Rate-making methodology - Fleet Cost
21		Causation
22	PUB-9-12	PUB-MPI Round II Information Requests
23		Responses (1-78) - August 26, 2024.
24		Rate request
25		

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-9-13	PUB-MPI Round II Information Requests	
4		Responses (1-78) - August 26, 2024.	
5		Interest Rate	
6	PUB-9-14	PUB-MPI Round II Information Requests	
7		Responses (1-78) - August 26, 2024.	
8		Investment - Income Forecast	
9	PUB-9-15	PUB-MPI Round II Information Requests	
10		Responses (1-78) - August 26, 2024.	
11		Interest Rate - Asset Liability	
12		Management	
13	PUB-9-16	PUB-MPI Round II Information Requests	
14		Responses (1-78) - August 26, 2024.	
15		Claims Expense	
16	PUB-9-17	PUB-MPI Round II Information Requests	
17		Responses (1-78) - August 26, 2024.	
18		Minimum Capital Test	
19	PUB-9-18	PUB-MPI Round II Information Requests	
20		Responses (1-78) - August 26, 2024.	
21		Interest Rates - pension obligations	
22	PUB-9-19	PUB-MPI Round II Information Requests	
23		Responses (1-78) - August 26, 2024.	
24		Interest Rates - Pension Plan Surplus	
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-9-20	PUB-MPI Round II Information Requests	
4		Responses (1-78) - August 26, 2024.	
5		Financial Forecast	
6	PUB-9-21	PUB-MPI Round II Information Requests	
7		Responses (1-78) - August 26, 2024.	
8		Interest Rate Impacts	
9	PUB-9-22	PUB-MPI Round II Information Requests	
10		Responses (1-78) - August 26, 2024.	
11		Investment Forecast - Interest Rate	
12		Forecast	
13	PUB-9-23	PUB-MPI Round II Information Requests	
14		Responses (1-78) - August 26, 2024.	
15		Transfer of Extension excess capital	
16	PUB-9-24	PUB-MPI Round II Information Requests	
17		Responses (1-78) - August 26, 2024.	
18		Compliance with Order	
19	PUB-9-25	PUB-MPI Round II Information Requests	
20		Responses (1-78) - August 26, 2024.	
21		Extension transfers	
22	PUB-9-26	PUB-MPI Round II Information Requests	
23		Responses (1-78) - August 26, 2024.	
24		Extension transfers - changes in net	
25		investment income	

1	List of Exhibits	
2	Exhibit No.	Page No.
3	PUB-9-27	PUB-MPI Round II Information Requests
4		Responses (1-78) - August 26, 2024.
5		Extension Financial Forecast -
6		Extension Profit Margin
7	PUB-9-28	PUB-MPI Round II Information Requests
8		Responses (1-78) - August 26, 2024.
9		Balance sheet
10	PUB-9-29	PUB-MPI Round II Information Requests
11		Responses (1-78) - August 26, 2024.
12		Capital Management Plan
13	PUB-9-30	PUB-MPI Round II Information Requests
14		Responses (1-78) - August 26, 2024.
15		Investment Income - Investment forecast
16	PUB-9-31	PUB-MPI Round II Information Requests
17		Responses (1-78) - August 26, 2024.
18		Investment Income
19	PUB-9-32	PUB-MPI Round II Information Requests
20		Responses (1-78) - August 26, 2024.
21		ALM Study Implementation - Inflation
22		Risk
23	PUB-9-33	PUB-MPI Round II Information Requests
24		Responses (1-78) - August 26, 2024.
25		Investment Policy Statement Changes

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-9-34	PUB-MPI Round II Information Requests	
4		Responses (1-78) - August 26, 2024.	
5		Financial Forecast - Corporate Expenses	
6	PUB-9-35	PUB-MPI Round II Information Requests	
7		Responses (1-78) - August 26, 2024.	
8		Operating Expenses - Data Processing	
9	PUB-9-36	PUB-MPI Round II Information Requests	
10		Responses (1-78) - August 26, 2024.	
11		Operating Expenses - Special Services	
12		Expense	
13	PUB-9-37	PUB-MPI Round II Information Requests	
14		Responses (1-78) - August 26, 2024.	
15		Compensation	
16	PUB-9-38	PUB-MPI Round II Information Requests	
17		Responses (1-78) - August 26, 2024.	
18		Compensation - Corporate Reorganization	
19	PUB-9-39	PUB-MPI Round II Information Requests	
20		Responses (1-78) - August 26, 2024. EY	
21		Organizational Review	
22	PUB-9-40	PUB-MPI Round II Information Requests	
23		Responses (1-78) - August 26, 2024.	
24		Special Services	
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-9-41	PUB-MPI Round II Information Requests	
4		Responses (1-78) - August 26, 2024.	
5		Comprehensive	
6	PUB-9-42	PUB-MPI Round II Information Requests	
7		Responses (1-78) - August 26, 2024.	
8		Comprehensive - trends	
9	PUB-9-43	PUB-MPI Round II Information Requests	
10		Responses (1-78) - August 26, 2024.	
11		Accident Benefits Other (non-indexed)	
12	PUB-9-44	PUB-MPI Round II Information Requests	
13		Responses (1-78) - August 26, 2024.	
14		Property Damage (Third Party Loss of	
15		Use)	
16	PUB-9-45	PUB-MPI Round II Information Requests	
17		Responses (1-78) - August 26, 2024.	
18		Driver Safety Rating	
19	PUB-9-46	PUB-MPI Round II Information Requests	
20		Responses (1-78) - August 26, 2024.	
21		ICAM - Project NOVA - Cost Allocation	
22	PUB-9-47	PUB-MPI Round II Information Requests	
23		Responses (1-78) - August 26, 2024.	
24		Cost Allocation of non-insurance costs	
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-9-48	PUB-MPI Round II Information Requests	
4		Responses (1-78) - August 26, 2024.	
5		Integrate Cost Allocation Methodology -	
6		Allocation of Expenses	
7	PUB-9-49	PUB-MPI Round II Information Requests	
8		Responses (1-78) - August 26, 2024.	
9		Compensation - FTE counts and Strike	
10	PUB-9-50	PUB-MPI Round II Information Requests	
11		Responses (1-78) - August 26, 2024.	
12		Compensation - Vacancy Allowance	
13	PUB-9-51	PUB-MPI Round II Information Requests	
14		Responses (1-78) - August 26, 2024.	
15		Road Safety	
16	PUB-9-52	PUB-MPI Round II Information Requests	
17		Responses (1-78) - August 26, 2024.	
18		Operating Expenses - Broker Commissions	
19	PUB-9-53	PUB-MPI Round II Information Requests	
20		Responses (1-78) - August 26, 2024.	
21		Bottom -Up and Alignment operating	
22		Expense Budget Processes	
23	PUB-9-54	PUB-MPI Round II Information Requests	
24		Responses (1-78) - August 26, 2024.	
25		Cartner IT Benchmarking	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-9-55	PUB-MPI Round II Information Requests	
4		Responses (1-78) - August 26, 2024.	
5		Gartner IT Benchmarking - Observations	
6	PUB-9-56	PUB-MPI Round II Information Requests	
7		Responses (1-78) - August 26, 2024.	
8		Lean Portfolio Management (LMP) Update	
9	PUB-9-57	PUB-MPI Round II Information Requests	
10		Responses (1-78) - August 26, 2024.	
11		Gartner IT Benchmarking -	
12		Recommendations	
13	PUB-9-58	PUB-MPI Round II Information Requests	
14		Responses (1-78) - August 26, 2024.	
15		Benchmarking Alignment	
16	PUB-9-59	PUB-MPI Round II Information Requests	
17		Responses (1-78) - August 26, 2024.	
18		Corporate Risk Assessment	
19	PUB-9-60	PUB-MPI Round II Information Requests	
20		Responses (1-78) - August 26, 2024.	
21		Accounting Units	
22	PUB-9-61	PUB-MPI Round II Information Requests	
23		Responses (1-78) - August 26, 2024.	
24		Statement of Financial Positions for	
25		Extension	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-9-62	PUB-MPI Round II Information Requests	
4		Responses (1-78) - August 26, 2024.	
5		Operating Expenses	
6	PUB-9-63	PUB-MPI Round II Information Requests	
7		Responses (1-78) - August 26, 2024.	
8		Operating Expenses - KPMG	
9	PUB-9-64	PUB-MPI Round II Information Requests	
10		Responses (1-78) - August 26, 2024.	
11		Integrated Cost Allocation Methodology	
12	PUB-9-65	PUB-MPI Round II Information Requests	
13		Responses (1-78) - August 26, 2024.	
14		Integrated Cost Allocation Methodology	
15		- Financial Reporting	
16	PUB-9-66	PUB-MPI Round II Information Requests	
17		Responses (1-78) - August 26, 2024.	
18		Operating Expenses - ICAM	
19	PUB-9-67	PUB-MPI Round II Information Requests	
20		Responses (1-78) - August 26, 2024.	
21		Operating Expenses - ICAM - Ernst and	
22		Young Organizational Review Report	
23			
24			
25			

1	List of Exhibits		
2	Exhibit No.	Description	Page No.
3	PUB-9-68	PUB-MPI Round II Information Requests	
4		Responses (1-78) - August 26, 2024.	
5		Operating Expenses - ICAM - Lines of	
6		Business	
7	PUB-9-69	PUB-MPI Round II Information Requests	
8		Responses (1-78) - August 26, 2024.	
9		Executive Summary	
10	PUB-9-70	PUB-MPI Round II Information Requests	
11		Responses (1-78) - August 26, 2024.	
12		NOVA Release 2 - Release Status	
13	PUB-9-71	PUB-MPI Round II Information Requests	
14		Responses (1-78) - August 26, 2024.	
15		Program Governance and Delivery	
16		Organization	
17	PUB-9-72	PUB-MPI Round II Information Requests	
18		Responses (1-78) - August 26, 2024.	
19		NOVA - Overall Program Status - Release	
20		2	
21	PUB-9-73	PUB-MPI Round II Information Requests	
22		Responses (1-78) - August 26, 2024.	
23		NOVA Budget - Transition Budget	
24			
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-9-74	PUB-MPI Round II Information Requests	
4		Responses (1-78) - August 26, 2024.	
5		NOVA - External Reviews	
6	PUB-9-75	PUB-MPI Round II Information Requests	
7		Responses (1-78) - August 26, 2024.	
8		Organizational Changes	
9	PUB-9-76	PUB-MPI Round II Information Requests	
10		Responses (1-78) - August 26, 2024.	
11		Financial Forecast Changes	
12	PUB-9-77	PUB-MPI Round II Information Requests	
13		Responses (1-78) - August 26, 2024.	
14		Financial Reporting of Basic Operations	
15	PUB-9-78	PUB-MPI Round II Information Requests	
16		Responses (1-78) - August 26, 2024.	
17		Financial Forecasting Model external	
18		audit	
19	PUB-10	Reminder Notice of Public Hearing -	
20		Manitoba Public Insurance - September	
21		3, 2024	
22	PUB-11	Board Order 106/24 - Interim Order	
23		Respecting the Motion by Consumers'	
24		Association of Canada (Manitoba) for	
25		Disclosure Relating to Information	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		Request CAC (MPI) 1-43(d) in the 2025	
4		General Rate Application - September	
5		12, 2024	
6	PUB-12	Board Order 107/24 - Order Respecting	
7		the Refusal of MPI to Respond to	
8		Information Requests PUB (MPI) 1-22 and	
9		PUB (MPI) 1-125 in the 2025 General	
10		Rate Application - September 12, 2024	
11	PUB-13	Board Order 112/24 - Order Respecting	
12		the Motion by Consumers' Association of	
13		Canada (Manitoba) for Disclosure	
14		Relating to Information Request	
15		CAS(MPI)I-43(d) in the 2025 General	
16		Rate Application - October 1, 2024	
17	PUB-14-0	PUB-CAC Intervener Information Requests	
18		Responses (1-4) - October 7, 2024	
19		(Responses due October 15, 2024)	
20	PUB-14-1	PUB-CAC Intervener Information Requests	
21		Responses (1-4) - October 7, 2024	
22		(Responses due October 15, 2024)	
23		Claims Forecasting - loss cost	
24		definition	
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	PUB-14-2	PUB-CAC Intervener Information Requests	
4		Responses (1-4) - October 7, 2024	
5		(Responses due October 15, 2024)	
6		Claims Forecasting - trended loss cost	
7	PUB-14-3	PUB-CAC Intervener Information Requests	
8		Responses (1-4) - October 7, 2024	
9		(Responses due October 15, 2024)	
10		Claims Forecasting - comparison of	
11		estimates	
12	PUB-14-4	PUB-CAC Intervener Information Requests	
13		Responses (1-4) - October 7, 2024	
14		(Responses due October 15, 2024)	
15		Claims Forecasting - alternative	
16		approaches	
17	PUB-15	Board Order 118/24 - Motion by Manitoba	
18		Public Insurance - Seeking Confidential	
19		Treatment of Documents and Information	
20		in the 2025/2026 General Rate	
21		Application - October 11, 2024	
22	PUB-16	PUB Book of Documents - October 17,	
23		2024.	
24			
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	BW-1	Bike Winnipeg Intervener Application -	
4		July 9, 2024	
5	BW-2	BW-MPI Round I Information Requests 1-8	
6		- July 23, 2024	
7	BW-2-1	BW-MPI Round I Information Requests 1-8	
8		- July 23, 2024. Part VII - SFR - MPI	
9		Road Safety Mission	
10	BW-2-2	BW-MPI Round I Information Requests 1-8	
11		- July 23, 2024. Part XII - Road	
12		Safety (RS) - RS Technical Conference	
13		(RSTC) Commitments	
14	BW-2-3	BW-MPI Round I Information Requests 1-8	
15		- July 23, 2024. Part XII - RS - Road	
16		Safety Planning - RSTC Commitments	
17	BW-2-4	BW-MPI Round I Information Requests 1-8	
18		- July 23, 2024. Part XII - RS - Road	
19		Safety Strategy	
20	BW-2-5	BW-MPI Round I Information Requests 1-8	
21		- July 23, 2024. Part XII - RS - Road	
22		Safety Strategy - RSTC Commitments	
23	BW-2-6	BW-MPI Round I Information Requests 1-8	
24		- July 23, 2024. Part XII - RS - RS	
25		Strategy - RSTC Commitments - Driver	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		training handbook	
4	BW-2-7	BW-MPI Round I Information Requests 1-8	
5		- July 23, 2024. Part XII - RS - RS	
6		Strategy - Improved messaging on	
7		sharing the road	
8	BW-2-8	BW-MPI Round I Information Requests 1-8	
9		- July 23, 2024. Road Safety Budget -	
10		Optimal RS Budget	
11	BW-3	BW-MPI Round II Information Requests	
12		Responses (1-6) - August 26, 2024	
13		(Responses Due September 17, 2024)	
14	BW-3-1	BW-MPI Round II Information Requests	
15		Responses (1-6) - August 26, 2024	
16		(Responses Due September 17, 2024).	
17		Road Safety - Contributing Factor to	
18		collisions - Distracted v. Careless	
19		Driving	
20	BW-3-2	BW-MPI Round II Information Requests	
21		Responses (1-6) - August 26, 2024	
22		(Responses Due September 17, 2024).	
23		Road Safety Program Business Case -	
24		Approval Criteria	
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	BW-3-3	BW-MPI Round II Information Requests	
4		Responses (1-6) - August 26, 2024	
5		(Responses Due September 17, 2024).	
6		Road Safety Budget - Optimal Budget	
7	BW-3-4	BW-MPI Round II Information Requests	
8		Responses (1-6) - August 26, 2024	
9		(Responses Due September 17, 2024).	
10		Road Safety Stakeholder Engagement -	
11		Engagement Quality Standards	
12	BW-3-5	BW-MPI Round II Information Requests	
13		Responses (1-6) - August 26, 2024	
14		(Responses Due September 17, 2024).	
15		Road Safety - Vision Zero	
16	BW-3-6	BW-MPI Round II Information Requests	
17		Responses (1-6) - August 26, 2024	
18		(Responses Due September 17, 2024).	
19		Road Safety - Road Safety Strategy	
20	CAC-1-0	Consumer's Association of Canada	
21		Manitoba Intervener Application - July	
22		10, 2024.	
23	CAC-2	CAC-MPI Round I Information Requests 1-	
24		105 (Responses due August 14, 2024) -	
25		July 23, 2024.	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	CAC-2-1	CAC-MPI Round I Information Requests 1-	
4		105 (Responses due August 14, 2024) -	
5		July 23, 2024. Part II Legal	
6		Application - \$10 increase to Base	
7		Driver Premium	
8	CAC-2-2	CAC-MPI Round I Information Requests 1-	
9		105 (Responses due August 14, 2024) -	
10		July 23, 2024. Part II COM - Budget	
11		Process Framework	
12	CAC-2-3	CAC-MPI Round I Information Requests 1-	
13		105 (Responses due August 14, 2024) -	
14		July 23, 2024. Part II COM - DVA	
15		Funding by Government - Status	
16	CAC-2-4	CAC-MPI Round I Information Requests 1-	
17		105 (Responses due August 14, 2024) -	
18		July 23, 2024. Part II COM - Corporate	
19		Strategic Plan in development -	
20		disconnect between TBS submission and	
21		Financial forecast file	
22	CAC-2-5	CAC-MPI Round I Information Requests 1-	
23		105 (Responses due August 14, 2024) -	
24		July 23, 2024. Part II COM - EY	
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		Organizational Review.	
4	CAC-2-6	CAC-MPI Round I Information Requests 1-	
5		105 (Responses due August 14, 2024) -	
6		July 23, 2024. Part II Overview -	
7		Status of recommendations implemented	
8		and outstanding.	
9	CAC-2-7	CAC-MPI Round I Information Requests 1-	
10		105 (Responses due August 14, 2024) -	
11		July 23, 2024. Part V IT - IT Service	
12		management maturity improvements	
13	CAC-2-8	CAC-MPI Round I Information Requests 1-	
14		105 (Responses due August 14, 2024) -	
15		July 23, 2024. Part V IT - External	
16		services	
17	CAC-2-9	CAC-MPI Round I Information Requests 1-	
18		105 (Responses due August 14, 2024) -	
19		July 23, 2024. Part V IT - Improvement	
20		Opportunities: Activity Priority Index	
21	CAC-2-10	CAC-MPI Round I Information Requests 1-	
22		105 (Responses due August 14, 2024) -	
23		July 23, 2024. Part V IT - Stakeholder	
24		Interview Findings	
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	CAC-2-11	CAC-MPI Round I Information Requests 1-	
4		105 (Responses due August 14, 2024) -	
5		July 23, 2024. Part V IT - IT Key	
6		Initiatives	
7	CAC-2-12	CAC-MPI Round I Information Requests 1-	
8		105 (Responses due August 14, 2024) -	
9		July 23, 2024. Part VIII Expenses -	
10		2023 Compensation report	
11	CAC-2-13	CAC-MPI Round I Information Requests 1-	
12		105 (Responses due August 14, 2024) -	
13		July 23, 2024. Part VIII Financial	
14		Forecasting Model - Government directed	
15		organizational review - MPI Final	
16		Report January 25, 2024	
17	CAC-2-14	CAC-MPI Round I Information Requests 1-	
18		105 (Responses due August 14, 2024) -	
19		July 23, 2024. Part VIII Expenses -	
20		Staffing - FTEs	
21	CAC-2-15	CAC-MPI Round I Information Requests 1-	
22		105 (Responses due August 14, 2024) -	
23		July 23, 2024. Part VIII Expenses -	
24		Impact of Labour Interruption	
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	CAC-2-16	CAC-MPI Round I Information Requests 1-	
4		105 (Responses due August 14, 2024) -	
5		July 23, 2024. Part VIII Expenses -	
6		Compensation Expenses Figure EXP-8	
7	CAC-2-17	CAC-MPI Round I Information Requests 1-	
8		105 (Responses due August 14, 2024) -	
9		July 23, 2024. Part VIII Expenses -	
10		Figure EXP-16 Corporate Salary Analysis	
11	CAC-2-18	CAC-MPI Round I Information Requests 1-	
12		105 (Responses due August 14, 2024) -	
13		July 23, 2024. Part VIII Expenses -	
14		Employee future benefits	
15	CAC-2-19	CAC-MPI Round I Information Requests 1-	
16		105 (Responses due August 14, 2024) -	
17		July 23, 2024. Part VIII Expenses -	
18		Expedited Mail	
19	CAC-2-20	CAC-MPI Round I Information Requests 1-	
20		105 (Responses due August 14, 2024) -	
21		July 23, 2024. Part VIII Expenses -	
22		Other expenses	
23	CAC-2-21	CAC-MPI Round I Information Requests 1-	
24		105 (Responses due August 14, 2024) -	
25		July 23, 2024. Part VIII Expenses -	

1	List of Exhibits	
2	Exhibit No.	Page No.
3	Special services	
4	CAC-2-22	CAC-MPI Round I Information Requests 1-
5		105 (Responses due August 14, 2024) -
6		July 23, 2024. Part VIII Expenses -
7		Amortization - deferred development
8		expenses reconciliation between EXP-42
9		line 22 and EXP-47 line 34
10	CAC-2-23	CAC-MPI Round I Information Requests 1-
11		105 (Responses due August 14, 2024) -
12		July 23, 2024. Part VIII Expenses -
13		Commission expense EXP-48 line 10 and
14		PF-1 Statement of Operations pg. 5 line
15		10
16	CAC-2-24	CAC-MPI Round I Information Requests 1-
17		105 (Responses due August 14, 2024) -
18		July 23, 2024. Part VIII Expenses -
19		ICAM Review by KPMG - KPMG
20		Recommendations and Opportunities for
21		Improvement - Redacted
22	CAC-2-25	CAC-MPI Round I Information Requests 1-
23		105 (Responses due August 14, 2024) -
24		July 23, 2024. Part XIII Annual
25		Reports - Universal Compulsory

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		Automobile Insurance Annual Financial	
4		Statements Audited	
5	CAC-2-26	CAC-MPI Round I Information Requests 1-	
6		105 (Responses due August 14, 2024) -	
7		July 23, 2024. Part VIII - Financial	
8		Reports - IFRS 9 and 17 Impacts	
9	CAC-2-27	CAC-MPI Round I Information Requests 1-	
10		105 (Responses due August 14, 2024) -	
11		July 23, 2024. Part II COM/OV - Use of	
12		Strategy in Budget Process & Cost	
13		Containment	
14	CAC-2-28	CAC-MPI Round I Information Requests 1-	
15		105 (Responses due August 14, 2024) -	
16		July 23, 2024. Part II COM - Top-Down	
17		Operating Expense Budget Process	
18	CAC-2-29	CAC-MPI Round I Information Requests 1-	
19		105 (Responses due August 14, 2024) -	
20		July 23, 2024. Part II COM - Bottom-up	
21		and Alignment Operating Expense Budget	
22		Process	
23	CAC-2-30	CAC-MPI Round I Information Requests 1-	
24		105 (Responses due August 14, 2024) -	
25		July 23, 2024. Part II COM - Alignment	

1	List of Exhibits	
2	Exhibit No.	Description Page No.
3		Between GRA & TBS Budget Submission
4	CAC-2-31	CAC-MPI Round I Information Requests 1-
5		105 (Responses due August 14, 2024 -
6		July 23, 2024. Part II COM / OV - MPI's
7		use of Key Performance Indicators KPIs
8	CAC-2-32	CAC-MPI Round I Information Requests 1-
9		105 (Responses due August 14, 2024 -
10		July 23, 2024. Part VIII EXP -
11		Increase in the Level of Corporate FTEs
12	CAC-2-33	CAC-MPI Round I Information Requests 1-
13		105 (Responses due August 14, 2024 -
14		July 23, 2024. Part VIII - Financial
15		Forecasting Model - External Audit
16	CAC-2-34	CAC-MPI Round I Information Requests 1-
17		105 (Responses due August 14, 2024 -
18		July 23, 2024. Part IV Benchmarking -
19		Customer satisfaction
20	CAC-2-35	CAC-MPI Round I Information Requests 1-
21		105 (Responses due August 14, 2024 -
22		July 23, 2024. Part IX Expenses - ICAM
23		changes due to IFRS 17
24		
25		

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	CAC-2-36	CAC-MPI Round I Information Requests 1-	
4		105 (Responses due August 14, 2024 -	
5		July 23, 2024. Part X Investments -	
6		Inflation Hedging Strategy	
7	CAC-2-37	CAC-MPI Round I Information Requests 1-	
8		105 (Responses due August 14, 2024 -	
9		July 23, 2024. Part X Investments -	
10		Rebalancing Policy and Tactical Asset	
11		Allocation	
12	CAC-2-38	CAC-MPI Round I Information Requests 1-	
13		105 (Responses due August 14, 2024 -	
14		July 23, 2024. Part X Investments -	
15		Active Management and Active Manager	
16		Monitoring Policy	
17	CAC-2-39	CAC-MPI Round I Information Requests 1-	
18		105 (Responses due August 14, 2024 -	
19		July 23, 2024. Part X Investments -	
20		Active Risk (Tracking Error) and	
21		Realized Information Ratios	
22	CAC-2-40	CAC-MPI Round I Information Requests 1-	
23		105 (Responses due August 14, 2024 -	
24		July 23, 2024. Part X Investments -	
25		Active Management Strategy	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	CAC-2-41	CAC-MPI Round I Information Requests 1-	
4		105 (Responses due August 14, 2024 -	
5		July 23, 2024. Part X - Investments -	
6		iShare in Canadian Equities Portfolio	
7	CAC-2-42	CAC-MPI Round I Information Requests 1-	
8		105 (Responses due August 14, 2024 -	
9		July 23, 2024. Part X Investments -	
10		Investment Portfolios Performance lower	
11		than the benchmark	
12	CAC-2-43	CAC-MPI Round I Information Requests 1-	
13		105 (Responses due August 14, 2024 -	
14		July 23, 2024. Part II Legal	
15		Application - Overall rate indication	
16		established in accordance with AAP	
17	CAC-2-44	CAC-MPI Round I Information Requests 1-	
18		105 (Responses due August 14, 2024 -	
19		July 23, 2024. Part II Legal	
20		Application / VII RI / RC - Calculating	
21		discounts and surcharges - non-AAP	
22		indicated rates	
23	CAC-2-45	CAC-MPI Round I Information Requests 1-	
24		105 (Responses due August 14, 2024 -	
25		July 23, 2024. Part III Basic Autopac	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		Coverage - TNC Blanket Policy - Vehicle	
4		for Hire (VFH)	
5	CAC-2-46	CAC-MPI Round I Information Requests 1-	
6		105 (Responses due August 14, 2024 -	
7		July 23, 2024. Part III Basic Autopac	
8		Coverage - DSR data collection process	
9		and report - Collect DSR personal data	
10	CAC-2-47	CAC-MPI Round I Information Requests 1-	
11		105 (Responses due August 14, 2024 -	
12		July 23, 2024. Part VII Rate Indication	
13		- Allocation of Rate Change to Major	
14		Classes - External Actuary Review	
15		impaled development factors	
16	CAC-2-48	CAC-MPI Round I Information Requests 1-	
17		105 (Responses due August 14, 2024 -	
18		July 23, 2024. Part VII Risk	
19		Classification - \$10 increase to Driver	
20		Premium across all DSR levels	
21	CAC-2-49	CAC-MPI Round I Information Requests 1-	
22		105 (Responses due August 14, 2024 -	
23		July 23, 2024. Part VII Risk	
24		Classification - Vehicle Premium	
25		Discount (PVD) - DSR Level 19	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	CAC-2-50	CAC-MPI Round I Information Requests 1-	
4		105 (Responses due August 14, 2024 -	
5		July 23, 2024. Part VII Risk	
6		Classification - Classifications	
7	CAC-2-51	CAC-MPI Round I Information Requests 1-	
8		105 (Responses due August 14, 2024 -	
9		July 23, 2024. Part VII Ratemaking -	
10		Fleet program modifications	
11	CAC-2-52	CAC-MPI Round I Information Requests 1-	
12		105 (Responses due August 14, 2024 -	
13		July 23, 2024. Part III Comparison of	
14		Basic Policies to Other Jurisdictions -	
15		PIPP Coverage	
16	CAC-2-53	CAC-MPI Round I Information Requests 1-	
17		105 (Responses due August 14, 2024 -	
18		July 23, 2024. Capacity constraints in	
19		Special Risk Extension and Risks to	
20		Basic Line of Business	
21	CAC-2-54	CAC-MPI Round I Information Requests 1-	
22		105 (Responses due August 14, 2024 -	
23		July 23, 2024. REV / PF - Extension	
24		rate increase and impact on Basic	
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	CAC-2-55	CAC-MPI Round I Information Requests 1-	
4		105 (Responses due August 14, 2024 -	
5		July 23, 2024. Part VI Claims	
6		Forecasting - Claims Forecasting	
7		Improvements	
8	CAC-2-56	CAC-MPI Round I Information Requests 1-	
9		105 (Responses due August 14, 2024 -	
10		July 23, 2024. Part VI Claims	
11		Forecasting - Accident Year, Fiscal	
12		Year, Policy Year, Calendar Year and	
13		Rating Year	
14	CAC-2-57	CAC-MPI Round I Information Requests 1-	
15		105 (Responses due August 14, 2024 -	
16		July 23, 2024. Part VI Claims	
17		forecasting - Hail losses in fiscal	
18		years 2022/23 and 2023/24	
19	CAC-2-58	CAC-MPI Round I Information Requests 1-	
20		105 (Responses due August 14, 2024 -	
21		July 23, 2024. Part VI Claims	
22		Forecasting - Labour Interruption	
23	CAC-2-59	CAC-MPI Round I Information Requests 1-	
24		105 (Responses due August 14, 2024 -	
25		July 23, 2024. Part VI Claims	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		Forecasting - Macroeconomic factors	
4	CAC-2-60	CAC-MPI Round I Information Requests 1-	
5		105 (Responses due August 14, 2024 -	
6		July 23, 2024. Part VI Claims	
7		Forecasting - CF.10.4 Collision Lost	
8		Cost Projections	
9	CAC-2-61	CAC-MPI Round I Information Requests 1-	
10		105 (Responses due August 14, 2024 -	
11		July 23, 2024. Part VI Claims	
12		Forecasting - Comprehensive 'cross-	
13		functional by peril experience review'	
14	CAC-2-62	CAC-MPI Round I Information Requests 1-	
15		105 (Responses due August 14, 2024 -	
16		July 23, 2024. Part VI Claims	
17		Forecasting - Comprehensive projected	
18		Ultimate Total Loss increase 2025-26	
19	CAC-2-63	CAC-MPI Round I Information Requests 1-	
20		105 (Responses due August 14, 2024 -	
21		July 23, 2024. Part VIII Net Incurred	
22		Claims - Figure NIC - 66 Insured Claims	
23	CAC-2-64	CAC-MPI Round I Information Requests 1-	
24		105 (Responses due August 14, 2024 -	
25		July 23, 2024. Part IX EAR - Collision	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		- Basic unfavourable development	
4	CAC-2-65	CAC-MPI Round I Information Requests 1-	
5		105 (Responses due August 14, 2024 -	
6		July 23, 2024. Part VI Claims	
7		Forecasting - Claims Forecasting	
8	CAC-2-66	CAC-MPI Round I Information Requests 1-	
9		105 (Responses due August 14, 2024 -	
10		July 23, 2024. Part VI Claims	
11		Forecasting - Property Damage -	
12		Analysis by sub-coverage	
13	CAC-2-67	CAC-MPI Round I Information Requests 1-	
14		105 (Responses due August 14, 2024 -	
15		July 23, 2024. Part VIII Revenues -	
16		Forecasted HTA units	
17	CAC-2-68	CAC-MPI Round I Information Requests 1-	
18		105 (Responses due August 14, 2024 -	
19		July 23, 2024. Part VI Claims	
20		Forecasting - Accident Benefits -	
21		Weekly Indemnity - Frequency Trend	
22	CAC-2-69	CAC-MPI Round I Information Requests 1-	
23		105 (Responses due August 14, 2024 -	
24		July 23, 2024. Part VI Claims	
25		Forecasting - Accident Benefits -	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		Weekly Indemnity Severity - Severity	
4		Trend	
5	CAC-2-70	CAC-MPI Round I Information Requests 1-	
6		105 (Responses due August 14, 2024 -	
7		July 23, 2024. Part VI Claims	
8		Forecasting - Accident Benefits - Other	
9		(Indexed)	
10	CAC-2-71	CAC-MPI Round I Information Requests 1-	
11		105 (Responses due August 14, 2024 -	
12		July 23, 2024. Part VI Claims	
13		Forecasting - Accident Benefits - Other	
14		(Indexed) losses	
15	CAC-2-72	CAC-MPI Round I Information Requests 1-	
16		105 (Responses due August 14, 2024 -	
17		July 23, 2024. Part VI Claims	
18		Forecasting - Accident Benefits - Other	
19		(Indexed) 2020 Loss cost regression	
20	CAC-2-73	CAC-MPI Round I Information Requests 1-	
21		105 (Responses due August 14, 2024 -	
22		July 23, 2024. Part VI Claims	
23		Forecasting - Accident Benefits - Other	
24		(Non-Indexed)	
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	CAC-2-74	CAC-MPI Round I Information Requests 1-	
4		105 (Responses due August 14, 2024 -	
5		July 23, 2024. Part VI Claims	
6		Forecasting - Bodily injury - Loss Cost	
7		Trend	
8	CAC-2-75	CAC-MPI Round I Information Requests 1-	
9		105 (Responses due August 14, 2024 -	
10		July 23, 2024. Part VI Claims	
11		Forecasting - Labour interruption -	
12		Impact on Collision Loss Cost	
13	CAC-2-76	CAC-MPI Round I Information Requests 1-	
14		105 (Responses due August 14, 2024 -	
15		July 23, 2024. Part VI Claims	
16		Forecasting - Comprehensive - Loss Cost	
17		Trend	
18	CAC-2-77	CAC-MPI Round I Information Requests 1-	
19		105 (Responses due August 14, 2024 -	
20		July 23, 2024. Part VI Claims	
21		Forecasting - Comprehensive - Loss Cost	
22		Trend - by peril	
23	CAC-2-78	CAC-MPI Round I Information Requests 1-	
24		105 (Responses due August 14, 2024 -	
25		July 23, 2024. Part VI Claims	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		Forecasting - Accident Benefits - Other	
4		(Non-Indexed) - Severity Trend	
5	CAC-2-79	CAC-MPI Round I Information Requests 1-	
6		105 (Responses due August 14, 2024 -	
7		July 23, 2024. Part VI Claims	
8		Forecasting - Accident Benefits Weekly	
9		Indemnity Future Trend	
10	CAC-2-80	CAC-MPI Round I Information Requests 1-	
11		105 (Responses due August 14, 2024 -	
12		July 23, 2024. Part VI Claims	
13		Forecasting - Labour interruption -	
14		Impact on Collision Loss Cost	
15	CAC-2-81	CAC-MPI Round I Information Requests 1-	
16		105 (Responses due August 14, 2024 -	
17		July 23, 2024. Part VI Claims	
18		Forecasting - Accident Benefits - Other	
19		(Indexed) WFH Adjustment	
20	CAC-2-82	CAC-MPI Round I Information Requests 1-	
21		105 (Responses due August 14, 2024 -	
22		July 23, 2024. Part VII Generalized	
23		Linear Models - General Linear Model	
24	CAC-2-83	CAC-MPI Round I Information Requests 1-	
25		105 (Responses due August 14, 2024 -	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		July 23, 2024. Part VI Claims	
4		Forecasting - Labour interruption -	
5		Impact on Collision Loss Cost - multi-	
6		year baseline	
7	CAC-2-84	CAC-MPI Round I Information Requests 1-	
8		105 (Responses due August 14, 2024 -	
9		July 23, 2024. Part II Legal	
10		Application - Rebate / rebuild RSR and	
11		Capital Management Plan	
12	CAC-2-85	CAC-MPI Round I Information Requests 1-	
13		105 (Responses due August 14, 2024 -	
14		July 23, 2024. Part IX Rate	
15		Stabilization Reserve - Integrated Cost	
16		Allocation Methodology - impact on	
17		funding arrangements between MPI and	
18		Gov.	
19	CAC-2-86	CAC-MPI Round I Information Requests 1-	
20		105 (Responses due August 14, 2024 -	
21		July 23, 2024. Part III BIM - BIM	
22		Projected Plan	
23	CAC-2-87	CAC-MPI Round I Information Requests 1-	
24		105 (Responses due August 14, 2024 -	
25		July 23, 2024. Part III BIM - Changes	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		to Public Consultation Plan	
4	CAC-2-88	CAC-MPI Round I Information Requests 1-	
5		105 (Responses due August 14, 2024 -	
6		July 23, 2024. Part III BIM - Public	
7		Consultation Plan	
8	CAC-2-89	CAC-MPI Round I Information Requests 1-	
9		105 (Responses due August 14, 2024 -	
10		July 23, 2024. BAC.3/IT/EXP - Project	
11		Costs	
12	CAC-2-90	CAC-MPI Round I Information Requests 1-	
13		105 (Responses due August 14, 2024 -	
14		July 23, 2024. Part V NOVA - Nova - NOV	
15		4.4 Program Governance and Risk	
16		Advisory Services Update	
17	CAC-2-91	CAC-MPI Round I Information Requests 1-	
18		105 (Responses due August 14, 2024 -	
19		July 23, 2024. Part V NOVA - Nova - NOV	
20		4.1.1 Special Risk Extension (SRE) -	
21		Release 1	
22	CAC-2-92	CAC-MPI Round I Information Requests 1-	
23		105 (Responses due August 14, 2024 -	
24		July 23, 2024. Part V NOVA - Nova - NOV	
25		4.1.2 International Registration Plan -	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		Release 2	
4	CAC-2-93	CAC-MPI Round I Information Requests 1-	
5		105 (Responses due August 14, 2024 -	
6		July 23, 2024. Part V NOVA - NOV.5	
7		Budget Update FY2023/24 - Project Nova	
8		Current Financial Status	
9	CAC-2-94	CAC-MPI Round I Information Requests 1-	
10		105 (Responses due August 14, 2024 -	
11		July 23, 2024. Part V NOVA - Resourcing	
12	CAC-2-95	CAC-MPI Round I Information Requests 1-	
13		105 (Responses due August 14, 2024 -	
14		July 23, 2024. Part V NOVA - Executive	
15		Review of Project Nova	
16	CAC-2-96	CAC-MPI Round I Information Requests 1-	
17		105 (Responses due August 14, 2024 -	
18		July 23, 2024. Part V NOVA - Project	
19		Nova Benefits	
20	CAC-2-97	CAC-MPI Round I Information Requests 1-	
21		105 (Responses due August 14, 2024 -	
22		July 23, 2024. Part V IT - S2E Pipeline	
23	CAC-2-98	CAC-MPI Round I Information Requests 1-	
24		105 (Responses due August 14, 2024 -	
25		July 23, 2024. Part V IT - Focus on	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		stabilizing the Corporation	
4	CAC-2-99	CAC-MPI Round I Information Requests 1-	
5		105 (Responses due August 14, 2024 -	
6		July 23, 2024. Part XII Road Safety -	
7		Objective and Key Results	
8	CAC-2-100	CAC-MPI Round I Information Requests 1-	
9		105 (Responses due August 14, 2024 -	
10		July 23, 2024. Part XII Road Safety -	
11		Traffic Collision Statistics Report	
12	CAC-2-101	CAC-MPI Round I Information Requests 1-	
13		105 (Responses due August 14, 2024 -	
14		July 23, 2024. Part XII Road Safety -	
15		Road Safety Data	
16	CAC-2-102	CAC-MPI Round I Information Requests 1-	
17		105 (Responses due August 14, 2024 -	
18		July 23, 2024. Part XII Road Safety -	
19		Road Safety Budget	
20	CAC-2-103	CAC-MPI Round I Information Requests 1-	
21		105 (Responses due August 14, 2024 -	
22		July 23, 2024. Part XII Road Safety -	
23		Vision Zero	
24	CAC-2-104	CAC-MPI Round I Information Requests 1-	
25		105 (Responses due August 14, 2024 -	

1	List of Exhibits	
2	Exhibit No.	Description Page No.
3		July 23, 2024. Part XII Road Safety -
4		Assembly of Manitoba Chiefs Road Safety
5		Coordinator
6	CAC-2-105	CAC-MPI Round I Information Requests 1-
7		105 (Responses due August 14, 2024 -
8		July 23, 2024. Part XII Road Safety -
9		Collision Trends
10	CAC-3	CAC-MPI Round I CI Information Requests
11		with Public Responses (August 14, 2024)
12	CAC-3-1	CAC-MPI CI I-4 Part V NOV - Nova
13		Reforecasts by Category
14	CAC-3-2	CAC-MPI CI I-10 Part V Value Assurance
15		- VA 3.1 Monitoring Process for 2019/20
16		to 2023/24 Project Budgets
17	CAC-3-3	CAC-MPI CI I-25 Part V NOV - Governance
18		changes
19	CAC-4	CAC Motion on Round I Information
20		Requests - CAC(MPI)I-43(d) - August 19,
21		2024
22	CAC-5	CAC-MPI Round II Information Requests -
23		(1-41) - August 26, 2024 (Responses Due
24		September 17, 2024).
25		

1	List of Exhibits	
2	Exhibit No.	Description Page No.
3	CAC-5-1	CAC-MPI Round II Information Requests -
4		(1-41) - August 26, 2024 (Responses Due
5		September 17, 2024). Budgeting Process
6		Framework
7	CAC-5-2	CAC-MPI Round II Information Requests -
8		(1-41) - August 26, 2024 (Responses Due
9		September 17, 2024). Corporate
10		Strategic Plan in development - there
11		may be a disconnect between submission
12		to TBS and financial forecasts file in
13		the 2025 GRA
14	CAC-5-3	CAC-MPI Round II Information Requests -
15		(1-41) - August 26, 2024 (Responses Due
16		September 17, 2024). Staffing - FTEs
17	CAC-5-4	CAC-MPI Round II Information Requests -
18		(1-41) - August 26, 2024 (Responses Due
19		September 17, 2024). Other Expenses
20	CAC-5-5	CAC-MPI Round II Information Requests -
21		(1-41) - August 26, 2024 (Responses Due
22		September 17, 2024). Special Services
23	CAC-5-6	CAC-MPI Round II Information Requests -
24		(1-41) - August 26, 2024 (Responses Due
25		September 17, 2024). Integrated Cost

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		Allocation Methodology (ICAM) Review by	
4		KPMG	
5	CAC-5-7	CAC-MPI Round II Information Requests -	
6		(1-41) - August 26, 2024 (Responses Due	
7		September 17, 2024). Universal	
8		Compulsory Automobile Insurance Annual	
9		Financial Statements - Audited	
10	CAC-5-8	CAC-MPI Round II Information Requests -	
11		(1-41) - August 26, 2024 (Responses Due	
12		September 17, 2024). IFRS 9 and 17	
13		impacts	
14	CAC-5-9	CAC-MPI Round II Information Requests -	
15		(1-41) - August 26, 2024 (Responses Due	
16		September 17, 2024). Top-Down Operating	
17		Expense Budget Process - NOVA	
18	CAC-5-10	CAC-MPI Round II Information Requests -	
19		(1-41) - August 26, 2024 (Responses Due	
20		September 17, 2024). ICAM changes due	
21		to IFRS 17	
22	CAC-5-11	CAC-MPI Round II Information Requests -	
23		(1-41) - August 26, 2024 (Responses Due	
24		September 17, 2024). Though MPI does not	
25		apply for an overall rate indication	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		established in accordance with AAP	
4	CAC-5-12	CAC-MPI Round II Information Requests -	
5		(1-41) - August 26, 2024 (Responses Due	
6		September 17, 2024). Service Contracts	
7	CAC-5-13	CAC-MPI Round II Information Requests -	
8		(1-41) - August 26, 2024 (Responses Due	
9		September 17, 2024). Subsidization vs.	
10		Affordability and Financial Stability	
11		by Line of Business	
12	CAC-5-14	CAC-MPI Round II Information Requests -	
13		(1-41) - August 26, 2024 (Responses Due	
14		September 17, 2024). Use of Strategy in	
15		Budget Process & Cost Containment	
16	CAC-5-15	CAC-MPI Round II Information Requests -	
17		(1-41) - August 26, 2024 (Responses Due	
18		September 17, 2024). Top-Down Operating	
19		Expense Budget Process	
20	CAC-5-16	CAC-MPI Round II Information Requests -	
21		(1-41) - August 26, 2024 (Responses Due	
22		September 17, 2024). Bottom-Up and	
23		Alignment Operating Expense Budget	
24		Processes	
25			

1	List of Exhibits	
2	Exhibit No.	Description Page No.
3	CAC-5-17	CAC-MPI Round II Information Requests -
4		(1-41) - August 26, 2024 (Responses Due
5		September 17, 2024). Alignment Between
6		GRA & TBS Budget Submission
7	CAC-5-18	CAC-MPI Round II Information Requests -
8		(1-41) - August 26, 2024 (Responses Due
9		September 17, 2024). MPI's use of Key
10		Performance Indicators (KPIs)
11	CAC-5-19	CAC-MPI Round II Information Requests -
12		91-41) - August 26, 2024 (Responses Due
13		September 17, 2024). Increase in the
14		Level of Corporate FTEs
15	CAC-5-20	CAC-MPI Round II Information Requests -
16		(1-41) - August 26, 2024 (Responses Due
17		September 17, 2024). Cloud Migration
18		Strategy
19	CAC-5-21	CAC-MPI Round II Information Requests -
20		(1-41) - August 26, 2024 (Responses Due
21		September 17, 2024). Impact of Labour
22		Disruption
23	CAC-5-22	CAC-MPI Round II Information Requests -
24		(1-41) - August 26, 2024 (Responses Due
25		September 17, 2024). IT benchmarking -

1	List of Exhibits	
2	Exhibit No.	Description Page No.
3		Gartner Annual Benchmarking Report
4	CAC-5-23	CAC-MPI Round II Information Requests -
5		(1-41) - August 26, 2024 (Responses Due
6		September 17, 2024). Lean/Agile and
7		Waterfall project management approaches
8	CAC-5-24	CAC-MPI Round II Information Requests -
9		(1-41) - August 26, 2024 (Responses Due
10		September 17, 2024). Inflation Hedging
11		Strategy - financing and investment
12		management fees
13	CAC-5-25	CAC-MPI Round II Information Requests -
14		(1-41) - August 26, 2024 (Responses Due
15		September 17, 2024). Inflation Hedging
16		Strategy
17	CAC-5-26	CAC-MPI Round II Information Requests -
18		(1-41) - August 26, 2024 (Responses Due
19		September 17, 2024). Active Management
20		and Active Manager Monitoring Policy
21	CAC-5-27	CAC-MPI Round II Information Requests -
22		(1-41) - August 26, 2024 (Responses Due
23		September 17, 2024). Rebalancing Policy
24		and Tactical Asset Allocation
25		

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	CAC-5-28	CAC-MPI Round II Information Requests -	
4		(1-41) - August 26, 2024 (Responses Due	
5		September 17, 2024). Action Risk	
6		(Tracking Error) and Realized	
7		Information Ratios	
8	CAC-5-29	CAC-MPI Round II Information Requests -	
9		(1-41) - August 26, 2024 (Responses Due	
10		September 17, 2024). Driver Safety	
11		Rating (DSR) - tail credibility	
12	CAC-5-30	CAC-MPI Round II Information Requests -	
13		(1-41) - August 26, 2024 (Responses Due	
14		September 17, 2024). Driver Safety	
15		Rating (DSR) - discount curve	
16	CAC-5-31	CAC-MPI Round II Information Requests -	
17		(1-41) - August 26, 2024 (Responses Due	
18		September 17, 2024). Driver Safety	
19		Rating (DSR) level +19	
20	CAC-5-32	CAC-MPI Round II Information Requests -	
21		(1-41) - August 26, 2024 (Responses Due	
22		September 17, 2024). Driver Safety	
23		Rating (DSR) - loss cost	
24	CAC-5-33	CAC-MPI Round II Information Requests -	
25		(1-41) - August 26, 2024 (Responses Due	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		September 17, 2024). Driver Safety	
4		Rating (DSR) Model	
5	CAC-5-34	CAC-MPI Round II Information Requests -	
6		(1-41) - August 26, 2024 (Responses Due	
7		September 17, 2024). PIPP Coverage	
8	CAC-5-35	CAC-MPI Round II Information Requests -	
9		(1-41) - August 26, 2024 (Responses Due	
10		September 17, 2024). \$10 increase to	
11		driver base premium	
12	CAC-5-36	CAC-MPI Round II Information Requests -	
13		(1-41) - August 26, 2024 (Responses Due	
14		September 17, 2024). Integrated Cost	
15		Allocation Methodology - Deloitte	
16		Report	
17	CAC-5-37	CAC-MPI Round II Information Requests -	
18		(1-41) - August 26, 2024 (Responses Due	
19		September 17, 2024). Basic Insurance	
20		Model Public Consultation Plan	
21	CAC-5-38	CAC-MPI Round II Information Requests -	
22		(1-41) - August 26, 2024 (Responses Due	
23		September 17, 2024). Road Safety -	
24		Mapping Collision Locations	
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	CAC-5-39	CAC-MPI Round II Information Requests -	
4		(1-41) - August 26, 2024 (Responses Due	
5		September 17, 2024). Road Safety -	
6		Budget	
7	CAC-5-40	CAC-MPI Round II Information Requests -	
8		(1-41) - August 26, 2024 (Responses Due	
9		September 17, 2024). Road Safety -	
10		Vision Zero and Safe Systems Approach	
11	CAC-5-41	CAC-MPI Round II Information Requests -	
12		(1-41) - August 26, 2024 (Responses Due	
13		September 17, 2024). Road Safety -	
14		Assembly of Manitoba Chiefs Road Safety	
15		Coordinator	
16	CAC-6	CAC Reply to Motion on CAC-MPI I-43(d)	
17		- August 27, 2024	
18	CAC-7-0	CAC MPI Round II CI Information	
19		Requests with Public Responses	
20		(September 17, 2024)	
21	CAC-7-1	CAC-MPI II-2 IT Transformation (Data	
22		Analytics/Process Enhancements)	
23	CAC-7-2	CAC-MPI II-9 Nova Reforecasts by	
24		Category	
25			

1	List of Exhibits	
2	Exhibit No.	Description Page No.
3	CAC-8	Oliver Wyman Actuarial Evidence -
4		October 2, 2024
5	CMMG-1	Coalition of Manitoba Motorcycles Group
6		Intervener Application - July 10, 2024
7	CMMG-2	Curriculum Vitae's of Valter Viola and
8		Jason Wong - July 10, 2024
9	CMMG-3	CMMG Intervenors Cost Estimate - July
10		10, 2024
11	CMMG-4	CMMG-MPI Round I Information Requests
12		1-13 (Responses due August 14, 2024) -
13		July 23, 2024.
14	CMMG-4-1	CMMG-MPI Round I Information Requests
15		1-13 (Responses due August 14, 2024) -
16		July 23, 2024. Part VII - Ratemaking -
17		DSR scale
18	CMMG-4-2	CMMG-MPI Round I Information Requests
19		1-13 (Responses due August 14, 2024) -
20		July 23, 2024. Part VII - Ratemaking -
21		DSR - deferral
22	CMMG-4-3	CMMG-MPI Round I Information Requests
23		1-13 (Responses due August 14, 2024) -
24		July 23, 2024. RC - DSR Model
25		

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	CMMG-4-4	CMMG-MPI Round I Information Requests	
4		1-13 (Responses due August 14, 2024) -	
5		July 23, 2024. Part VI Claims	
6		Forecasting - Motorcycle claims	
7		classification	
8	CMMG-4-5	CMMG-MPI Round I Information Requests	
9		1-13 (Responses due August 14, 2024) -	
10		July 23, 2024. Part XII Road Safety -	
11		Motorcycle statistics	
12	CMMG-4-6	CMMG-MPI Round I Information Requests	
13		1-13 (Responses due August 14, 2024) -	
14		July 23, 2024. Part XII Road Safety -	
15		Motorcycle Crash Analysis	
16	CMMG-4-7	CMMG-MPI Round I Information Requests	
17		1-13 (Responses due August 14, 2024) -	
18		July 23, 2024. Part II Over view -	
19		Projected 2025/26 Average Premium	
20	CMMG-4-8	CMMG-MPI Round I Information Requests	
21		1-13 (Responses due August 14, 2024) -	
22		July 23, 2024. MPI 3 - Ratemaking -	
23		Calculation of Average Required Premium	
24		for Raying Year 2025/26	
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No
3	CMMG-4-9	CMMG-MPI Round I Information Requests	
4		1-13 (Responses due August 14, 2024) -	
5		July 23, 2024. Part VII - Risk	
6		Classification - Driver Premiums	
7	CMMG-4-10	CMMG-MPI Round I Information Requests	
8		1-13 (Responses due August 14, 2024) -	
9		July 23, 2024. Part VI - CF - Loss	
10		Trend Analysis	
11	CMMG-4-11	CMMG-MPI Round I Information Requests	
12		1-13 (Responses due August 14, 2024) -	
13		July 23, 2024. Part VII - RC - DSR	
14		change	
15	CMMG-4-12	CMMG-MPI Round I Information Requests	
16		1-13 (Responses due August 14, 2024) -	
17		July 23, 2024. Part VII - Generalized	
18		Linear Models	
19	CMMG-4-13	CMMG-MPI Round I Information Requests	
20		1-13 (Responses due August 14, 2024) -	
21		July 23, 2024. Part III - Basic	
22		Insurance Model - Regulatory Changes	
23	CMMG-5	CMMG-MPI Round II Information Requests	
24		Responses (1-3) - August 26, 2024	
25		(Responses Due September 17, 2024)	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	CMMG-5-1	CMMG-MPI Round II Information Requests	
4		Responses (1-3) - August 26, 2024	
5		(Responses Due September 17, 2024)	
6		Motorcycle Claims Classification	
7	CMMG-5-2	CMMG-MPI Round II Information Requests	
8		Responses (1-3) - August 26, 2024	
9		(Responses Due September 17, 2024) \$10	
10		increase to driver base premium	
11	CMMG-5-3	CMMG-MPI Round II Information Requests	
12		Responses (1-3) - August 26, 2024	
13		(Responses Due September 17, 2024) Road	
14		Safety - Motorcycle "Gearing up"	
15		Program Rebate	
16	CMMG-6-0	CMMG-CAC Intervener Information Request	
17		Response (1) - October 7, 2024	
18		(Responses due October 15, 2024)	
19	CMMG-6-1	CMMG-CAC Intervener Information Request	
20		Response (1) - October 7, 2024	
21		(Responses due October 15, 2024) Rate	
22		Indication - \$10 driving premium	
23		increase	
24			
25			

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3	TC-1	Taxi Coalition Intervener application -	
4		July 10, 2024	
5	TC-2	TC-MPI Round 1 Information Requests 1-	
6		10 (Responses due August 14, 2024) -	
7		July 23, 2024	
8	TC-2-1	TC-MPI Round 1 Information Requests 1-	
9		10 (Responses due August 14, 2024) -	
10		July 23, 2024. Part VI - claims	
11		forecasting - claims counts	
12	TC-2-2	TC-MPI Round 1 Information Requests 1-	
13		10 (Responses due August 14, 2024) -	
14		July 23, 2024. Part VII - risk	
15		classification - credibility analysis	
16	TC-2-3	TC-MPI Round 1 Information Requests 1-	
17		10 (Responses due August 14, 2024) -	
18		July 23, 2024. Part VII - risk	
19		classification	
20	TC-2-4	TC-MPI Round 1 Information Requests 1-	
21		10 (Responses due August 14, 2024) -	
22		July 23, 2024. Part VII - Generalized	
23		Linear models	
24	TC-2-5	TC-MPI Round 1 Information Requests 1-	
25		10 (Responses due August 14, 2024) -	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		July 23, 2024. Part VII - Risk	
4		Classification - Serious Loss Loading	
5	TC-2-6	TC-MPI Round 1 Information Requests 1-	
6		10 (responses due August 14, 2024) -	
7		July 23, 2024. Part III - Basic Autopac	
8		Coverage - VFH - transportation network	
9		companies	
10	TC-2-7	TC-MPI Round 1 Information Requests 1-	
11		10 (responses due August 14, 2024) -	
12		July 23, 2024. Part III - Basic Autopac	
13		coverage - Vehicle for Hire registered	
14		passenger VFHs	
15	TC-2-8	TC-MPI Round 1 Information Requests 1-	
16		10 (responses due August 14, 2024) -	
17		July 23, 2024. Part III - Basic Autopac	
18		coverage - Vehicle for Hire framework	
19	TC-2-9	TC-MPI Round 1 Information Requests 1-	
20		10 (responses due August 14, 2024) -	
21		July 23, 2024. Part III - Basic	
22		Autopac coverage - Vehicle for Hire	
23		(Appendices 1-5)	
24	TC-2-10	TC-MPI Round 1 Information Requests 1-	
25		10 (responses due August 14, 2024) -	

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		July 23, 2024. Part VIII - REV - Driver	
4		Safety Rating	
5	TC-3	TC-MPI Round II Information Requests	
6		Responses (1-10) - August 26, 2024	
7		(Responses due September 17, 2024)	
8	TC-3-1	TC-MPI Round II Information Requests	
9		Responses (1-10) - August 26, 2024	
10		(Responses due September 17, 2024)	
11		ratemaking - claim counts	
12	TC-3-2	TC-MPI Round II Information Requests	
13		Responses (1-10) - August 26, 2024	
14		(Responses due September 17, 2024)	
15		Risk Classification - Credibility	
16		Analysis	
17	TC-3-3	TC-MPI Round II Information Requests	
18		Responses (1-10) - August 26, 2024	
19		(Responses due September 17, 2024)	
20		Vehicle for Hire - TNC dispatcher	
21	TC-3-4	TC-MPI Round II Information Requests	
22		Responses (1-10) - August 26, 2024	
23		(Responses due September 17, 2024)	
24		Vehicle for Hire - illegal passenger	
25		VFH	

1	List of Exhibits	
2	Exhibit No.	Description Page No.
3	TC-3-5	TC-MPI Round II Information Requests
4		Responses (1-10) - August 26, 2024
5		(Responses due September 17, 2024)
6		Vehicle for Hire framework - time bands
7	TC-3-6	TC-MPI Round II Information Requests
8		Responses (1-10) - August 26, 2024
9		(Responses due September 17, 2024)
10		Vehicle for Hire Framework
11	TC-3-7	TC-MPI Round II Information Requests
12		Responses (1-10) - August 26, 2024
13		(Responses due September 17, 2024)
14		Vehicle for Hire (VFH) - TNC
15	TC-3-8	TC-MPI Round II Information Requests
16		Responses (1-10) - August 26, 2024
17		(Responses due September 17, 2024)
18		Vehicle for Hire (VFH) - time bands
19	TC-3-9	TC-MPI Round II Information Requests
20		Responses (1-10) - August 26, 2024
21		(Responses due September 17, 2024)
22		Vehicle for Hire (VFH)
23	TC-3-10	TC-MPI Round II Information Requests
24		Responses (1-10) - August 26, 2024.
25		Responses Due September 17, 2024)

1		List of Exhibits	
2	Exhibit No.	Description	Page No.
3		Vehicle for Hire (VFH) - VFH Technical	
4		Conference.	
5	PUB-16	Book of Documents	105
6	PUB-17	Organizational Review of Manitoba	
7		Public Insurance Final Report	
8		Dated January 25, 2024	105
9	PUB-18	PUB Board Order number 122/'24, Order	
10		requiring that Manitoba Public	
11		Insurance produce the multiyear	
12		strategic plan approved by its Board of	
13		Directors on October 18, 2024, and the	
14		2025 General Rate Application issued	
15		October 21, 2024.	164
16	MPI-41	ALM Investments Presentation	231
17	MPI-42	PUB/MPI-40, back-line version	231
18			
19			
20			
21			
22			
23			
24			
25			

1 --- Upon commencing at 9:12 a.m.

2

3 OPENING REMARKS BY THE CHAIRPERSON:

4 THE CHAIRPERSON: Good morning,  
5 everyone. Our apologies for being late this morning.  
6 I'm Irene Hamilton, the Chair for this Panel of the  
7 Public Utilities Board. I now call this 2025 Manitoba  
8 Public Insurance Corporation General Rate Application  
9 Hearing to order.

10 The Board acknowledges that we are  
11 gathered on ancestral lands, Treaty 1 territory, the  
12 traditional territory of the Anishinaabeg, Cree,  
13 Anishininewuk, Dakota and Dene peoples, and the  
14 national homeland of the Red River Metis.

15 I am joined by four (4) other Board  
16 members in this hearing: Board Chair Robert Gabor,  
17 Board Members Susan Nemec, George Bass, and Patrick  
18 Ireland. Also with us today is Darren Cristle,  
19 secretary to the Board, and Kristen Schubert, judicial  
20 hearing assistant who will manage our electronic  
21 document system.

22 Wendy Woodworth will act as our  
23 reporter. Transcripts of this hearing will be  
24 recorded by Digi-Tran and made available on our  
25 website. I would ask that everyone please state their

1 name before you speak for clarity and accuracy of the  
2 transcript.

3 MPI has applied to the Public Utilities  
4 Board for approval of its premiums to take effect  
5 April 1st, 2025. This hearing will be conducted in  
6 accordance with the provisions of the Crown  
7 Corporations Governance and Accountability Act, the  
8 Public Utilities Board Act, and the Board's Rules of  
9 Practice and Procedure. These rules are available for  
10 review on our website.

11 In its Application, MPI sought a 3  
12 percent overall increase in Basic vehicle premium  
13 rates and a ten dollar (\$10) increase to Compulsory  
14 Driver Premium rates for the 2025/'26 insurance year.

15 MPI has acknowledged that the rate  
16 sought in this General Rate Application is not  
17 calculated in accordance with accepted actuarial  
18 practices which would provide for a rate increase of  
19 6.14 percent. MPI is not seeking any changes to  
20 miscellaneous permits and certificates, Basic service,  
21 and transaction fees or fleet surcharges or rebates.

22 In accordance with Directive 12.15 from  
23 PUB Order 4 of '23, MPI has also applied for the  
24 addition of driver safety rating level plus 19 for the  
25 2026 policy year. MPI has requested no changes to

1 Driver Safety Rating discounts for policy year  
2 2025/'26, and further requests that the discount for  
3 Driver Safety Rating level plus 19 be the same as the  
4 current discount level for plus 18.

5 On October 15th, 2024, MPI filed an  
6 updated rate indication with the Board. MPI  
7 maintained its request for a 3 percent overall rate  
8 increase, but advised that the rate calculated in  
9 accordance with accepted actuarial practice and based  
10 on interest rates as at August 31st, 2024, is 6.77  
11 percent.

12 We will begin the hearing on each  
13 hearing day at nine o'clock in the morning and adjourn  
14 at approximately 4:00 p.m. Each day will include a  
15 mid-morning lunch and mid-afternoon break.

16 The Public Utilities Board mandate is  
17 to set just and reasonable rates that are in the  
18 public interest. The public interest has been defined  
19 by the Manitoba Court of Appeal as balancing the  
20 impacts of rate increases on consumers with the fiscal  
21 health of the Utility.

22 In order to set just and reasonable  
23 rates that are in the public interest, the Board will  
24 need to hear and consider all evidence that is adduced  
25 on the record of this proceeding and hear submissions

1 from Manitoba Public Insurance and all approved  
2 Interveners.

3                   Following closing arguments, the Panel  
4 will sequester itself and deliberate to make our final  
5 determinations on the matters before us. In the end,  
6 we may accept, deny, or vary MPI's Application.

7                   In reaching our decision, we will be  
8 guided by the evidence, written and oral, and our  
9 determination of what represents the public interest.  
10 The Board takes its obligation and mandate of  
11 protecting the public interest very seriously.

12                   We are concerned not only with the  
13 short-term economic impact on MPI's operations on both  
14 ratepayers and MPI itself, but also the fairness of  
15 that impact on MPI's long-term fiscal and operating  
16 wellbeing.

17                   In addition, the Board views this  
18 process as one which should ensure transparency in  
19 terms of the Corporation's operations and financial  
20 position.

21                   In its procedural Order 83/24 issued  
22 following the pre-hearing conference that took place  
23 July 11th, 2024, the Board approved a final issues  
24 list for this Hearing.

25                   In accordance with that Order, the

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

5 MPI's requested vehicle rate and any  
6 changes to other fees and discounts.

7 MPI's ratemaking methodology, including  
8 rate indication based on accepted actuarial practice  
9 in Canada.

10 MPI's compliance with its Orders  
11 145/'23 and -- and '22 of '24, any -- any outstanding  
12 directives from past Orders.

13 MPI's financial position, including its  
14 financial forecasting accuracy, projected financial  
15 results and impacts of international financial report  
16 standards 9, 14, and 17.

17 MPI's annual business plan.

18 MPI's Capital Management Plan,  
19 including transfers -- transfers of Extension excess  
20 capital and the status of negotiations with government  
21 regarding driver and vehicle administration funding.

22 MPI's investment portfolio performance  
23 and asset liability management.

24 MPI's expense and cost containment  
25 efforts, including the impact of labour interruption

1 on service, delivery, and operations.

2 Vehicles for Hire.

3 MPI's driver safety rating, including  
4 MPI's progress towards a plan for changes to the  
5 driver safety rating model.

6 Benchmarking conducted by MPI.

7 MPI's claim forecasting and runoff of  
8 prior year's claims. Changes to integrated cost  
9 allocation methodology since the 2024 General Rate  
10 Application, including the impact of international  
11 financial reporting standard 17 on methodology.

12 MPI's road safety initiatives. An  
13 organizational review conducted pursuant to Order In  
14 Council 94/2023.

15 And MPI's IT expenses and projects, in  
16 particular, Project Nova.

17 We trust that the participants of this  
18 Hearing will be mindful of cost effectiveness and will  
19 employ a cooperative approach, the common goal being  
20 to put forward useful evidence to assist the Panel in  
21 reaching sound decisions on the matters before it.

22 We have significant and complex issues  
23 before us. And I am confident that we will all  
24 approach this process with a view to benefitting the  
25 public interest.

1                   The Manitoba ombudsman has issued  
2 privacy guidelines for administrative tribunals. The  
3 Public Utilities Board is mindful of its obligations  
4 under those guidelines. Its decisions in reaching --  
5 its decisions in respect of the Application considered  
6 will be sensitive to them.

7                   Personal information will not be  
8 disclosed unless it is appropriate and necessary to do  
9 so. However, the Board advises participants that  
10 these proceedings are public and that as a result,  
11 personal information protections are reduced.

12                   In addition, two (2) matters of  
13 housekeeping. First, please ensure that your  
14 cellphones are off or mute throughout the Hearing.  
15 Second, all parties, and representatives, and  
16 consultants should be aware that the Board Hearings  
17 are livestreamed through a link accessible on the  
18 Board's website.

19                   Unfortunately, this morning our  
20 livestream is down and we are working on ensuring that  
21 it is back up as quickly as possible.

22                   For the benefit of the public, please,  
23 acronyms are to be -- use of acronyms are to be  
24 discouraged. It will assist the public's  
25 understanding of the issues and the evidence if they

1 are avoided.

2 I'll now call upon Mr. Andres for  
3 introductions, followed by the introductions by MPI  
4 and the Interveners. Mr. Andres will then give his  
5 introductory remarks, after which I will call upon MPI  
6 and the Interveners to provide their opening remarks.

7 We will then proceed with the swearing  
8 in of the first MPI panel and commence the evidentiary  
9 portion of this hearing. Mr. Andres...?

10 MR. TODD ANDRES: Thank you, Madam  
11 Chair. Good morning. I am Todd Andres of Pitblado  
12 Law and along with my colleague Kara Moore, we are  
13 legal counsel to the Public Utilities Board.

14 Board Advisors joining us this morning  
15 are Roger Cathcart of Cathcart Advisors and Blair  
16 Manktelow of Eckler who is participating remotely.  
17 I now turn to MPI to make its introductions.

18 MR. ANTHONY GUERRA: Thank you and  
19 good morning. Anthony Guerra, Vice President Chief  
20 Risk and Legal Officer for MPI and with me today are  
21 my colleagues, Steve Scarfone, Legal Counsel for and  
22 Eric Wishnowski, Legal Counsel too.

23 Behind me is our Manager of Regulatory  
24 Affairs, Ted Meira, and introducing our new President  
25 and Chief Executive Officer, Salvir Jatana who we'll

1 hear from more this afternoon.

2 My opening statements will actually be  
3 delivered by Steve, so when we're ready to do that  
4 I'll turn it over to Mr. Scarfone. Thank you.

5 PANEL CHAIRPERSON: Thank you, Mr.  
6 Guerra. Mr. Klassen...?

7 MR. CHRIS KLASSEN: Good morning,  
8 Madam Chair and members of the Board. My name is  
9 Chris Klassen. I'm joined by my colleague Katrine  
10 Dilay from the Public Interest Law Center at Legal Aid  
11 Manitoba. We're here on behalf of the Manitoba Branch  
12 of the Consumers' Association of Canada.

13 PANEL CHAIRPERSON: Thank you. Ms.  
14 Meek...?

15 MR. CHARLOTTE MEEK: Good morning to  
16 the Board. My name is Charlotte Meek from the firm  
17 DFS Kinesky Andrew and I'm representing the Coalition  
18 of Motorcycle Groups and I can advise that I have  
19 asked some members from CMMG here today.

20 Behind me Doug Houghton here, is the  
21 Treasurer of CMMG and Kathy Shapina, the Secretary of  
22 CMMG is also here.

23 PANEL CHAIRPERSON: Thank you. Ms.  
24 Nelko...?

25 MS. SHARNA NELKO: Good morning, Madam

1 Chair, members of the Board. My name is Sharna Nelko  
2 from Meyers LLP and I appear on behalf of the Taxi  
3 Coalition. Not here with me today is also my  
4 colleague, Karen Wittman, who is also acting on behalf  
5 of the Taxi Coalition.

6 PANEL CHAIRPERSON: Thank you. Mr.  
7 Monnin...?

8 MR. CHRISTIAN MONNIN: Good morning,  
9 Madam Chair, members of the Board.

10 Christian Monnin, M-O-N-N-I-N. I'm  
11 counsel for Bike Winnipeg and I'm here with Mr.  
12 Charles Feaver on behalf of Bike Winnipeg.

13 PANEL CHAIRPERSON: Thank you. Mr.  
14 Scarfone...?

15 MR. STEVE SCARFONE: Thank you, Madam  
16 Chair.

17 MR. TODD ANDRES: Sorry, Mr. Scarfone,  
18 if I can jump in, I believe I'll do my opening  
19 submissions prior to those of Mr. Scarfone.

20 PANEL CHAIRPERSON: My apologies,  
21 Andres.

22

23 OPENING REMARKS BY BOARD COUNSEL:

24 MR. TODD ANDRES: Thanks, Madam Chair.  
25 The Manitoba of Public Insurance Corporation is

1 applying to the Public Utilities Board for approval of  
2 premiums to be charged with respect to compulsory  
3 vehicle insurance, being insurance year 2025-2026.  
4 The rates would take effect on April 1st, 2025 to  
5 March 31, 2026.

6 In its General Rate Application filed  
7 on July 5, 2024, MPI provisionally sought an overall  
8 rate increase of 3 percent. Following an update to  
9 the rate indication based on interest rates as at  
10 August 31, 2024, on October 15, MPI filed with the  
11 Board an updated rate request confirming that the rate  
12 it seeks is an overall increase of 3 percent.

13 MPI has already -- has also requested a  
14 \$10 increase to premiums charged with respect to  
15 compulsory driver insurance provided by MPI.

16 We note that this General Rate  
17 Application -- in this General Rate Application, MPI  
18 has applied for a rate that is not established in  
19 accordance with Accepted Actuarial Practices or AAP.

20 MPI is not applying for either a rebate  
21 or either a capital rebuild in this Application.

22 MPI has also asked this Board to  
23 approve changes to the Driver Safety Rating system,  
24 mainly, by adding DSR Level 19 for the 2025/2026  
25 policy year.

1                   However, MPI requests that the Board  
2 not approve any changes to DSR discounts and that the  
3 discount level for DSI --- DSR Level 19 remain the  
4 same as DSR Level 18.

5                   Finally, using the Canadian Loss  
6 Experience Automobile Rating or CLEAR system, MPI has  
7 applied to expand the range of rate groups by adding  
8 Rate Group 41.

9                   With respect to the evidence filed in  
10 this proceeding, I note that there were five (5) PUB  
11 Exhibits entered on the record at the -- a pre-hearing  
12 conference in this matter held on July 11, 2024.  
13 Those were: Exhibits PUB-1, The Notice of Public  
14 Hearing and Pre-Hearing Conference, Dated June 6,  
15 2024.

16                   Exhibit PUB-2, The Public Utilities  
17 Board's Rules of Practice and Procedure.

18                   Exhibit PUB-3, a Letter from Jennifer  
19 Dubois, Assistant Associate Secretary of the PUB, to  
20 Interveners of Record Regarding MPI 2025 GRA  
21 Timetable, Minimum Filing Requirements, and the  
22 Information Request Template, Dated July 5, 2024.

23                   PUB -- pardon me, Exhibit PUB-4, a  
24 Letter from Jennifer Dubois, Assistant Associate  
25 Secretary of the PUB, to MPI and all Prospective

1 Interveners, Dated July 5, 2024, Regarding the Pre-  
2 Qualification Process for Expert Witnesses.

3 And Exhibit PUB-5, the Board's Interim  
4 Procedural Order 74/'24, Dated June 21, 2024.

5 In addition, I would now ask to enter  
6 the following exhibits:

7 Exhibit PUB-6, the Board's Procedural  
8 Order 83/'24 dated July 16, 2024, with Appendices  
9 which Order Approved the Interveners and Final Issues  
10 List for this GRA.

11 Exhibit PUB-7-1 to PUB-7-126, the  
12 Public Utilities Board First Round Information Request  
13 and MPI's responses to these requests, dated July 23,  
14 2024, in respect of Exhibits 7-1 through 7-119 and  
15 July 30, 2024, in respect of Exhibits 7-120 through 7-  
16 126.

17 Exhibit PUB-8-1 to PUB-8-2, the PUB  
18 First Round Confidential Information Request, the  
19 responses to which were deemed public by MPI, dated  
20 August 14, 2024.

21 Exhibit PUB-9-1 to PUB-9-7, the Public  
22 Utilities Board Second Round Information Request and  
23 MPI's responses to those requests dated August 26,  
24 2024.

25 Exhibit PUB-10, the reminder notice of

1 public hearing.

2                   Exhibit PUB-11, Board Order 106/'24,  
3 interim order respecting the motion by Consumers'  
4 Association of Canada (Manitoba) requesting disclosure  
5 relating to Information Request CAC/MPI-1-43(d) in the  
6 2025 General Rate Application dated September 3, 2024.

7                   Exhibit PUB-12, Board Order 107/'24,  
8 Order respecting the refusal of MPI to respond to  
9 Information Requests PUB/MPI-122 and PUB/MPI-1-125 in  
10 the 2025 General Rate Application dated September 12,  
11 2024.

12                   Exhibit PUB-13, Board Order 112/'24, an  
13 Order respecting the motion by Consumers' Association  
14 of Canada (Manitoba) for disclosure relating to  
15 Information Request CAC/MPI-143(d) in the 2025 General  
16 Rate Application dated October 1, 2024.

17                   Exhibit PUB-1 -- pardon me, 14-1 to 14-  
18 4, the PUB Information Requests of the Consumers  
19 Association of -- of Canada (Manitoba) and the CAC's  
20 responses to those requests, dated October 15, 2024.

21                   And Exhibit PUB-15, Board Order Number  
22 118/'24, motion by Manitoba Public Insurance seeking  
23 confidential treatment of documents and information in  
24 the 2025/'26 General Rate Application regarding a  
25 motion filed by MPI seeking confidential treatment of

1 those documents and information filed in this GRA  
2 dated October 11, 2024.

3 We circulated a hard copy of a Book of  
4 Documents this morning, and we are also asking that  
5 that Book of Documents be admitted as an exhibit. And  
6 that would be Exhibit 16.

7

8 --- EXHIBIT PUB-16: Book of Documents

9

10 MR. TODD ANDRES: We are also asking  
11 that the Organizational Review of Manitoba Public  
12 Insurance Final Report dated January 25, 2024, also be  
13 entered as an exhibit. We note that an electronic of  
14 this is appended to the GRA, but just for ease of  
15 reference we're asking that this be Exhibit 17.

16

17 --- EXHIBIT PUB-17: Organizational Review of Manitoba  
18 Public Insurance Final Report  
19 Dated January 25, 2024

20

21 MR. TODD ANDRES: With respect to the  
22 cross-examination to be conducted on behalf of the  
23 Board over the next number of days, the following  
24 major issues will be addressed: the background to the  
25 rate applied for; MPI's decision to request a rate

1 that is not actuarially indicated; MPI's financial  
2 position; MPI's expenses; MPI's claims forecasting;  
3 financial forecasting and financial conditions test;  
4 benchmarking conducted by MPI; MPI's investment  
5 portfolio performance and the composition of the  
6 portfolio; MPI's IT expenses and projects; the Driver  
7 Safety Rating System; as well as other topics which  
8 may arise.

9 I will now refer to the procedural  
10 outline which is on the screens in front of you and  
11 will be distributed this morning beginning at the  
12 bottom of the first page running to the second page,  
13 in particular, where the order of matters to be heard  
14 are reflected.

15 And please note that MPI will be  
16 putting forward issue-specific witness panels at -- as  
17 it has done in past GRAs.

18 At item number 3 on page 2 of the  
19 Procedural Outline is the first MPI witness. We will  
20 hear from MPI's Chief Executive Officer Satvir Jatana  
21 this morning.

22 We also have presenters scheduled for  
23 today beginning at 1:00 p.m. Depending on timing, we  
24 may hear from the Strategic Vision Panel following the  
25 presenters, and this will spill into Tuesday morning.

1 This will be followed by the Investments and Asset  
2 Liability Management Panel on Tuesday afternoon.

3           On Wednesday, we will hear from the  
4 Financial Forecasting and Financial Condition Test  
5 Panel, and on Thursday the Claims Forecasting Panel  
6 will be appearing.

7           On Friday of this week, we will hear  
8 from the Ratemaking Panel which includes benchmarking,  
9 Canadian vehicles insurance rates comparison, General  
10 Linear Models, or GLM, and fleet cost/causation.

11           Next week, at item 10 of the Procedural  
12 Outline, Dr. Jennifer Hall will present her report on  
13 the Road Safety Technical Conference, and then we will  
14 hear from MPI's Road Safety Loss Prevention Panel in  
15 the morning of October 28th.

16           The afternoon of October 28th we will  
17 hear from MPI's Customer and Product Panel. October  
18 29th was initially scheduled as a contingency day, but  
19 we will use that morning to hear from witnesses from  
20 EY who would otherwise have participated in another  
21 panel.

22           Moving on to item 13 of the Procedural  
23 Outline, we are scheduled to hear from MPI's IT and IT  
24 Benchmarking and Value Assurance Panel, including a  
25 witness from Gartner Canada, on October 30th in the

1 morning. The afternoon will be used for the IT and IT  
2 Benchmarking and Value Assurance Panel's confidential  
3 information.

4 Beginning on the morning of October 31  
5 will be the MPI Project NOVA Panel. That afternoon  
6 will be used for the Project NOVA confidential  
7 evidence.

8 Once MPI panels are complete, we will  
9 hear from the Consumers' Association of Canada's  
10 witness. That is scheduled for Monday, November 4.  
11 We are not scheduled to sit on November 5th.

12 Closing submissions will begin on  
13 November 6th, and as the hearing proceeds, changes to  
14 the schedule may be required, but we'll do our best to  
15 follow the anticipated schedule.

16 Those are my opening remarks, Madam  
17 Chair. Thank you.

18 PANEL CHAIRPERSON: Thank you, Mr.  
19 Andres. Could you clarify for me, please, whether at  
20 item 11 the testimony of MPI Customer and Product  
21 Panel would include the Driver Safety Rating evidence?

22 MR. TODD ANDRES: I see from Mr.  
23 Guerra nodding his head that will include the evidence  
24 on that day.

25 PANEL CHAIRPERSON: Thank you very

1 much. Mr. Scarfone...?

2

3 OPENING SUBMISSIONS BY MPI:

4 MR. STEVE SCARFONE: Thank you, Madam  
5 Chair. Before I begin with MPI's opening remarks, I  
6 too will go through the rather laborious task of  
7 reading in each of the exhibits like My friend did, so  
8 bear with me. There's forty (40) of them, two (2) of  
9 which have been read in at the Pre-Hearing Conference,  
10 so I'll begin at number 3.

11 MPI Exhibit Number 3 are the documents  
12 that were filed in support of the 3 percent overall  
13 rate increase that's been requested of this Board.

14 MPI Exhibit Number 4 is Part 7,  
15 Ratemaking Chapter, Appendix 11.

16 MPI Exhibit Number 5 is Part 5 of the  
17 IT Appendix 2, External Labour Measures, a clean  
18 black-line version.

19 MPI Exhibit Number 6 are fifteen (15)  
20 documents made up of a clean black-line of certain  
21 documents and appendices all from Part 7 of the  
22 Ratemaking chapter.

23 Exhibit Number 7 is the Risk Management  
24 Framework, Appendix 1, Risk Appetite Statement.

25 Exhibit Number 8, Part 9, Benchmarking,

1 Appendix 4, the Crown Auto Benchmark Report, July 18,  
2 2024.

3 Exhibit Number 9 is Expenses, Appendix  
4 1, Basic Internal Operations.

5 Exhibit Number 10 from Part 7,  
6 Ratemaking Chapter, Appendix 6, the DSR Actuarial  
7 Review.

8 Exhibit number 11 from part VIII,  
9 expenses chapter blackline version figures 46.

10 MPI Exhibit number 12, Part V, NOVA  
11 Appendix 8.

12 Exhibit number 13, Part V, the IT  
13 chapter, a blacklined version.

14 Exhibit number 14, Part VIII, financial  
15 forecasting chapter, a blackline version.

16 MPI Exhibit number 15, Part VIII,  
17 expense chapter blackline figure 47.

18 MPI Exhibit number 16, Round One  
19 Information Requests.

20 Exhibit number 17, responses to CAC 130  
21 and PUB 1-48.

22 MPI Exhibit 18, Part VIII expenses,  
23 appendix 9, appendix 10, and appendix 21.

24 MPI Exhibit number 19, responses to CAC  
25 143, attachment C, response to CAC 143 attachment D,

1 and response to CAC 143 revised August 19th.  
2 MPI Exhibit 20, response to CAC/MPI  
3 127.  
4 Exhibit number 21, responses to CAC  
5 129, 131, and PUB 143.  
6 MPI Exhibit 22, responses to MPI 141.  
7 Exhibit number 23, MPI responses to CAC  
8 motion of August 23.  
9 MPI Exhibit number 24, Part IV,  
10 benchmarking appendix 1 amended.  
11 MPI Exhibit 25 are the Round 2  
12 Information Requests.  
13 MPI Exhibit 26, MPI response to PUB 122  
14 and PUB 125 in compliance with directive 3.1 of PUB  
15 Order 107/24.  
16 MPI Exhibit 27 is the Corporate  
17 quarterly financial report first quarter results.  
18 MPI Exhibit 28, response to CAC 2-19.  
19 Exhibit 29, response to CAC 212,  
20 appendix 1 redacted.  
21 MPI Exhibit 30, responses to PUB 220,  
22 225, 226, 228, and 277.  
23 MPI Exhibit 31 is the 2024 financial  
24 condition test report.  
25 MPI Exhibit 32, Part VII, ratemaking --

1 ratemaking chapter, appendix 6, which is the Driver  
2 Safety Rating actuarial review.

3 MPI Exhibit 33, responses to PUB 15,  
4 17, 225, and 221, appendix 2, which is the interest  
5 rate risk report. In addition, at 33, responses to  
6 PUB 221, 230, and the rate update for investments, and  
7 the proformas, and the Extension proformas.

8 MPI Exhibit 34, Part IX, is the  
9 financial condition test, attachment A, the peer  
10 review report.

11 MPI Exhibit number 35, responses to CAC  
12 146, attachment A.

13 MPI Exhibit number 36, responses to PUB  
14 134 updated.

15 MPI Exhibit 37, response to PUB 213,  
16 appendix 1 updated.

17 MPI Exhibit 38 is the response to CAC  
18 pre-ask number 1.

19 MPI Exhibit number 39 is the response  
20 to Taxi Coalition pre-ask number 1.

21 And lastly, Exhibit number 40 is the  
22 executive Panel presentation which this Board will  
23 hear this afternoon. Thank you for that. And --

24 PANEL CHAIRPERSON: Sorry to interrupt  
25 you, Mr. Scarfone.

1 MR. STEVE SCARFONE: Yes.

2 PANEL CHAIRPERSON: Just information  
3 from the room. The livestream is now up again.  
4 Sorry. Proceed.

5 MR. STEVE SCARFONE: Thank you. So,  
6 Madam Chair, Panel members, I just want to confirm  
7 that Madam Chair and My Learned Friend for the Public  
8 Utilities Board has in fact accurately conveyed the  
9 relief that will be sought by the Corporation in this  
10 rate application.

11 The Board has before it a number of  
12 documents for its consideration as it concerns the --  
13 the rate indication, the non-AAP rate of 3 percent  
14 based on affordability considerations.

15 The Board also has before it in MPI's  
16 July 5 filing, which is to the end of March 2024, the  
17 6.15 percent rate indication -- overall rate  
18 indication.

19 In addition to that, a filing was made  
20 on July 18th which contains the financial information  
21 in support of the 3 percent overall rate ask.

22 And lastly, at MPI Exhibit number 33 is  
23 the October update with those documents in support of  
24 the 6.77 percent AAP to the end of August 2024.

25 And there is, of course, a request for

1 a ten-dollar (\$10) increase to each of the Manitobans'  
2 driver licenses in this rate application.

3           This Board will hear later the -- later  
4 today from MPI's CEO that keeping rates affordable for  
5 Manitobans is central to the mission of Manitoba  
6 Public Insurance.

7           And consistent with this approach,  
8 requesting approval of affordable rates, MPIC is also  
9 requesting that the adjustment to the DSR discounts be  
10 held in abeyance for one (1) year, and that would be  
11 under PUB Order 145-23.

12           Those adjustments would resume in the  
13 2026 GRA and are projected to be at actuarial  
14 indicated discounts by the 2028 GRA if the Board was  
15 to approve the pause that MPIC has requested.

16           The DSR impact -- the DSR impact rate  
17 will affect affordability. And the Panel will hear  
18 evidence that the increase to DSR level zero if the  
19 pause is not approved would otherwise be an increase  
20 of 12.6 percent to the base rate premium which is  
21 needed to offset or off balance the impact from  
22 changes to the DSR discounts. And that evidence can  
23 be found at ratemaking appendix 6, DSR page 9.

24           MPI is still requesting an additional  
25 level on the scale, plus 19, but offering the same

1 discount as level plus 18. And that's a summary of --  
2 of the relief that the Corporation is -- is requesting  
3 here today and over the next three (3) weeks.

4 I had Mr. Meira, from Regulatory  
5 Affairs, put together out of interest the issues that  
6 attracted the most attention this year from the PUB  
7 and its Interveners in terms of Information Requests.

8 The Board will be interested to know  
9 that the cost of operations, financial forecasting,  
10 revenues, and expenses amounted to eighty-two (82)  
11 Information Requests, so that was first on the list,  
12 followed by NOVA. Sixty-five (65) Information  
13 Requests for Project NOVA.

14 Claims forecasting was third, forty-  
15 three (43) Information Requests, investments twenty-  
16 four (24) Information Requests, and -- sorry,  
17 ratemaking was next, and then investments at twenty-  
18 four (24), ratemaking at thirty-five (35).

19 So, what I'd like to propose to do is  
20 speak briefly, high level, and provide some of the  
21 highlights of those particular issues that were of  
22 most interest to the parties of this proceeding by  
23 going through each of the Panels that this Board will  
24 hear from over the next two (2) weeks.

25 So, today, beginning this afternoon, as

1 Mr. Guerra indicated, the chief executive officer will  
2 provide an overview and a strategic vision of the  
3 Corporation.

4 On that Panel will be Ms. Jatana and  
5 Maria Campos -- she is vice-president and chief  
6 customer and product officer new to this Hearing --  
7 and Amanda Hildahl. She is our director of strategy.  
8 And she put together the stability strategy that is  
9 currently in place and launched the Corporation's  
10 multiyear strategic plan that she will go through.

11 They will also speak to MPI's  
12 realignment, including a reduction in management  
13 numbers. And Ms. Jatana will tell you about her  
14 commitment to affordable rates.

15 Tomorrow there will be a continuation  
16 of the Strategic Vision Panel if we don't complete it  
17 this afternoon. And you'll hear that the multi-year  
18 strategy that was filed is based on several key  
19 strategic objectives, including financial stability  
20 and responsibility.

21 On Tuesday afternoon you'll hear from  
22 the Investments Panel. Two (2) people familiar with  
23 this proceeding, Cara Low and Glenn Bunston. They  
24 will speak to the performance of the Investment Fund,  
25 the impact of interest rates on the bond portfolio and

1 how best to forecast those interest rates.

2                   The effectiveness of the ALM Strategy  
3 and an update on the implementation of the new asset  
4 mixes under the ALM.

5                   And lastly, they'll speak to an update  
6 on the inflation hedging strategy. This Board will  
7 recall last year that there was, before this Board, an  
8 overlay strategy that was presented that was since  
9 disapproved and not adopted by the new Board of  
10 Directors and Mr. Bunston and Ms. Low will explain the  
11 reasons for that.

12                   On Wednesday you'll hear from the  
13 Financial Forecasting Panel, revenues and expenses and  
14 the financial condition test.

15                   The members of that panel include three  
16 (3) vice presidents, CFO Ryan Kolaski and Chief  
17 Actuary Cara Low and four (4) MPI Directors, including  
18 Cherity Ostapowich and Dorothy Scott and Reghan  
19 Scaletta and Rena Solomon.

20                   There is this year, Madam Chair, no  
21 Capital Management Plan before the Board pending  
22 discussions with government on the funding of the  
23 Driver and Vehicle Administration Program. And you'll  
24 hear an update from that panel with respect to that.

25                   Nonetheless, there are Capital

1 transfers from Extension to Basic forecasted to occur  
2 in the RSR, the Rate Stabilization Reserve.

3                   The RSR is forecast to be at a 100  
4 percent MCT within the statutory timeframe and the  
5 materials filed before this Board. And there are  
6 efforts being made to right sides Full-Time  
7 Equivalence FTEs.

8                   Corporate Operating Expenses are  
9 budgeted and forecast to stabilize over the next four  
10 (4) years. And you'll also hear evidence about the  
11 Cost Allocation Methodology under IFRS-17, which the  
12 Corporation says is similar to the net results that  
13 you would see from the PUB approved methodology for  
14 cost allocation.

15                   On Thursday, Madam Chair, is the Claims  
16 Forecasting Panel. Again, Cara Low will appear and  
17 Vice President and Chief Claims Officer, John  
18 Bowering, who I don't believe has ever sat in the  
19 front row before. And last year you will recall,  
20 Christine Zhou, she is the Director and Alina  
21 Rogozhnikova, both of which are from actuarial  
22 insights and forecasting.

23                   The uncertainties that presented  
24 following the conclusion of the ten (10) week strike  
25 that made forecasting trends particularly difficult

1 this year, will be highlighted by that panel. And how  
2 MPI's actuaries are now more comfortable supporting an  
3 overall rate that is less than the presented AAP rate.

4 The Vehicle Rate Comparison Review  
5 results will show why a new approach to benchmarking  
6 rates is needed. All of that evidence will be  
7 advanced by the Claims Forecasting Panel.

8 On Friday is the Ratemaking Panel,  
9 again, with Ms. Low, Chief Actuary, and Khurram Musad  
10 who is the Director of Pricing.

11 The October update at Exhibit 33 will  
12 show that the 6.77 percent overall rate ask breaks  
13 down as follows for these notable vehicles.

14 Private passenger vehicles would see an  
15 increase of 7.16 percent under the rate update, if  
16 this Board was to approve AAP Ratemaking.

17 Motorcycles would see a decrease of 1.6  
18 percent and the Public Major Class would see an  
19 increase of 5.3 percent.

20 These numbers are obviously adjusted  
21 favourably if the 3 percent overall rate ask is  
22 approved.

23 Next week, on Monday, the Road Safety  
24 and Loss Prevention Panel. On that panel, again, will  
25 be Maria Campos, Partick Sarginson, the Registrar of

1 Motor Vehicles and Director of Product Design.  
2 Nichole Elvebo, Director of Driver Administration and  
3 Bryce Doell who presented last year. He's the Manager  
4 of Road Safety Programs and Analysis.

5 That panel will go through the  
6 budgeting process for Road Safety, the Road Safety  
7 Programs and progress on the Road Safety Strategy.  
8 They will also detail the results of the Road Safety  
9 Technical Conference that was held earlier this year.

10 Also on Monday, in the afternoon,  
11 scheduled for the afternoon is the Customer and  
12 Product Panel that will detail the Basic Insurance  
13 Model and changes thereto. Maria Compos will sit on  
14 that particular panel along with Curtis Prystupa, who  
15 we heard from last year and Simmi Mann, the Customer  
16 Value Proposition Lead. The Manager of Customer  
17 Insights and Analytics, Scott Patton, will also join  
18 them.

19 They will detail the Corporation's  
20 movement towards consideration of a new driver model.  
21 There will be an update with respect to the public  
22 consultation conducted by Leger. And both the Project  
23 Plan and the Project Charter with new milestones have  
24 been updated.

25 The Basic Insurance Model Panel will

1 speak to Data Collection, following the requisite  
2 regulatory amendments that will have to occur and they  
3 will tell you that the data collection will have to  
4 align with Release 3 of NOVA.

5                   And there will be an update on a  
6 potential blanket policy for the taxi group.

7                   Tuesday, Madam Chair, was initially set  
8 aside as a contingency day, but I understand it's now  
9 being used to have two (2) witnesses from EY attend to  
10 speak to the report that was prepared following the  
11 Organizational Review completed at the end of  
12 December, 2023. Those two (2) people are Nicolas  
13 Gemin who is now Deloitte and Duncan Meadows. And  
14 those two (2) gentlemen are attending at the request  
15 of the Public Utilities Board.

16                   On Wednesday is the Information  
17 Technology Panel which will include IT Benchmarking  
18 and Value Assurance. On that particular panel is  
19 MPI's new Chief Information and Technology Officer;  
20 that gentleman's name is Roy Hart, who you will meet.

21                   Along with him is CFO Ryan Kolaski and  
22 three (3) MPI Directors: Shawn Campbell who presented  
23 last year, Chad Muir and Jen St. Laurent. They will  
24 speak to the Interim IT Strategy that was updated and  
25 one that is being developed for future applications.

1                   There will be a Value Assurance Update.  
2   And there will be an attendance, a Gartner  
3   representative to speak to the IT Benchmarking and  
4   that gentleman's name is Neville Horn.

5                   On Thursday, October 31st, is the NOVA  
6   Panel. And there will be some new faces this year,  
7   Madam Chair, to describe what's happening with Project  
8   NOVA. Mr. Hart will again reappear, our Chief  
9   Information and Technology Officer, along with Gary  
10   Dessler, the principal architect of the program who  
11   you've heard from in years past. And Jen St. Laurent,  
12   the Director of Major Program Delivery.

13                   In addition to this, two (2)  
14   representatives from MNP, which is the new NOVA  
15   governance vendor, will be in attendance, Hassan  
16   Qureshi and Matthew Brikis, will be in attendance, the  
17   governance vendor.

18                   Very briefly, the evidence you'll hear  
19   with respect to NOVA is an update on Release 1. And  
20   though operationalized last year, work continues to  
21   ensure the program meets the needs of the business and  
22   business partners. Progress is being made and next  
23   steps have been identified.

24                   You'll hear evidence that some of the  
25   policies have not yet been transitioned from paper

1 based into digital and you'll hear about some of the  
2 other issues that have been addressed with respect to  
3 Release 1.

4                   Release 2 was the launch of the  
5 International Registration Plan this past summer. And  
6 the IRP Legacy Systems are to begin -- will begin  
7 decommissioning shortly. R2 was a successful launch,  
8 you'll hear from the panel members and the success of  
9 the team experienced and the lessons learned will be  
10 detailed and carry over into Release 3.

11                   Release 3, MPIC presents no changes to  
12 the scope of Release 3. This Panel recalled that  
13 Release 3 is -- is the largest of the releases under  
14 NOVA. There will be no change to schedule and there  
15 will be no change to budget of this release as it  
16 remains in the discovery phase until the end of this  
17 calendar year scheduled to -- discovery scheduled to  
18 complete for R-3 in December.

19                   MPI will speak to the work done to date  
20 and the process proposed once MPI concludes the R-3  
21 discovery, and that involves the implementation of  
22 R-3.

23                   And that would conclude each of the  
24 panels on that Friday following Halloween. There's no  
25 hearings anticipated, but it could be, with all of

1 that, Madam Chair, that we make use of that day if --  
2 if possible. I understand there -- that there may be  
3 some issues with respect to November 1st and this --  
4 this Board sitting, so we're hoping that we'll wrap up  
5 the -- the MPI evidence by Thursday of that week.

6 And that concludes MPI's opening  
7 submission.

8 PANEL CHAIRPERSON: Thank you, Mr.  
9 Scarfone. Mr. Gabor...?

10

11 (BRIEF PAUSE)

12

13 BOARD CHAIR GABOR: Mr. Scarfone, I  
14 want to talk about documents. This morning we -- we  
15 received the Strategic Plan. We're going to hear  
16 evidence today and we're supposed to cross-examine on  
17 this tomorrow, as I understand.

18 Last -- late last Thursday afternoon,  
19 we received the Leger Report.

20 MR. STEVE SCARFONE: And which report  
21 was that?

22 BOARD CHAIR GABOR: Leger.

23 MR. STEVE SCARFONE: Oh, yes. Leger,  
24 yes.

25 BOARD CHAIR GABOR: Okay. Contrary to

1 earlier hearings, normally at the end of September,  
2 beginning of October, we get revised numbers based on  
3 interest rate changes. This year we received revised  
4 numbers on a whole category of areas, collision costs,  
5 and that.

6 I'm concerned that the process that  
7 we've been following long before I came here has  
8 somehow changed. I've been here eight (8) years, and  
9 quite frankly, I've never received so much information  
10 so late in the day. I mean, I'm not sure how we're  
11 going to cross-examine tomorrow, and I guess the Panel  
12 will have to consider that.

13 If this was -- you know, under the  
14 legislation, we have the same powers as the Court of  
15 King's Bench. If this was in King's Bench, this  
16 hearing would have been adjourned.

17 So, I don't know if there's an  
18 explanation. I don't know if you want to put forward  
19 an explanation, but on the issue, for example, of the  
20 changed numbers, we would normally have an IR process  
21 because the numbers that we were given as part of the  
22 Application that went through the IR process, a number  
23 of the IRs are no longer relevant, which means that  
24 we're going to have to probably have longer cross-  
25 examinations, which may mean longer days or weekends.

1                   So, I don't know what the reason is.  
2 I'm just sort of putting this on the table. I hope  
3 this year is an aberration, but it's hard to get ready  
4 for the hearings when you don't have the -- the  
5 information. And the fact that we just received the  
6 Strategic Plan which is going to be subject to  
7 testimony today sort of really highlights that.

8                   So, I welcome your comments.

9                   MR. STEVE SCARFONE: I'll let Mr.  
10 Guerra -- I -- I can only say that the Stability  
11 Strategy -- and we apologize for the late notice  
12 'cause I understand the concerns of this Board and --  
13 and the position that it puts on the Interveners.

14                   The Stability Strategy was just  
15 formulated last week, and so this -- that particular  
16 document was put to this Board as soon as it was  
17 finalized and approved by the board of directors.

18                   I'll let Mr. Guerra speak to the update  
19 and -- and how that materialized.

20                   MR. ANTHONY GUERRA: So just a  
21 clarification. So, the Multi-Year Strategy is the  
22 presentation that you received this morning. That's a  
23 culmination of over six (6) months of work. It was  
24 approved by our board of directors on -- on Friday  
25 morning, so unfortunately that was the earliest that

1 we could provide it.

2                   And we understand that we -- we needed  
3 to provide this Panel with this much time in advance  
4 as we possibly could. That was -- that was  
5 unfortunately the best that we could do in that  
6 circumstance. It -- it was not the preferred way to  
7 approach this, but it was unfortunately the way we had  
8 to approach it this year.

9                   So, our apologies for that, and we  
10 certainly will be prepared to extend time to -- to  
11 further discuss how that strategy will play out in the  
12 next few years.

13                   With respect to the Leger Report, again  
14 we can also advise that our -- our board only approved  
15 the release of that information in October. So  
16 unfortunately, we were not able to get that  
17 information to the Panel members any sooner than that.

18                   Again, it's an unfortunate situation.  
19 It's not a practice that we -- we would like to  
20 continue with. This has been a very interesting year  
21 in many respects, and just like last year, we hope it  
22 was an aberration.

23                   Our -- our teams are committed to  
24 making sure that these hearings work and proceed as --  
25 as openly and fairly as possible. As you know, our

1 teams dug very deep last year to make sure that this  
2 Panel could continue to hear three (3) weeks of  
3 evidence during a ten (10) week strike. We are  
4 committed to making sure that -- that this Panel has  
5 the information it needs to be successful.

6                   With respect to the October update,  
7 it's unfortunate. I believe that there was a  
8 disconnect between what the expectations were in terms  
9 of the information that was to be provided and what  
10 the actuaries did provide.

11                   Our apologies again if there was a  
12 miscommunication there, and we certainly appreciate  
13 that this will complicate matters a little further.  
14 Again, it was not our intention, but we certainly want  
15 to make sure that the Board has the most accurate,  
16 relevant information before it as soon as it possibly  
17 can.

18                   BOARD CHAIR GABOR: Thank you for your  
19 comments, Mr. Guerra.

20                   PANEL CHAIRPERSON: Thank you. Mr.  
21 Klassen...?

22

23 OPENING SUBMISSIONS BY CAC (MANITOBA)

24                   MR. CHRIS KLASSEN: Thank you, Madam  
25 Chair. As our colleagues have done, we'll begin with

1 a few exhibits to be entered on the record.

2 Exhibit CAC-1 is the Intervener  
3 Application of the Manitoba Branch of the Consumers'  
4 Association of Canada.

5 CAC-2 is CAC (Manitoba)'s Round 1  
6 Information Requests numbers 1 through 105.

7 CAC-3 is the Round 1 Confidential  
8 Information Requests with public responses, numbers 4,  
9 10, and 25.

10 Exhibit CAC-4 is CAC (Manitoba)'s  
11 motion for disclosure following responses to Round 1  
12 Information Requests.

13 CAC-5 is CAC (Manitoba)'s Round 2  
14 Information Requests numbers 1 through 41.

15 CAC-6 is reply submissions on CAC  
16 (Manitoba)'s motion mentioned at Exhibit 4.

17 Exhibit CAC-7 is the Round 2  
18 Confidential Information Requests, again with public  
19 responses, numbers 2 and 9.

20 Exhibit CAC-8 is the Oliver Wyman  
21 Actuarial Evidence Report which has been filed.

22 And finally, CAC-9, CAC (Manitoba)'s  
23 opening statement which is on the screen before you  
24 and has been shared with parties this morning.

25 Thank you, Madam Chair. And with that,

1 we'll begin.

2 CAC (Manitoba) has reviewed the  
3 evidence of Manitoba Public Insurance in its 2025  
4 General Rate Application and sees a corporation in the  
5 very early stages of a long recovery. Ms. Schubert,  
6 if we could go to slide 2, please.

7 After multiple material disruptions in  
8 the not-too-distant past, MPI is still planning its  
9 first steps. Whether due to these circumstances or in  
10 spite of them, MPI's evidence in this proceeding  
11 presents decisions which expose its customers to  
12 material risk. As always, oversight and direction  
13 from this Board is needed to guide the Corporation to  
14 a successful recovery. Next slide, please.

15 This morning, I'll spend a few minutes  
16 setting out what CAC (Manitoba) views as important  
17 context for the hearing of this Rate Application,  
18 followed by a summary overview of the primary issues  
19 of concern to CAC (Manitoba), followed by a brief  
20 discussion of CAC's goals in this process which are to  
21 identify an evidence-based pathway to just and  
22 reasonable rates.

23 First, context to the Rate Application.  
24 CAC (Manitoba) has observed multiple material  
25 challenges in MPI's recent past, and these appear to

1 continue to affect the Corporation's operations and  
2 decision making today.

3                   These include significant executive  
4 turnover, and as we've heard this morning, we have new  
5 faces leading important and potentially costly  
6 portfolios. This also includes the government-ordered  
7 organizational review which began as a public rebuke  
8 by government of MPI's management, and continues to be  
9 a disruption, an important and necessary disruption,  
10 but a disruption nonetheless, as MPI works to rebuild  
11 trust by implementing E&Y's recommendations which  
12 involve significant changes to how MPI organizes and  
13 conducts itself.

14                   We've also heard about the strike this  
15 morning. And CAC (Manitoba) expects that last year's  
16 experience will be felt for years to come through  
17 impacts on financial planning and timelines for MPI's  
18 major ongoing projects. Next slide, please.

19                   With these realities just in the  
20 rearview mirror, CAC (Manitoba) also sees multiple  
21 foundational and guiding documents that are not yet  
22 complete, not yet before this Board, and not yet  
23 informing MPI's actions or decision making.

24                   These documents and plans will set  
25 MPI's direction. They'll enable it to be held

1 accountable. And they are necessary for public and  
2 regulator confidence. Next slide, please.

3                   Meanwhile, MPI has filed a Rate  
4 Application not driven by actuaries' projections and  
5 which does not reflect costs identified in a  
6 principled budgeting process. It touts its commitment  
7 to affordability while at the same time taking steps  
8 to collect additional revenue from the same customers  
9 by other means.

10                   CAC is concerned by MPI's disingenuous  
11 messaging on this point, as well as the Corporation's  
12 decision to risk a premium deficit and jeopardize the  
13 just and reasonable rates of its own customers.

14                   CAC (Manitoba) also sees that MPI  
15 maintains its finish-at-all-costs mentality toward  
16 progress -- Project NOVA and also steps backward on  
17 important progress made in investment management with  
18 respect to inflation protection.

19                   Together these realities present to CAC  
20 (Manitoba) a corporation that is reaching far in the  
21 midst of a recovery and in need of guidance and  
22 oversight.

23                   With this next slide we'll turn our  
24 attention to CAC (Manitoba's) priority issues in this  
25 process. And it will be no surprise to the Board that

1 at the top of this list is MPI's response to its rate  
2 -- revenue requirement, rate request, and subsidies  
3 from the Extension line of business to Basic.

4 CAC (Manitoba's), I think it's fair to  
5 say, primary concern in this process is the  
6 justification underlying MPI's 3 percent rate request  
7 and the ten-dollar (\$10) increase to the base driver  
8 premium.

9 CAC (Manitoba) is surprised and  
10 concerned to see a rate request not informed by  
11 actuarial practice and that there are other changes  
12 proposed by MPI appearing that they're intended to  
13 compensate for this purported affordability measure.

14 As important as affordability is to CAC  
15 (Manitoba), they won't sacrifice evidence-based  
16 decision making to achieve it. MPI's change in the  
17 base driver premium does not appear to be supported by  
18 changes to underlying costs, suggesting to CAC  
19 (Manitoba) that it may not be just or reasonable.

20 MPI's proposals will also see Basic and  
21 Extension made more interdependent than ever before,  
22 all of which is compounded by escalating claims costs.

23 Through this process, CAC (Manitoba)  
24 intends to ask whether MPI's proposed rate and fee  
25 increases are grounded in insurance risk and justified

1 costs and whether it's appropriate this year for this  
2 Board yet again to recommend that the Extension line  
3 of business be added to its jurisdiction. Next slide,  
4 please.

5 CAC (Manitoba) also intends to closely  
6 monitor the development of MPI's corporate strategic  
7 plan, which we've heard a little bit about already  
8 this morning, and budgeting processes, both of which  
9 are currently underway.

10 Based on what's been seen so far, CAC  
11 (Manitoba) intends to ask whether these initiatives  
12 will put the Corporation in a good position to move  
13 forward or whether they will be another example of  
14 MPI's ambition, stifling its commitment to prudent  
15 spending and necessary services. Next slide, please.

16 In a year, when MPI's budgeting process  
17 is still in development, it has been difficult for CAC  
18 (Manitoba) to assess justifications for MPI's proposed  
19 costs. CAC (Manitoba) is also aware of the recent  
20 commentary from Ernst & -- Ernst & Young attempting to  
21 guide MPI towards more rigorous processes that lead to  
22 more prudent outcomes.

23 As every year, CAC (Manitoba) will ask  
24 whether MPI's proposed expenditures are prudent and  
25 reasonable.

1                   Regarding forecasting and claims costs  
2 on the next slide, CAC (Manitoba) is pleased to be  
3 supported again this year by Mr. Rajesh Sahasrabuddhe,  
4 of Oliver Wyman Limited, and his team, whose insight  
5 is now before the Board to support an evidence-based  
6 determination of just and reasonable rates consistent  
7 with accepted actuarial practice.

8                   CAC (Manitoba) was also intrigued by  
9 Ernst & Young's identification of missed opportunities  
10 to improve claims costs, budgeting, and controls  
11 through stronger internal communication and tools.

12                   CAC (Manitoba) will ask whether MPI is  
13 effectively using the tools at its disposal to produce  
14 reliable forecasts and curtail escalating claims  
15 costs.

16                   CAC (Manitoba) remains concerned about  
17 Project NOVA. The warnings of its trusted expert last  
18 year, as well as the concerns of this Board expressed  
19 in its Order, appear to not have been headed. This  
20 year, MPI presents a project which appears to CAC  
21 (Manitoba) as further delayed, as having seen mixed  
22 success in implementation to date, and presenting  
23 waning confidence in its current budget.

24                   Concerning also to CAC (Manitoba) is  
25 the growing list of IT projects ongoing outside of

1 Project NOVA. CAC (Manitoba) will ask whether MPI is  
2 relying on good advice and making prudent decisions.  
3 Next slide, please.

4                   Recognizing the limits of this Board's  
5 authority over MPI's management of its investment  
6 portfolio, CAC reviews MPI's investment management  
7 every year, looking for principled evidence-based  
8 decision making knowing the importance of optimized  
9 returns relative to the Corporation's risk appetite  
10 and ensuring that the Corporation's assets  
11 appropriately match its liabilities.

12                   CAC (Manitoba) did not expect to be  
13 discussing inflation hedging again this year, but MPI  
14 has invited the discussion with its abandonment of the  
15 bond overlay strategy and its apparent contentment  
16 with the small allocation of inflation linked bonds.

17                   CAC (Manitoba) will also be looking  
18 beyond the asset mix this year to ask whether MPI is  
19 missing opportunities or taking unnecessary risks in  
20 its efforts to outperform the benchmark and beat the  
21 market.

22                   CAC (Manitoba) will ask whether MPI's  
23 actions relate its -- and reflect its stated goals and  
24 investment policy statement. Next slide, please.

25                   CAC (Manitoba) welcomes the biannual

1 opportunity to review MPI's road safety portfolio and  
2 appreciated the opportunity to participate in the  
3 technical conference held earlier this year.

4 CAC (Manitoba) continues to look for  
5 evidence-based decision-making guiding MPI's road  
6 safety interventions and asks whether MPI has set  
7 appropriate goals for this important aspect of its  
8 work and whether it is properly orienting its road  
9 safety interventions toward achieving them. Next  
10 slide, please.

11 CAC (Manitoba) continues to monitor the  
12 persistent cross-subsidization in the Driver Safety  
13 Rating system. And over the past five (5) years, CAC  
14 (Manitoba) has strongly supported the PUB's  
15 directives, ordering progress on this issue, guiding  
16 MPI toward actuarially informed surcharges and  
17 discounts.

18 At the same time, however, CAC  
19 (Manitoba) has also recommended in times of high AAP  
20 rate indications that progress be paused in order to  
21 avoid significant rate increases for certain  
22 customers.

23 CAC (Manitoba) will be weighing the  
24 same questions this year, recognizing that Oliver  
25 Wyman's AAP rate identifies an indication in excess of

1 6 percent.

2 CAC (Manitoba) will also be monitoring  
3 the ongoing Basic Insurance Model Evolution Project as  
4 MPI develops recommendations to be presented next year  
5 to ensure that the process properly includes consumer  
6 voices. Next slide, please.

7 Though less central to CAC (Manitoba's)  
8 primary concerns, these issues are no less important.  
9 And CAC (Manitoba) also intends to canvass MPI's  
10 revised integrated cross -- excuse me -- integrated  
11 cost allocation methodology, as well as capital  
12 management, Extension transfers, and DVA funding.

13 This Board's mandate in this process is  
14 well known and clearly set out in its past Orders.  
15 The considerations to be viewed by the Board are on  
16 the screen before you, and it's based on this test  
17 that CAC (Manitoba) will identify an evidence-based  
18 pathway to just and reasonable rates for Basic  
19 customers. Next slide, please.

20 As an Intervener, CAC (Manitoba) will  
21 assist the PUB in identifying that evidence-based  
22 pathway involving a credible AAP rate indication, a  
23 rate indication consistent with accepted actuarial  
24 practice, reliable forecasts, prudent expenditures,  
25 and progress toward a transparent and sustainable

1 future for our Crown-owned insurer.

2 CAC (Manitoba) sees that in light of  
3 MPI circumstances, its customers are being asked to  
4 take on risks that will impose costs today and in the  
5 future.

6 In this GRA, CAC (Manitoba) intervenes  
7 to support the Public Utilities Board in guiding MPI  
8 beyond its recent challenges and to protect the  
9 customers' interests along the way.

10 On our next slide, CAC (Manitoba) notes  
11 that it's pleased to be supported again this year.  
12 Slide 20, please, Ms. Schubert. Thank you.

13 CAC (Manitoba) is pleased to be  
14 supported again by Mr. Rajesh Sahasrabuddhe and a new  
15 colleague, Mr. Felix Chan, of Oliver Wyman, to provide  
16 expertise from their cross-Canada practice in  
17 regulatory rate setting for auto insurance.

18 CAC is pleased again to be supported by  
19 Mr. Scott Greenlay assessing MPI's IT projects and  
20 Project NOVA.

21 We're also jointed Mr. Valter Viola,  
22 supporting CAC (Manitoba's) review of MPI's investment  
23 portfolio.

24 As many times in the past, CAC  
25 (Manitoba) benefits from the support of Mr. Peter

1 Dyck, an experienced accountant who spent many years  
2 at MPI and knows these filings very well.

3           Also, Mr. Darren Rainkie, who will be a  
4 familiar name to this Board but less so in MPI  
5 proceedings, lends his expertise in this process with  
6 respect to strategic planning and budgeting process as  
7 MPI is working on developing plans for its future in  
8 those regards.

9           And lastly, Ms. Mavis Johnson is also  
10 known to this Board but does not appear here every  
11 year. Ms. Johnson has decades of international  
12 experience supporting the development of effective  
13 evidence-based road safety interventions for insurers,  
14 as well as government entities.

15           And she supports CAC (Manitoba's)  
16 participation in the road safety technical conference  
17 and its review of MPI's evidence on that issue, as  
18 well.

19           Speaking for the Public -- the Public  
20 Interest Law Centre, we are grateful for the ongoing  
21 guidance of CAC's Consumer Advisory Panel, as well as  
22 the CAC (Manitoba) Board of Directors from which we  
23 receive instructions.

24           And lastly, we appreciate the Public  
25 Utilities Board for facilitating this process and

1 issue thanks to MPI and our fellow Interveners for  
2 engaging in it.

3                   Subject to questions from the Board,  
4 these are the opening comments of CAC (Manitoba)

5                   PANEL CHAIRPERSON: Mr. Gabor...?

6                   BOARD CHAIR GABOR: Sorry, Mr.

7 Klassen, I note that on Monday it says that there will  
8 be testimony of CAC witnesses. I'm wondering if you  
9 could advise who the witnesses are.

10                   MR. CHRIS KLASSEN: I can. Thank you.

11 As you'll know, CAC (Manitoba) has filed a report  
12 prepared by Oliver Wyman. Both Mr. Sahasrabuddhe and  
13 Mr. Chan are travelling to Winnipeg to appear before  
14 the Board.

15                   It's my understanding that Mr. Chan is  
16 attending for purposes of Oliver Wyman's professional  
17 development and transition planning and that the  
18 presenting expert in this hearing will be Mr.  
19 Sahasrabuddhe.

20                   PANEL CHAIRPERSON: Thank you, Mr.

21 Klassen. At this point, it's 10:22. I think we'll  
22 take the morning break so that we're not interfering  
23 with the opening statements of the other Interveners.  
24 So, back, please, at twenty (20) to 11:00. Thank you.

25

1 --- Upon recessing at 10:17 a.m.

2 --- Upon resuming at 10:49

3

4 PANEL CHAIRPERSON: Thank you. Mr.  
5 Guerra, it is now our -- it is now our understanding  
6 that MPI is not intending to file the Strategic Plan  
7 that was approved by your board on October the 18th,  
8 2024. And, therefore, I wish to advise you that the  
9 Board is now ordering that MPI file a copy of that  
10 Plan on the public record by noon tomorrow -- that  
11 would be noon, October 22nd, 2024.

12 Given the late filing of the Strategic  
13 Plan, I also wish to advise that we will reserve the  
14 afternoon of October 29th, commencing at one o'clock  
15 in the afternoon, for cross-examination on the  
16 Strategic Plan.

17 MR. ANTHONY GUERRA: Thank you, Madam  
18 Chair. I also just wish to confirm that I did  
19 misspeak earlier this morning when I did mention that  
20 the board approved the Leger Report on October 18th.

21 I should clarify to say that the board  
22 received the information for the Leger Report on  
23 October 18th, and that management reviewed the results  
24 on October 3rd. So, October 3rd is when management  
25 reviewed the results of the Leger Report, and the

1 board had it before it on October 18th.

2 PANEL CHAIRPERSON: Thank you for that  
3 clarification, Mr. Guerra.

4 We'll now proceed with the Interveners.  
5 Ms. Meek...?

6

7 OPENING SUBMISSIONS BY CMMG:

8 MS. CHARLOTTE MEEK: Thank you, Madam  
9 Chair. Again, my name is Charlotte Meek, and I'm  
10 providing opening statements on behalf of the  
11 Coalition of Manitoba Motorcycle Groups who I'll refer  
12 to as CMMG throughout my comments.

13 As outlined in our application for  
14 intervention, CMMG is a non-profit volunteer-run  
15 organization. CMMG has participated in the General  
16 Rate Application for over thirty (30) years and  
17 advocates for the interests of motorcycle riders  
18 throughout the Province of Manitoba.

19 As in previous years, my client intends  
20 to focus their intervention primarily on the issues  
21 that have a direct impact on motorcycle riders in  
22 terms of safety and rates. But CMMG will also take an  
23 interest in some issues that have a more broad impact  
24 on their members as customers of MPI.

25 MPI is coming before the Board this

1 year with a novel application in terms of methodology  
2 and approach to the rate indication. As outlined in  
3 the Application, the Corporation is seeking approval  
4 of a rate indication that is not supported by Accepted  
5 Actuarial Practice, or AAP, and while a lower rate  
6 indication may be initially attractive, CMMG questions  
7 the reliability and fairness of a rate indication that  
8 is not grounded in actuarial principles.

9                   Further, CMMG has concerns regarding  
10 the proposed ten dollar (\$10) increase to the license  
11 registration premium which represents a permanent  
12 future cost for ratepayers moving forward.

13                   While CMMG is supportive of affordable  
14 vehicle insurance rates for Manitobans, my clients are  
15 perplexed by the rationale for this rate request and  
16 the evidentiary basis for same. CMMG intends to  
17 examine and test MPI's methodology for the rate  
18 indication being sought.

19                   While affordable -- affordable rates  
20 are integral for motorists in -- in Manitoba, the  
21 Corporation is providing an insurance product and must  
22 ensure its financial reserves are sufficient to pay  
23 claims liabilities.

24                   CMMG has been a strong proponent of  
25 changes to the current Driver Safety Rating system

1 over the last few rate applications. The Board has  
2 held MPI to account on this issue and ordered  
3 adjustments to the rating scale to bring the system  
4 closer to the actuarially indicated rates.

5 CMMG continues to have concerns about  
6 cross-subsidization in the system. This year, MPI  
7 seeks approval from the Board to essentially backtrack  
8 on Orders from previous years in transitioning the  
9 discounts towards more accurate rates.

10 CMMG is concerned to see this proposal,  
11 and will be examining the basis of this issue  
12 concurrently with the examination of the overall rate  
13 indication.

14 While the Board has ordered gradual  
15 shifts to more and more appropriate rates for the DSR  
16 system, CMMG continues to have concerns regarding the  
17 Basic insurance model.

18 My clients have previously advocated in  
19 support of a transition to the model based on a  
20 primary driver of the vehicle as opposed to the  
21 current registered owner model. My client remains  
22 concerned over the progress being made in this regard.

23 The Corporation has demonstrated a  
24 history of stalling the process of transition towards  
25 a new Basic insurance model. The most recent stepback

1 relates to the collection of driver data to facilitate  
2 accurate forecasting calculations for the impacts of a  
3 prospective model.

4 CMMG has participated in the  
5 stakeholder engagement regarding the current and  
6 ongoing public survey that is in process, and CMMG is  
7 cognizant that a similar survey was completed in 2019.  
8 At that time, Interveners raised various concerns  
9 regarding the information shared with participants in  
10 that survey process.

11 CMMG will continue to be diligent with  
12 respect to the data being collected by MPI in  
13 providing feedback regarding that. Without an  
14 informed participant population, my client is  
15 concerned that the results will be skewed towards  
16 maintaining the status quo despite evidence within the  
17 hearing records that alternative models provide more  
18 actuarially reliable results.

19 In this year's Application and hearing  
20 process, CMMG will continue its examination of the  
21 investment strategy employed by the Corporation. CMMG  
22 will test MPI's investment decisions with a specific  
23 focus for how those decisions impact the overall  
24 health of the Corporation and, by extension, the  
25 capital required to be collected by MPI to satisfy

1 claims expenses.

2                   With more prudent investment decisions,  
3 customers would be required to pay less for their  
4 premiums. While it has been several years since the  
5 last Asset-Liability Management Study, there continue  
6 to be ways that MPI can improve their investment  
7 policy to promote success in their investment returns.

8                   The subject of road safety will be an  
9 important area of examination for CMMG in this  
10 application. The Corporation has taken on some new  
11 initiatives in the road safety sphere, and CMMG will  
12 evaluate the effectiveness of those road safety  
13 strategies.

14                   CMMG is concerned with the lack of  
15 progress that the Corporation has made towards  
16 creating an accessible platform to share statistical  
17 data with members of the public. CMMG raised these  
18 concerns in the road safety technical conference, and  
19 specifically the importance of accessibility of the  
20 data for CMMG's membership, as well as other  
21 organizations.

22                   CMMG believes that this is an issue  
23 that requires more focussed attention and resources to  
24 allow the valuable data held by MPI to be shared and  
25 used more widely.

1                   The Corporation has also provided plans  
2 for completion of a motorcycle-focussed study. The  
3 study was identified to be underway this fall, and  
4 CMMG intends to participate and collaborate with MPI  
5 for the purpose of that study and looks forward to the  
6 results being available for the -- before the end of  
7 the year for discussion in future GRAs.

8                   Before concluding, I'll file the  
9 following exhibits on behalf of CMMG:

10                   CMMG-1, the Coalition of Manitoba  
11 Motorcycle Groups Intervener Application, dated July  
12 10th, 2024;

13                   CMMG-2, the curriculum vitae for expert  
14 consultants Jason Wong and Valter Viola, dated July  
15 10th, 2022 -- sorry, 2024.

16                   CMMG-3, CMMG Intervener's cost  
17 estimate, dated July 10th, 2024;

18                   CMMG-4 is the CMMG Round 1 Information  
19 Requests numbers 1 to 13;

20                   CMMG-5 is CMMG Round 2 Information  
21 Requests numbers 1 to 3;

22                   and CMMG-6 is CMMG and CAC Intervener  
23 Information Requests.

24                   And subject to any questions, that  
25 concludes the opening statements for the Coalition of

1 Manitoba Motorcycle Groups.

2 PANEL CHAIRPERSON: Thank you, Ms.  
3 Meek. Any questions?

4

5 (BRIEF PAUSE)

6

7 PANEL CHAIRPERSON: Ms. Nelko...?

8

9 OPENING SUBMISSIONS BY THE TAXI COALITION

10 MS. SHARNA NELKO: Good morning, Madam  
11 Chair, Board Panel members, Board staff, legal  
12 counsel, advisors, MPI representatives, Interveners,  
13 and members of the public.

14 Again, my name is Sharna Nelko, and I  
15 appear on behalf of the Taxi Coalition. Not with me  
16 here today but also acting on behalf of the Taxi  
17 Coalition is my colleague, Karen Wittman.

18 I'd like to start off my opening  
19 remarks this morning by thanking the Board for  
20 allowing the Taxi Coalition to participate again in  
21 this year's hearing.

22 By way of background, the Taxi  
23 Coalition is a coalition of two (2) independently  
24 operated taxi companies: Duffy's Taxi and Unicity  
25 Taxi; both provide service in Winnipeg and the

1 surrounding areas and have been doing so for over  
2 sixty (60) years.

3 Together, they have a combined fleet of  
4 approximately five hundred (500) vehicles and  
5 represent 80 percent of the taxicab Vehicles for Hire  
6 in the province and 22 percent of the accessible  
7 Vehicles for Hire in Manitoba. And they're  
8 collaborating for the purposes of intervention in  
9 these proceedings on issues of common concern.

10 To ensure that there's broad  
11 representation of taxi Vehicle for Hire interest in  
12 these proceedings, the Taxi Coalition remains in  
13 contact with and consults with smaller taxi dispatch  
14 companies throughout the province.

15 As the Board is aware from our  
16 submissions for Intervener status, and given that no  
17 Vehicle for Hire framework has been put forward for  
18 approval, the Taxi Coalition has taken a very focussed  
19 approach to its intervention this year.

20 The Taxi Coalition has taken full  
21 advantage of the discovery process and thanks, in  
22 part, to MPI's fulsome responses to the Taxi  
23 Coalition's Information Requests, much of the  
24 information sought by the Taxi Coalition in this  
25 year's GRA has already been provided, with the result

1 that the Taxi Coalition's intervention in the oral  
2 hearing this year will be narrower than in past GRAs.

3           With respect to the oral hearing, the  
4 Taxi Coalition intends to address and examine two (2)  
5 key areas. The first relates to Vehicle for Hire, and  
6 in particular, the promotion of fairness and  
7 transparency within the Vehicle for Hire industry, as  
8 well as MPI's plans for a future Vehicle for Hire  
9 framework.

10           In last year's GRA, a Transportation  
11 Network Company, or TNC, blanket policy was proposed,  
12 and ultimately rejected by the Board due to one (1) of  
13 the TNC's unwillingness to share its data it deemed  
14 confidential. The data was used to derive the per-  
15 kilometre rate, which is the rate upon which the  
16 pricing of the entire blanket policy was based.

17           The blanket policy was initially  
18 presented as theoretically available to all Vehicle  
19 for Hire stakeholders, but nothing was presented in  
20 last year's GRA to allow the Board or the Taxi  
21 Coalition to consider how that would be made possible.

22           The prospect of a future Vehicle for  
23 Hire framework and, in particular, a blanket policy  
24 that would be workable for taxi Vehicle for Hire and  
25 other non-TNC stakeholders remains of great interest

1 to the Taxi Coalition. And the Taxi Coalition had  
2 hoped to see some sort of proposal in this year's GRA.

3 We know, however, that this year no  
4 revived Vehicle for Hire framework or blanket policy  
5 has been put forward. And the absence raised a number  
6 of questions for the Taxi Coalition about MPI's future  
7 plans.

8 The Taxi Coalition similarly remains  
9 interested ensuring that there -- in ensuring that  
10 there's transparency and fairness within the Vehicle  
11 for Hire industry as it relates to premiums charged  
12 and insurance products offered, particularly, given  
13 the changing landscape of the Vehicle for Hire  
14 industry in the province.

15 Since the initial introduction of  
16 transportation network companies, there has been a  
17 steady increase in passenger Vehicle for Hire insured  
18 vehicles year after year, with their numbers having  
19 almost doubled since their initial introduction.

20 The number of taxi Vehicle for Hire  
21 insured vehicles, on the other hand, have not  
22 increased and, instead, have remained relatively  
23 consistent.

24 The Taxi Coalition, therefore, intends  
25 to ask questions at a high level testing this

1 transparency and fairness, particularly with respect  
2 to MPI's treatment of passenger Vehicle for Hire as  
3 compared with other Vehicle for Hire stakeholders due  
4 to the inherent differences in business models.

5           We also note that MPI has made  
6 reference to the possibility of a Vehicle for Hire  
7 technical conference. The Taxi Coalition believes  
8 that a technical conference would be beneficial to its  
9 members, as well as the Vehicle for Hire stakeholder  
10 industry generally as it will provide a forum to  
11 discuss Vehicle for Hire related issues and future  
12 product development directly with MPI outside of the  
13 GRA process.

14           The Taxi Coalition hopes that a  
15 technical conference can be scheduled in the coming  
16 year.

17           The second area of focus for the Taxi  
18 Coalition relates to the minimum credibility used as  
19 part of MPI's ratemaking methodology. In response to  
20 Directive 10.5 from the Board Orders -- the Board's  
21 Order following last year's GRA, MPI presented tables  
22 showing the spread and new relativity changes using  
23 different minimum credibilities.

24           Ostensibly based on this analysis, MPI  
25 has indicated that the judgmentally selected 10

1 percent minimum credibility should not be changed.

2                   The Taxi Coalition intends to examine  
3 and challenge MPI on whether its analysis allows the  
4 Board to properly consider the impact or feasibility  
5 of a potential increase to the judgmentally selected  
6 10 percent minimum credibility.

7                   Now, with respect to exhibits, already  
8 marked, I believe, is Taxi Coalition 1, the Taxi  
9 Coalition's Intervener application.

10                   As Exhibit 2, I'd like to mark the Taxi  
11 Coalition's Round 1 Information Request dated July  
12 23rd, 2024.

13                   As Taxi Coalition Exhibit 3, I'd like  
14 to mark Taxi Coalition Round 2 Information Request  
15 dated August 26, 2024.

16                   And finally, as TC-4, I'd like to mark  
17 the Taxi Coalition pre-ask questions dated October  
18 3rd, 2024.

19                   And in closing, we would like to thank  
20 the Board again for the opportunity to participate in  
21 this year's Hearing and to contribute to the Board's  
22 determination of just and reasonable rates.

23                   Subject to any questions from the  
24 Board, this concludes our opening remarks.

25                   PANEL CHAIRPERSON: Thank you. Any

1 questions? Mr. Monnin...?

2

3 OPENING SUBMISSIONS BY BIKE WINNIPEG:

4 MS. CHRISTIAN MONNIN: Thank you,  
5 Madam Chair, Members of the Board. Bike Winnipeg is  
6 pleased to have been given the opportunity to again  
7 participate as an Intervener in the -- in this most  
8 recent Manitoba Public Insurance General Rate  
9 Application.

10 Bike Winnipeg's intervention follows on  
11 its participation in the Public Utilities Board  
12 technical conference on the state of road safety in  
13 Manitoba which was held on June 10th and June 11th,  
14 2024.

15 As has been directed by this Board, the  
16 technical conference was wide ranging and covered  
17 MPI's road safety priorities, programming, and budget.

18 Bike Winnipeg maintains of the view  
19 that while the road safety technical conference is a  
20 useful tool in the overall toolbox, it's important to  
21 ensure that this Board and, indeed, all participants  
22 do not lose sight of the road safety issues.

23 While Bike Winnipeg is not wavering  
24 from its support of the technical conferences, nor is  
25 it wavering from its commitment to continue to work

1 collaboratively with Manitoba Public Insurance on the  
2 issue of road safety, it is imperative that these  
3 issues remain part of the General Rate Application to  
4 ensure the Board remains part of the formal regulatory  
5 process -- pardon me -- to ensure that road safety  
6 remains part of the formal regulatory process to  
7 establish, monitor, and to enforce standards as only  
8 this Board can do within the context of a General Rate  
9 Application.

10                   In that regard, as is noted in the  
11 report flowing from the technical conference, the  
12 purpose of which is to have a nonbinding roundtable  
13 discussion format that does not go within this Board  
14 within the context of General Rate Application.

15                   The importance of this fact is  
16 heightened given that Manitoba Public Insurance is on  
17 the cusp of bringing forward its revised road safety  
18 strategy.

19                   Bike Winnipeg recognizes that there  
20 have and remain despaired views regarding the  
21 appropriateness to combine discussions of road safety  
22 issues and budgeting when it comes to the issue of  
23 rate setting.

24                   These have not always coexisted  
25 comfortably but remains important and necessary that

1 these discussions are pursued here and directions are  
2 given by this Board.

3           On the one hand, Bike Winnipeg submits  
4 that this is the case because road -- road safety is  
5 part of Manitoba Public Insurance mandate and it  
6 cannot be regulated to a purely nonbinding process,  
7 such as a technical conference.

8           This must remain the case for the  
9 simple reason that that work is important and aims to  
10 save lives.

11           Here I pause to note that what flowed  
12 from the technical conference is an acknowledgment  
13 that following the COVID-19 pandemic there has been an  
14 increase in the number of fatalities through 2023;  
15 that number is a hundred and sixteen (116)  
16 individuals.

17           While it's suggested that the number of  
18 fatalities is particularly high in 2023 due to the  
19 accident in Carberry which claimed the lives of  
20 seventeen (17) people, at the technical conference, in  
21 -- in its report it was recognized that the trajectory  
22 still shows the fatality trend in increasing.

23           In that regard, in 2022, the number of  
24 motor vehicle fatalities in Manitoba jumped 23 percent  
25 from 2021 while in Canada it was up 6 percent.

1                   Bike Winnipeg recognizes that road  
2 safety's indeed multifaceted and involves multiple  
3 stakeholders with challenging emerging issues.  
4 However, Bike Winnipeg will suggest there needs to  
5 some cornerstones or anchors within that context of  
6 the overarching road safety considerations.

7                   One (1) such anchor must be a  
8 commitment to Vision Zero as it relates to Manitoba  
9 Public Insurance's road safety strategy.

10                   As has been previously noted by this  
11 Board in Board Order 4/'23, the Board echoed the  
12 concern raised by Bike Winnipeg, that while Manitoba  
13 Public Insurance's previous road strategy at the time  
14 held a commitment to increasing road safety efforts  
15 until there was no more fatalities in Manitoba, that  
16 concern remains persistent today.

17                   As noted by Bike Winnipeg during its  
18 most recent -- during the most recent technical  
19 conference, from its perspective, there has been a  
20 large staff turnover at MPI and the inclusion of the  
21 Road Safety Division now being part of loss  
22 prevention.

23                   There is a concern regarding the impact  
24 of which a loss prevention lens can have on road  
25 safety programming. While it may be easier, or even

1 preferable, to suggest that we should only focus on  
2 line items in a budget or a balance sheet as they --  
3 as they relate to the rate setting process, it is  
4 important not to lose sight of the fact that these  
5 hearings can and should lead to a collective goal of  
6 saving lives and baking in Vision Zero on road safety  
7 programming.

8                   The concern that Bike Winnipeg  
9 manifests here is fed by MPI's express goal for its  
10 road safety strategy is to achieve a downward trend in  
11 fatalities and serious injuries aiming to be below the  
12 national average.

13                   By no means is this last comment meant  
14 to be flippant or meant to minimize that goal, but  
15 it's incumbent upon all of us and, in particular,  
16 Manitoba Public Insurance, to aim for a future where  
17 Manitoba traffic fatalities and serious injuries are  
18 reduced to zero.

19                   In brief compass, Bike Winnipeg's  
20 intervention will touch upon the four (4) common  
21 themes which it general brings forward:

22                   The optimize -- the optimum size of  
23 MPI's road safety budget and whether it's sufficient  
24 to enable significant reduction in the costs to MPI  
25 injuries to vulnerable road users in the short and

1 long-term;

2                   The adequacy of Manitoba Public  
3 Insurance road safety prevention programs with respect  
4 to fatal and severe injury of vulnerable road users;

5                   The quality and clarity of Manitoba  
6 Public Insurance data collection analysis and  
7 accessibility regarding collisions in particular  
8 involving road -- vulnerable road users;

9                   And to assist the Public Utilities  
10 Board in understanding considering the issues and  
11 matters flowing from and addressed within a technical  
12 conference and MPI's filing.

13                   Now, from a practical perspective what  
14 does this mean? Take into account the lessons learned  
15 at the road safety technical conference; the following  
16 ought to be kept in mind.

17                   Manitoba Public Insurance stressed the  
18 importance of road safety as part of its vision and  
19 mission and taking the opportunity to listen to  
20 stakeholders, employees, and customers.

21                   There's a shared concern about  
22 increased risk on Manitoba's roads and with more  
23 vehicles, and MPI can and should play a bigger role  
24 and a bigger part in reducing that risk.

25                   During the technical conference

1 stakeholders asked about the process and opportunities  
2 to provide input into the development of the next  
3 iteration of Manitoba's road safety strategy. This  
4 must be pursued and must be acted upon.

5                   While MPI is still articulating its  
6 planning process for the road safety strategy, the  
7 early 2026 timeline for approval and adoption, there  
8 is a need to develop a planning approach in the near  
9 future in order to -- able to accommodate stakeholders  
10 in the consultation process.

11                   In addition, the need for stakeholders  
12 to have the latest data available to facilitate their  
13 own analysis which is essential for the substantial  
14 input in the process.

15                   MPI is consistent that it will proceed  
16 in a data-driven manner as it come -- as it relates to  
17 road safety; therefore, the quality and timeliness of  
18 that data is therefore of utmost importance.

19                   Providing data that's usable, timely,  
20 and accurate needs to be the focus of Manitoba Public  
21 Insurance as relates to road safety.

22                   Ongoing discussions, ongoing engagement  
23 with stakeholders should clarify how Vision Zero  
24 framework must be integrated into Manitoba Public  
25 Insurance road safety strategy and plan.

1                   As is done in the past, Bike Winnipeg  
2 intends to participate in these proceedings in a  
3 reasonable and cooperative manner with the other  
4 Interveners, and particularly, those with similar  
5 objectives.

6                   Bike Winnipeg will ensure to make every  
7 effort to ensure that its participation is not unduly  
8 repetitive and does not overlap with other  
9 Interveners.

10                  On that point, while I'm personally  
11 pleased to be here today and back in the hearing room  
12 before the Board and with all these known and new  
13 colleagues, keeping in mind the limited scope of Bike  
14 Winnipeg's intervention and its corresponding  
15 proportionality, the Board will not be seeing me every  
16 day.

17                  As in the past, I intend to be present  
18 only when matters relevant to the scope of our  
19 intervention are being considered.

20                  And subject to any questions that the  
21 Board may have, this will conclude Bike Winnipeg's  
22 opening comments. Thank you, Madam Chair.

23                  PANEL CHAIRPERSON: Thank you.  
24 Questions? Thank you. That concludes the opening  
25 remarks for this morning, so we will break now until

1 one o'clock, at which time, the public presenters will  
2 commence. Thank you.

3

4 --- Upon recessing at 11:12 a.m.

5 --- Upon resuming at 12:59 p.m.

6

7 PANEL CHAIRPERSON: Good afternoon,  
8 everyone. Before we get started with the public  
9 presentations, Mr. Andres, I believe you have  
10 something to put on the record.

11 MR. TODD ANDRES: I do. Thank you,  
12 Madam Chair. Just an opportunity to read into the  
13 record the most recent exhibit which was just  
14 published on the record.

15 It's PUB Board Order number 122/'24,  
16 Order requiring that Manitoba Public Insurance produce  
17 the multiyear strategic plan approved by its Board of  
18 Directors on October 18, 2024, and the 2025 General  
19 Rate Application issued October 21, 2024.

20 Thank you, Madam Chair.

21

22 --- EXHIBIT PUB-18: PUB Board Order number 122/'24,  
23 Order requiring that Manitoba  
24 Public Insurance produce the  
25 multiyear strategic plan approved

1 by its Board of Directors on  
2 October 18, 2024, and the 2025  
3 General Rate Application issued  
4 October 21, 2024.

5  
6 PANEL CHAIRPERSON: Thank you. We'll  
7 now proceed with the public presentations. I believe  
8 we have Mr. Dugdale on Teams. Is that correct?  
9 Please --

10 MR. FRED DUGDALE (by TEAMS): Yes.

11 PANEL CHAIRPERSON: -- proceed, Mr.  
12 Dugdale.

13

14 PUBLIC PRESENTATIONS

15 MR. FRED DUGDALE (by TEAMS): Okay. I  
16 had submitted several documents which would be lengthy  
17 to put in the presentation. When you're looking at  
18 rates, I understand that's very important, but my  
19 concern moves more to what those rates provides in  
20 terms of services and coverage for personal injury  
21 claims.

22 When a person has had an injury and  
23 they get a diagnosis, that diagnosis is submitted  
24 along with the claim information. In the case of  
25 brain injury, which is my claim, there was I guess

1 questions as to, you know, how this can be found. A  
2 lot of testing that was available at the time was not  
3 conclusive, but there are a lot of things that point  
4 to that.

5                   And so, you know, when I came forward  
6 with that, my claim was denied. And as I've said in  
7 the past, my concern becomes how do we get a diagnosis  
8 that's acceptable to Manitoba Public Insurance. And  
9 to this point, I have not been told how I can proceed  
10 and get what they will accept.

11                   Part of the documentation that I  
12 provided shows that over time, different things have  
13 been done. And currently, there are studies being  
14 conducted on treatment but really nothing that is  
15 pointing to how we get the diagnosis. Without the  
16 diagnosis, we can't get approval. Without approval,  
17 we can't move to any of the -- the treatments, and so  
18 that's where things get hung up.

19                   So, really, you know, I -- I don't want  
20 to be labourous, so that is my -- my main -- my main  
21 question. And I'm hoping that Manitoba Public  
22 Insurance will address that so that myself, and  
23 others, and people in the future won't have the same  
24 problem in being excluded.

25                   So, that's basically what I wanted to

1 say. It's not a very long presentation.

2 PANEL CHAIRPERSON: Thank you, Mr.  
3 Dugdale. Well, do the Board members have any  
4 questions? Mr. Gabor...?

5 BOARD CHAIR GABOR: Mr. Dugdale, thank  
6 you for the presentation. I -- I take it that you  
7 went through the entire MPI process and the appeal  
8 process?

9 MR. FRED DUGDALE (by TEAMS): Well, I  
10 went up to the point where there was nothing more that  
11 -- that I could give them that would prove the point.  
12 And, at that stage, you know, how do you move ahead  
13 when they're rejecting whatever you've given them and  
14 there is no indication of how to provide what they do  
15 want or what they would accept?

16 And so, I basically stopped at that  
17 point, saying, you know, please let me know what I can  
18 do or what -- you know, what tests, what other things  
19 can be done.

20 And there are many like me in that  
21 situation. Some have gone all the way through. I've  
22 -- I've sat in on some of the AICAC stuff, and the  
23 same thing kind of just gets brought forward each  
24 time. Whatever level you go to, unless you can  
25 provide something, it -- it pretty much stops there.

1 BOARD CHAIR GABOR: But from what you  
2 said, it sounds like you gave them information. They  
3 said it's not good enough. But they wouldn't tell you  
4 what information would be good enough.

5 Is -- is that what you're --

6 MR. FRED DUGDALE (by TEAMS): That's  
7 basically --

8 BOARD CHAIR GABOR: -- suggesting?

9 MR. FRED DUGDALE (by TEAMS): That's  
10 basically it. I mean, you go to your doctors. They  
11 refer you to a neurologist. The neurologist does a  
12 report. There was a six (6) page one from the last  
13 one that I was at. And that goes forward.

14 I was also involved in the study that  
15 is in that material I gave you for repetitive  
16 transcranial magnetic stimulation. And the -- the  
17 thing there is, is you wouldn't get accepted into that  
18 study unless you had the condition that qualifies you  
19 to participate.

20 You know, I don't know what else I can  
21 do. It -- it is common knowledge that a lot of  
22 problems with the brain cannot be identified through  
23 your average testing; CT scans, and MRIs, and such.

24 So, you know, in that material, I -- I  
25 showed that there were some tests that had been

1 developed more recently. Unfortunately, those tests  
2 are blood related and they require a very timely use  
3 of that test.

4 In fact, Abbott was approved by the FDA  
5 down in the States, but, again, it requires that those  
6 tests be done shortly after the injury. A lot of us  
7 don't have -- how's a good way to put it. We don't  
8 have the ability at the time maybe to understand that.  
9 And in my case, and in many other people's cases, we  
10 were well before these tests.

11 But there were other biomarkers that  
12 are available and could well indicate -- as -- as my --  
13 -- my dental claim went, the dental people that I were  
14 -- was dealing with said, Well, you know, how can they  
15 say that nothing would happen to the brain when so  
16 much damage was done to your dental and the distance  
17 between your jaw and your brain is, you know, what,  
18 four inches?

19 So, you know, it -- it gets a little  
20 confusing when part of what you're talking about is  
21 being approved and -- and other parts aren't.

22 So, you know, that's -- that is the  
23 problem. And I think that's something that needs to  
24 be addressed because, you know, there's -- there's got  
25 to be a way to find some common ground that says, you

1 know, we will accept up to this point.

2 BOARD CHAIR GABOR: Okay. Thank you.

3 Thank you, Mr. Dugdale.

4 MR. FRED DUGDALE (by TEAMS): Okay.

5 PANEL CHAIRPERSON: Ms. Nemec...?

6 BOARD MEMBER NEMEC: Thank you. My  
7 question is, Mr. Dugdale, how long is that process and  
8 is your claim -- is your file still open, or is -- I'm  
9 just wondering on the length of your process.

10 MR. FRED DUGDALE (by TEAMS): Well, I  
11 mean, my -- my accident was in September of 2000. It  
12 took time before we realized that these symptoms were  
13 not going away. Quite often, you move from concussion  
14 to what is called post-concussion, and that is when  
15 your symptoms persist.

16 At that point, you -- you know, you --  
17 you get your testing done. I mean, there were vision  
18 issues. There were auditory issues. There were a  
19 number of other issues that were all identified.

20 And to qualify to be in that study,  
21 which was funded by MPI and finished up in 2015, I was  
22 -- I was tested, including a device that's called --  
23 it's called an E VESTG, V-E-S-T-G. And your head is  
24 wired up with electrodes. You're put through a number  
25 of tests, and you come out with a graphed printout and

1 all this which they analyze. And they come back with,  
2 Yeah, you -- you know, you meet all the criteria.

3                   So, you know, if they would accept  
4 that, then, you know, I -- I certainly could -- could  
5 proceed. But none of these things get identified and  
6 you can't seem to find out exactly how to prove that  
7 you have what you have.

8                   BOARD MEMBER NEMEC: Thank you very  
9 much.

10                   PANEL CHAIRPERSON: Thank you very  
11 much for your presentation, Mr. Dugdale.

12                   Mr. Gabor, I believe you want to state  
13 something on the record.

14                   BOARD CHAIR GABOR: So the -- the next  
15 presenter, as I understand it, is Mr. McKernan, and I  
16 just want to put it on the record that Mr. McKernan  
17 and I have known each other for about thirty (30)  
18 years. And before I became a recovering lawyer and  
19 took the position on the Board, I was practising law,  
20 and we did a number of projects together.

21                   But I -- I would indicate for the  
22 record that Mr. McKernan and I have not spoken in  
23 probably five (5) or six (6) years, and I certainly  
24 have not spoken to him about the matter that he's  
25 bringing forward today. But I -- I thought I should

1 put that on the record.

2 PANEL CHAIRPERSON: Thank you, Mr.  
3 Gabor. Mr. McKernan, would you please proceed?

4 MR. MIKE MCKERNAN: Good afternoon. I  
5 am happy that Mr. Gabor stated the -- the  
6 relationship. I would have had he not.

7 I'm a reluctant witness here. I -- I'm  
8 engaged in something I didn't choose to become  
9 involved in. I'm a retired environmental regulatory  
10 specialist, worked for four (4) decades in a variety  
11 of due-diligence processes.

12 And I became engaged when a former  
13 client of mine was rear ended by a loaded semi trailer  
14 and suffered a traumatic brain injury eight (8) years  
15 ago. And I reluctantly began to help him organize  
16 information as he tried to understand what was  
17 happening with his body and his mind.

18 That happened two thousand eight  
19 hundred and eighty-five (2,885) days ago, and he's  
20 still suffering just like Mr. Dugdale is, and a wide  
21 variety of other people. Manitoba Public Insurance  
22 Corporation's own website tells you there are hundreds  
23 of people that have what they call moderate traumatic  
24 brain injury.

25 Every year a study in Saskatchewan

1 suggests it's -- it's hundreds to thousands of people,  
2 and traumatic head injuries are regarded by a lot of  
3 people in the medical community as a silent epidemic.

4                   So, I became involved to help this  
5 friend of mine. I found his personality had changed.  
6 His international career was damaged and then lost.  
7 His relationship with his friends, his wife changed.

8                   As a one-time favour, I'm now here  
9 eight (8) years later trying to advocate, which is  
10 something for four (4) years I tried not to do. I  
11 tried to be the impartial scientist, and I'm now  
12 trying to advocate for people like those people you  
13 just heard.

14                   So, I'm going to try to talk about  
15 information that I was provided that I have gathered  
16 that is evidence to me that the way in which the brain  
17 injured are treated by the public utility is less than  
18 adequate.

19                   And that represents a hidden subsidy to  
20 the general rate structure. And the argument would be  
21 that they deserve to be treated the same way the rest  
22 of us, who benefit from that subsidy, are treated.

23                   So, I'm going to try to set out  
24 examples of what I mean by that; how this kind of  
25 systematic processing of head trauma claims happens.

1 I will touch upon one (1) case in particular, the man  
2 I became engaged to try to help with, and I'm going to  
3 try to provide an indication -- by no means the extent  
4 -- of the evidence that I have found to support those  
5 statements.

6                   And in the end, I hope that I'll reach  
7 you with some ideas about what to do. How can we make  
8 this process better for this constituency of people?  
9 So could I have the first slide, please.

10                   I've used a rather provocative  
11 statement as a title. It is well reflected by what  
12 Mr. Dugdale said. People give up. They're hurt and  
13 they're damaged, and they're confronted by a complex  
14 bureaucracy, and they are bureaucratized into  
15 submission. And they almost all submit.

16                   My friend is one of those rare,  
17 extremely obstreperous, frustratingly determined  
18 people that won't stop, and he's very rare. But there  
19 are many other people that can't do that and can't  
20 appear before you, so I'm trying to speak poorly on  
21 their behalf, and I have no mandate to. I have no  
22 mandate for anybody. I'm just one (1) concerned  
23 citizen. Next slide.

24                   So how does this relate to rate  
25 structures? We know that the Utility's very cost

1 conscious. We want them to be cost conscious. It's  
2 their job.

3                   But when there are surpluses that are  
4 being talked about by the government, there's an  
5 unspoken truth about one (1) way in which those  
6 surpluses arise, and that has to do with costs being  
7 so relentlessly driven down that one (1) group of  
8 people, in my submission, is very poorly treated, is  
9 under-treated, under-diagnosed, under-compensated,  
10 under-rehabilitated. Next slide.

11                   So, I would say, to try to put it in  
12 perspective, what if it was somebody we loved? What  
13 if it was my mother, your child? Would this kind of  
14 excessive cost-cutting focus fly? I don't think it  
15 would.

16                   And I think most of us are entitled to  
17 believe, because we are engaged with a monopoly  
18 corporation with whom we have no choice, that if we  
19 get hurt or somebody we love gets hurt, that they're  
20 going to receive the kind of care that that mandate,  
21 in law and in policy, has been created for them.  
22 Next.

23                   I don't think that that's happening,  
24 and I'm going to try to show you why. Just a little  
25 bit of background. You know that there have been a

1 lot of injuries of this type. There are thousands of  
2 claims likely in the last couple of decades about  
3 people who suffered head trauma.

4 The website, as I say, says there's  
5 something like a hundred and twenty-five (125) cases a  
6 year. There's actually somewhere between two thousand  
7 (2,000) and seventeen thousand (17,000) cases a year,  
8 depending on the data that you look at. Next slide.

9 There is a very firm legal framework  
10 for some of these arguments. There are requirements  
11 under the Canadian Charter to make sure that people  
12 are entitled to life, liberty, and the security of the  
13 person.

14 Section 15 sets out a basis for  
15 preventing discrimination on the basis of physical  
16 disability, and that includes brain injury. We have  
17 coverage for the same kind of right under the Manitoba  
18 Human Rights Code, and the Act itself talks about  
19 returning people, as much as possible, to their normal  
20 pre-accident capacities.

21 That's a lofty goal. It's an admirable  
22 goal. My submission is, for one class of insured  
23 people, that is not happening. Next.

24 It's important to understand, if you've  
25 seen thousands of claims about head injury, that the

1 average civil servant is an intelligent person and  
2 they know the typical range of effects.

3           If you're rear ended by a semi and  
4 you're driven into a loaded truck in front of you,  
5 you're going to have a head injury. In that  
6 particular case, you're going to have a forward and a  
7 backward motion. The brain gets concussed twice in  
8 the case of my friend.

9           But anybody that has a traumatic brain  
10 injury from a vehicular accident is going to be  
11 subject to forces that are orders of magnitude higher  
12 than normal concussion from sports. That's a key  
13 distinction I need to keep emphasizing; orders of  
14 magnitude higher, hundreds of times higher.

15           Now, the administrators of the claims  
16 know these facts. They know what is typical, and they  
17 know the kind of claim that should happen from an  
18 injured person, but you had two (2) people just tell  
19 you were not well equipped, especially immediately  
20 after an accident, to represent ourselves, to ask for  
21 the right kinds of tests, to know what to proceed, to  
22 know what baselining we should be doing. Next.

23           So, does MPI help and administer these  
24 claims fairly? And I'm going to assert no, it  
25 doesn't. I would say, on the basis of what I've been

1 able to see -- and admittedly I've talked to maybe a  
2 half dozen individuals traumatized in this way fairly  
3 deeply about their cases, and that's an extremely  
4 small sample size of course -- but they all tell me  
5 the same thing.

6                   And people from the Manitoba Brain  
7 Injury have told me the same thing, and medical  
8 researchers have told me the same thing: these kinds  
9 of claims administration processes are a further form  
10 of victimization in many cases. And here's one of the  
11 ways it happens. There is no publication of the  
12 decision rules and the process that you can pick up  
13 and wave like what you have. You have a guidance  
14 manual so anybody coming in this room knows the  
15 process and how to prepare for it.

16                   But there's nothing like that, a Best  
17 Practices Manual, even for the civil servants who are  
18 administering the Act. And that's, in my assertion, a  
19 failure of due diligence.

20                   So, in the absence of that, then  
21 there's a need for some form of guidance. What form  
22 of guidance is consistently relied upon? Guidance  
23 from the professional sports industry, which has been  
24 partly discredited. The lead author having retracted  
25 papers but on the basis of charges plagiarism and

1 bias.

2                   And that guidance is selectively used  
3 in a very consistent way to saying no. To say if  
4 there is a diagnosis in any other way that accounts  
5 for the symptoms, you cannot say concussion.

6                   If you have a whiplash, you can't have  
7 concussion. That is a medically debunked non-fact,  
8 but it appears repeatedly in the decision making for  
9 head trauma cases.

10                   Here is the one illustration of some of  
11 the things I want to talk about. Next.

12                   I've mentioned that there is no  
13 guideline. One of the key things you'd see in a  
14 guideline is definitions. You heard people talk about  
15 post-concussion syndrome. What is that exactly? If  
16 there isn't a definition of terms that people can  
17 understand and rely upon on a consistent basis, then  
18 they can't figure out how to speak to the insurer  
19 because the insurer doesn't say what are the concepts  
20 we're talking about here. That's a key thing.

21                   They talk about the need for objective  
22 assessments when they use decision rules that are  
23 subjective. A balancing of probabilities in which the  
24 probability estimates are never presented and the  
25 balancing process is never explained is subjective.

1 You can't have it both ways.

2                   But it is the inconsistency in the  
3 selectivity in the decision making that makes you  
4 realize there is a persistent pattern here. And as  
5 you can tell, it's infuriating to people. It's more  
6 than many brain injured people can deal with, so they  
7 quit. And that human capital gets lost.

8                   One of the other ways is simply delay.  
9 What did I tell you? 2,885 (two thousand eight  
10 hundred and eight five) days per my friend. And he's  
11 still arguing. Fred Dugdale since 2000, still trying  
12 to figure out, how do we make this work for us? Delay  
13 is a big factor. Next.

14                   I won't go through this again. I've  
15 explained it. Next, please.

16                   So, this particular man, because he's  
17 extremely, stubbornly self-reliant. Didn't help  
18 himself, he didn't baseline. He didn't go and get  
19 checked immediately, he just looked after his wife and  
20 over the years, after a diagnosis, twenty-four (24)  
21 hours later of whiplash, and rejections of his claims,  
22 he's lived with that full litany of symptoms and more.

23                   And they are serious and they are  
24 important and they're - they're not easy to deal with  
25 on an ongoing basis, so they've affected his business,

1 his marriage, his personality, his career. Next.

2 He kept trying to understand. He saw  
3 his GP more than eighty (80) times. The GP is the  
4 only guy, out of twenty-three (23) specialists that  
5 have evaluated him, who had had personally the  
6 experience of concussion and knew what it was about,  
7 so he recommended a very broad spectrum of disciplines  
8 to help him figure it out. Why? Isn't it fairly  
9 straightforward? Doesn't it just go away? Next  
10 slide.

11 This is how complicated it is. There's  
12 twenty-one (21) specific risks here and statistics  
13 tell you what the risk is of psychological, physical,  
14 hormonal dysfunction of some kind after a traumatic  
15 injury.

16 Under the column of Odds Ratios, the  
17 only thing to understand is a number greater than 1.0.  
18 Any number more than 1.0 means unelevated risk. It's  
19 bad enough that it's 1.2 that's 20 percent more risk,  
20 or 1.6, that's 60 percent more risk. What you don't  
21 want to see is multiple of 1, 2, 3, 4, 6.

22 So, you get cardiovascular coronary  
23 heart disease 220 percent more risk, 2.2,  
24 endocrinology six (6) times the hormonal dysfunction  
25 of the adrenal gland.

1                   Go to the bottom. Neurological  
2 disorders, 3 times -- 3.4 times a risk of seizures, 3  
3 times more risk of dementia. How does that translate  
4 psychology?

5                   Look at the numbers up above. Bipolar  
6 disorder twice as much risk, schizophrenia 3 times as  
7 much risk, opioid and alcohol abuse risk, and the  
8 really big one, suicide risk 2.4 times. Yes, it's  
9 that simple, and it's that serious, and it's that  
10 complicated. Next.

11                   So, for seven (7) years we saw an awful  
12 lot of people trying to figure out what to do and how  
13 to fix himself, but there was a whole bunch of process  
14 based around denial. And that meant the diagnosis was  
15 limited; it was one (1) time from one (1) discipline.  
16 And once an initial rejection happened, and you heard  
17 if from Fred, all of the accumulating medical evidence  
18 that kept coming from him was rejected. Next.

19                   Lots of focus on vision and balance,  
20 neural ophthalmologists. Even asking for a pair of  
21 eyeglasses and training to fix what they call  
22 convergence dysfunction so he could stop getting  
23 migraine headaches wouldn't even pay for that. Next.

24                   What would they pay for? Well, they  
25 pay for Botox on the scalp because that'll help a

1 migraine, but somehow that's disconnected from your  
2 brain, that particular impact, so they don't recognize  
3 concussion.

4 Will pay for physiotherapy. Will pay  
5 for chiropractic and for attitude adjustment in  
6 psychological counselling. Next.

7 So, six hundred and eighty-eight (688)  
8 days after the accident he gets a partial  
9 neuropsychological examination. Twenty-eight (28)  
10 days later the claim is rejected. But Mr. Waito  
11 wanted to know what's going on and how do I fix  
12 myself, so he kept looking.

13 And the bottom line is there's a  
14 systematic accumulation of evidence that he submits  
15 and there's a systematic rope reliance on anonymous  
16 medical opinions that say insufficient information;  
17 this is not new information; this does not change the  
18 prior medical acknowledgment or diagnosis. No, no,  
19 no, no. Next.

20 So, here's four (4) years where one (1)  
21 doctor says no, two (2) doctors say yes, two (2) more  
22 doctors say yes to post-concussion syndrome, or to  
23 posttraumatic stress syndrome, or to concussion. But  
24 the one that said no was the only one that mattered.  
25 Next.

1                   Certain things were admitted. And you  
2 heard Fred said, Well, how come dental could be MVA  
3 related but an injury 4 inches away in the skull can't  
4 be? How can migraine be related but impairment of  
5 cognitive function can't be? It's logically  
6 inconsistent and medically it's incorrect.

7                   So, certain diagnoses are accepted, but  
8 certain things are not. And there's a systematic  
9 refusal to contemplate concussion -- that word is  
10 rejected most frequently -- post-concussion syndrome,  
11 and so much of it is because of reliance on sports  
12 medicine guidance. Next.

13                   How does this affect rates? Well,  
14 basically, it's one (1) systematic way of meeting the  
15 corporate need to drive costs down, to lengthen the  
16 duration of cases, to make cases go away. It's a  
17 combination of delay, obfuscation, complexity,  
18 obstinacy, systematic repeated disregards of  
19 accumulated medical evidence.

20                   It's easier and it's cheaper. And the  
21 argument, therefore, is it creates a form of subsidy  
22 for everybody else, for we fortunate people who've  
23 never had a brain injury. Next.

24                   They incentivize this by calling such  
25 cases complex cases. And in testimony before you

1 they've explained that because this creates risk to  
2 the corporate fiscal health.

3                   They incentivize getting rid of the  
4 claims quickly when the medical evidence is that head  
5 trauma impacts evolve, and they can take months to  
6 years.

7                   They cherry pick opinions when one (1)  
8 medical person reversed his opinion about whether  
9 Barry had had a cussion (sic). Initially he said he  
10 did. Then he said, You know, looking at some more  
11 evidence, I'm not sure. They accepted that.

12                   When another medical specialist said,  
13 you know, I previously said that wasn't MBA related,  
14 but now I see that it is, they rejected it. The  
15 pattern is clear. It's systematically focusing on  
16 denial.

17                   And I told you about balancing of  
18 probabilities. Not one (1), depending on how you turn  
19 the -- the (INDISCERNIBLE) medical opinion, between  
20 seven (7) or ten (10) of these judgments against his  
21 accumulating evidence has one (1) explanation of this  
22 decision making.

23                   And we heard our friends at Pilk  
24 (phonetic) talk about evidence-based decision making.  
25 Surely to goodness something is profoundly important

1 as the one (1) test that they say they use to  
2 administer these claims deserves to be explained.  
3 Next.

4                   This is the big one. They rely on the  
5 consensus group in sports, evolving sports medicine  
6 guidelines. It's been criticized for years as being  
7 biased in favour of "return to play."

8                   This is just some of the medical  
9 evidence I'm citing; it's pages long. This has become  
10 a guideline, but they don't acknowledge it. There's  
11 no statement anywhere why that is the -- the support  
12 to the decision-making rule. There's no medical  
13 explanation why it makes sense for them to use it.  
14 And even since the discreditation it's still being  
15 relied on. Next.

16                   They rely on outdated science. Some of  
17 it's still present in that guidance document, although  
18 to give it credit, it has evolved in some important  
19 respects.

20                   But as part of the cherry picking, when  
21 that CGIS group changed the requirement that you lose  
22 consciousness to have a concussion, that they no  
23 longer agree that that's a necessity, about six (6) of  
24 the medical opinions that my friend was subjected to  
25 all say didn't hit his head, didn't lose

1 consciousness, keeps repeating these outdated,  
2 debunked idea of definitions of concussion. Why?  
3 Because it's easy.

4                   There's so many times they use  
5 statements that the science community says are  
6 invalid. That doesn't bring credit on their process;  
7 it doesn't bring credit on the government. That's not  
8 being duly diligent in the discharge of administrative  
9 responsibilities. Next.

10                   One (1) of the ways is to -- in -- in  
11 addition to not using the current science, not using  
12 the current technology. You heard Mr. Dugdale talk  
13 about the fact that there are tests that are out there  
14 that are procedures, and MPI won't pay to go and have  
15 you examined if we don't have those technologies.

16                   We have standing or functional MRI in  
17 the province, but you can't get access to it because  
18 it's intended to guide surgery. So, why can't we get  
19 somewhere somebody to buy another one?

20                   I offered to create a fundraising  
21 mechanism. I talked to one (1) of the chief doctors  
22 at the -- the Pan Am Sports Clinic. He said, You can  
23 give us the money, but if the government doesn't give  
24 us the staff, it doesn't matter, so don't.

25                   They need technology, but there doesn't

1 appear to be a mechanism to find a way to fund getting  
2 to the state where we can diagnose people properly.  
3 And I -- I understand that's a sweeping  
4 generalization. I should back off from that a little  
5 bit. They're trying, but there's so much more that we  
6 need to do. Next.

7                   So, I ask you, when there's a surplus  
8 and you see some of these practices that have -- the  
9 only way that you can look at that information is to  
10 end up saying, Well, it all seems to go in one (1)  
11 direction to keep the costs down.

12                   There has to be an understanding that  
13 there's some injustice if that's the -- the foundation  
14 for that surplus. And I would hope that you would  
15 imagine that they can do better, that we can ask the  
16 Corporation to do better and to account to you for the  
17 fact that one (1) class of insured people do not  
18 appear to be getting the same level of care as the  
19 other classes, when you consider whether or not that  
20 surplus ought to be treated as such. Next.

21                   So, what -- what could you do? You're  
22 the last line to appeal to in matters of the rate  
23 structure for the insurance corporation. I've just  
24 mentioned, please, treat the idea of a surplus with  
25 some skepticism and ask the Corporation to be

1 accountable to you whether or not my assertion, the  
2 assertion of brain injured people, is credible. Next.

3 But there are some things that you  
4 could tell them to do. Tell them to come up with  
5 their own guidance, their own approach so that  
6 everybody will know what it is, for managing,  
7 assessing head trauma claims.

8 There are other systems out there.  
9 There's a Globe and Mail story just this weekend about  
10 Veterans Affairs in Ottawa. It's got warts and all,  
11 but it exists. Why don't we have one?

12 There's a guy at UBC that's an  
13 international authority on this subject. That's who  
14 I've cited. He could be asked.

15 Work with the Manitoba Brain Injury  
16 Association so you have more understanding of the  
17 risks to the -- the fiscal health of this insurance  
18 corporation that these underserviced people may  
19 represent. How big a problem is it?

20 Instruct them to use best practicable  
21 technologies -- not practical -- practicable  
22 technologies which is standard in many other  
23 industries. To have best practices, you need to use  
24 the best practicable technologies.

25 Make sure we have a legislative

1 framework that fits the current realities of what head  
2 trauma's all about. Next.

3                   One of the biggest things -- and you  
4 heard the last person, both of them victims -- there's  
5 no baselining requirements to help them figure out  
6 their -- their state within days, hours hopefully, of  
7 being injured.

8                   And when claims are processed and, in  
9 the case of my friends, get lost or misfiled for  
10 hundreds of days, the chance to even diagnose properly  
11 is lost. There are procedural problems that need to  
12 be fixed so the delays do not happen in the immediate  
13 time frames after accidents, and the claims  
14 administrators know that. So, the insurance  
15 corporation can do a better job to ensure such  
16 baselining. Next.

17                   A best practices guide -- I keep waving  
18 this -- this is just an example, a prop -- would help  
19 everybody. And there's people around who could help  
20 with knowledge to create it. Please ask them to  
21 explain their decision making.

22                   I echo the call for evidence-based  
23 decision making. What does balancing of probabilities  
24 actually do? How do you estimate the probabilities?  
25 In what conceivable way are you balancing them?

1 Help the MBIA or the research community  
2 create some new metrics. They're out there. Other  
3 jurisdictions already use a bunch of new metrics, but  
4 we are not.

5 The need is to make sure the claims  
6 processing process is more fair and more equitable and  
7 reduce or even stop this relentless focus on speed.  
8 This class of people's injuries is unavoidably denied  
9 and minimized if the overarching emphasis on claims  
10 administration is speed. Next.

11 So, thanks. I'm sorry I took too long,  
12 and I'm sorry I spoke too bluntly. I suppose I tend  
13 to do that, but I think we all want to be on the side  
14 of the angels. There's clearly a need to do better,  
15 and there's a lot of ways where progress could be  
16 made.

17 I think the staff of MPI are great  
18 people. They've got a tough, tough job. I'm not sure  
19 I could do it (INDISCERNIBLE). But I think their  
20 hands are tied through a bunch of perverse incentives,  
21 and absence of support that is available now. Maybe  
22 it wasn't available twenty (20) years ago, but it's  
23 available now, and they deserve to have that, so I  
24 think we should try and untie their hands. Thank you.

25 PANEL CHAIRPERSON: Thank you, Mr.

1 McKernan. Questions? Mr. Gabor...?

2 BOARD CHAIR GABOR: Mr. McKernan, have  
3 you found jurisdictions where they handle brain injury  
4 claims in a different manner?

5 MR. MIKE MCKERNAN: Mr. Chair, no.  
6 It's not that simple. I've -- I have tried, believe  
7 me. I -- I have found places where there are some  
8 examples and some cases, but I -- I don't know enough,  
9 and -- and they're not in a position, I don't believe,  
10 to be held up by some greater standard of care.

11 But there are other jurisdictions that  
12 do more than we do. Certain jurisdictions, for  
13 instance, cover the cost to go outside of your  
14 jurisdiction to have some of the more sophisticated  
15 diagnostic tests. MPIC just won't do that, or tries  
16 very, very hard to limit that.

17 There are periodic reviews of the best  
18 ways to understand and classify traumatic head  
19 injuries, and they're out there. At the very least,  
20 even if just as a conversation, MPI were prepared to  
21 go out and get, you know, the one from the guy at UBC  
22 and say, Is this the kind of thing that could be  
23 helpful to us as we go forward with claims  
24 administration? Even that would be, you know,  
25 extremely helpful.

1                   So, there's forms of guidance in the  
2 research community. There's fewer than -- than I  
3 could find, at least, in the administrative law  
4 community.

5                   BOARD CHAIR GABOR:    Thank you.

6                   MR. MIKE MCKERNAN:    There are some, as  
7 a supplement, and -- and if you're willing, I could  
8 dig up what I have found and pass that along.

9                   PANEL CHAIRPERSON:    Yes. That would  
10 be very helpful. Thank you, Mr. McKernan. Thank you  
11 for your presentation.

12                   The next presenter is Barry Waito, and  
13 he is also on TEAMS. Mr. Waito, are you prepared to  
14 proceed at this point?

15                   MR. BARRY WAITO (TEAMS):    I am, yes.

16                   PANEL CHAIRPERSON:    Okay. Please go  
17 ahead.

18                   MR. BARRY WAITO (TEAMS):    Okay. My  
19 name is Barry Waito, as it says on the first slide  
20 there, and I would just like to give you a  
21 presentation on my -- the last eight (8) years of my  
22 life having to deal with -- with MPI and my brain  
23 injury. So, you can go to the next slide, please.

24                   Good afternoon. Thanks for the  
25 opportunity for my story to be heard. My life changed

1 forever twenty-eight hundred and eighty-five (2,885)  
2 days ago, and, sadly, so did my wife's, family,  
3 friends, and colleagues.

4                   Just as an aside, I -- I'm going to  
5 read most of my slides. I -- I'm the last person in  
6 the world you want on an open mic. I cannot control  
7 myself. I -- I need to be very structured or this  
8 discussion could go sideways very fast. And so  
9 typically I wouldn't read my slides, but in this case,  
10 that's what I'm going to do, if that's okay with you,  
11 'cause it will -- it will serve us all best.

12                   PANEL CHAIRPERSON: That's just fine,  
13 Mr. Waito. Thank you.

14                   MR. BARRY WAITO (TEAMS): Okay. MPI  
15 Crown monopoly creates a procedural duty of care, as -  
16 - as Mike identified, for timing and accurate  
17 diagnosis, for effective treatment and rehabilitation.  
18 In our case, they failed that duty and failed the due  
19 diligence to look after my rights for care and rehab.

20                   And I'm here because, frankly, as I've  
21 gone through the last eight (8) years, there's  
22 hundreds of people like me, and they're badly treated  
23 by MPI in -- in regards to brain injuries. And so, I  
24 thought I would take the time and try and do a  
25 presentation for you here.

1 I'll explain today why MPI has  
2 mishandled my file and repeatedly revictimized me.  
3 I'll tell you how a determination to keep rates low  
4 means those of us who are damaged aren't getting  
5 proper care or compensation. We don't get enough  
6 diagnosis, we get very little rehab, and our chronic  
7 physical and cognitive health issues are mostly  
8 ignored.

9 And that leads to them avoiding paying  
10 almost all compensation for what's called permanent  
11 impairments. And -- and a brain injury is a permanent  
12 impairment. It -- it does not go away; it does not  
13 fix itself. You talk to a psychologist and they will  
14 give you fifty (50) ways to adjust your life, try  
15 different tricks and practices. At the end of the  
16 day, it's a life sentence and you are stuck with it.

17 And I would say that I have met nobody  
18 who has ever returned to what their -- the person they  
19 were prior to an accident.

20 So when -- when I'm finished this I --  
21 I would -- I will like to provide you what I think you  
22 might be able to help us by instructing MPI.

23 So first I'd like to have you help  
24 force MPI to stop denying our claims as a way to  
25 subsidize the insurance rates for everybody else

1 because that's what it feels like.

2                   And to use your research discretions to  
3 maybe secure some legal expertise from Ontario, it's  
4 just 'cause it's next door, where a claim such as mine  
5 was settled in the millions of dollars.

6                   I do understand it's not a Crown  
7 Corporation over there and the claims go to court, but  
8 a brain -- brain injury in Ontario will be hundreds of  
9 times what the maximum payment out of this  
10 organization would end up being with MPI deciding on  
11 its own what -- what the maximum amounts they will pay  
12 for any kind of injury.

13                   So, under the existing rules, these  
14 complex cases are not well served and somehow there  
15 needs to be a way to clear the backlog of -- of these  
16 brain injury cases 'cause they're just building.

17                   Recently, as of last year, the MPI's  
18 CEO said when we speak about traumatic brain injuries  
19 and severe traumatic brain injuries, it's very  
20 important for MPI to take care of those cases, making  
21 sure we provide the best service coverage and  
22 indemnity to those injured and their families and also  
23 the care that goes with it on an ongoing basis.

24                   There must have been a public service  
25 announcement because saying it and doing it are

1 different things and it's far past the time for that  
2 to have taken place.

3           So, my story is quite simple actually.  
4 In 2016 we were leaving the city. We were heading --  
5 across from where the Subway restaurant is, stopped  
6 behind a pick-up truck who was trying to turn across  
7 traffic into the car dealership on the -- it would be  
8 on the south side of the highway.

9           And a loaded semi-truck didn't --  
10 didn't stop and ran into the back of our car doing 70  
11 (seventy) kilometers an hour. And we were driving an  
12 orange car, orange sportscar, sunny day, clear stretch  
13 of road and he didn't even see us.

14           And the cop that was there, the RCMP  
15 officer said, it wouldn't have mattered if you were  
16 there, the pick-up truck would have got hit anyway  
17 'cause he wasn't paying attention. In fact, he was on  
18 his phone. And, apparently, they don't request phone  
19 records unless somebody in the accident dies. So,  
20 they wouldn't even request his phone records.

21           So, what could have been a single  
22 collision, ended up being a double collision because  
23 we got hit from behind. And then that semi was  
24 actually riding on top of the bumper of the car when  
25 it rammed us into and underneath the pick-up truck.

1                   So, we dialed 9-1-1 'cause nobody else  
2 did. Ambulance came. My wife wasn't able to walk, so  
3 they took her to Grace Hospital. The car was totaled  
4 and I waited until our son arrived to empty our car.

5                   And I've been asked a hundred (100)  
6 times why didn't you go to the hospital. Well it's  
7 quite simple really, because the last time a vehicle  
8 of ours ended up in an MPI compound everything in it  
9 of value was stolen out of the vehicle. And MPI  
10 wouldn't compensate us for any of it. They said tough  
11 luck, so sad, sucks to be you. Go get your house  
12 insurance to pay for that.

13                   It's in a locked compound; not  
14 accessible to anybody but who MPI lets in and yet they  
15 wouldn't cover it. And so, I was not leaving our car  
16 until it was emptied.

17                   The semi driver was charged with  
18 following too close, when in fact as a professional  
19 driver, I believe he should have been charged with  
20 aggravated assault as a minimum. The force of this  
21 initial impact was well in excess of a hundred (100)  
22 Gs of force and that's -- that's a conservative  
23 number. Because we were just trying to come up with a  
24 -- with a -- a base number of what the force was  
25 without knowing all the distances and everything else

1 you need to do the calculation. But that's -- that  
2 would be the minimum number.

3           There's no way to identify the -- the  
4 ratcheting up of that number hitting the pickup truck  
5 in front of us because you don't know how far the car  
6 was from the vehicle, what the speed was and those --  
7 those are physics things that I'm certainly not  
8 capable of doing, but it would have been an -- well in  
9 excess of a hundred and ten Gs of force.

10           There's more than enough research out  
11 there that talks to levels of force and the kinds of  
12 brain injuries that happen.

13           Organizations such as MPI would have  
14 those records. They -- they'd have that research.  
15 They have to, otherwise if you don't, then you have no  
16 business being an insurance company when you don't  
17 even understand what the risks are to these -- from  
18 these accidents. Next slide please.

19           So, I suffered not only whiplash, but  
20 also a traumatic brain injury that is with me still.  
21 With little progress towards rehabilitation, all while  
22 having my various specialists conclude most of the  
23 impacts are now permanent.

24           So, I've been to neurologists, neuro  
25 psychologists, neuro ophthalmologists, neuro

1 scientists. I've been to the whole range of every  
2 possible specialist you could get and they said, can't  
3 fix that. There's no way to fix that. There's no  
4 knowledge of how to -- how to improve that. You're  
5 going to have to learn to live with it.

6                   So as MPI is a sole source insurance  
7 company, we're -- that we are forced to engage with  
8 for insurance and licensing, frankly, as a ratepayer  
9 and a taxpayer in this province, I would expect  
10 exemplary of service for the -- this monopoly  
11 privilege.

12                   Again, nothing could be further from  
13 the truth. A number of things should have happened  
14 when our claim was opened. First of all, we should  
15 have been immediately contacted from MPI, as they  
16 should know the likelihood and seriousness for this  
17 type of injury and the need to get on to it quick.

18                   It's quite possible impacts could be  
19 short lived, but this is most certainly not  
20 guaranteed. A list of steps could have been handy  
21 from them, that we should take immediately after the  
22 accident to ensure we got timely access to treatment  
23 with qualified specialists as the initial stages  
24 unfolded. Consistent follow-up from a case worker who  
25 has experience with brain injuries.

1                   None of this happened. MPI never sent  
2 out the welcome to your accident package that should  
3 have come the day after the accident, either myself or  
4 my wife. We heard nothing from MPI until four (4)  
5 months later when we called them to say what is going  
6 on with our accident claim because we've heard  
7 nothing.

8                   They finally agreed in an email that  
9 they did not send anything out to us. Never  
10 apologized for it and certainly have not fessed up to  
11 the trouble that has caused.

12                   This was serious, precious time for  
13 diagnosing brain injuries. If you can get on these  
14 things quick, there's some things that may be able to  
15 be done, we lost that opportunity.

16                   So, then MPI we said, you're going to  
17 need to file a new claim. We did that as best we  
18 could with what we knew in December of 2016, but we  
19 were in no way healthy. We weren't over the accident  
20 and many symptoms of traumatic brain injuries don't  
21 manifest immediately, contrary to what MPI claims.

22                   My wife was on crutches. We own a  
23 grocery/hardware store that has multiple floors and  
24 she couldn't even navigate the stairs. So needless to  
25 say, our stress levels were through the roof.

1                   Finally in January of 2017, MPI sent --  
2 sent out an occupational therapist to do an  
3 assessment, but only for my physical limitations.  
4 Could I bend down? Could I lift packages? Could I  
5 unload trucks? Could I do this? Never mentioned to  
6 her any of my brain injury symptoms or complaints that  
7 I had identified on my claim, even though she had the  
8 training and the expertise to measure a number of  
9 those cognitive capacities.

10                   She returned three (3) months later for  
11 a second assessment. There was still nothing from MPI  
12 and my TBI issues, despite numerous calls and emails  
13 and still she wasn't requested to look at any of my  
14 stuff while she was already here. They already paid  
15 for the travel; they already paid for her time. They  
16 could have done this.

17                   And by that time, my doctor and my  
18 optometrist, my friends and family were quite aware  
19 that something had changed and I was no longer the  
20 person I was before the accident. That I was  
21 struggling with all aspects of my life and the  
22 evidence was mounting that MPI had no intention of  
23 assessing or providing coverage for my brain injury.

24                   Even though the Act allows for MPI to  
25 have provided outside help for me in running our

1 grocery/hardware store, it was never offered. The Act  
2 says in a case such as a -- an individual who owns a  
3 business, they could have hired a manager to run --  
4 run the store. Never offered it.

5                   We did request help for an accountant  
6 for my wife to complete the -- the income tax  
7 statements because all of the financial stuff is  
8 upstairs of the store and she's on crutches.

9                   MPI wanted those income tax statements  
10 and that was also a request that was denied. This  
11 delayed our ability to update our books after the  
12 accident, to complete the partial statements by MPI's  
13 deadline and ultimately, we couldn't give them what  
14 they wanted so they cut our PIPP benefits off for both  
15 of us.

16                   So approximately nine (9) months after  
17 the accident with no visits from any MPI specialists,  
18 we received a letter from MPI saying in its opinion,  
19 the conclusion of the specialists I had seen were  
20 wrong, that I suffered whiplash and not a concussion.  
21 Whereas, in fact, I had suffered both.

22                   And just an aside here, an important  
23 note here is concussion and whiplash share the same  
24 symptoms, but there is no way to objectively measure  
25 either one of those. They are all -- both diagnosed

1 by symptoms. There's no measure for whiplash.

2                   Yet MPI willingly takes -- takes a  
3 diagnosis of whiplash and denies concussion diagnosis.  
4 That's kind of self-serving because if you look at the  
5 Act, it says, We don't pay for whiplash because  
6 whiplash is short lived. So, as soon as somebody in  
7 the medical world says 'whiplash', MPI says, Oh,  
8 goody. Now we don't have to look at your concussion.  
9 That's -- that's really nice.

10                   So, MPI's reasoning was I didn't hit my  
11 head. Obviously, if you get hit at 70 kilometres an  
12 hour from the back by a semi your head's going to  
13 smash into the headrest, in this case, at least twice.  
14 I did not lose consciousness, yet if you read my  
15 statement, you will see that nowhere in that statement  
16 did I identify there was a crash.

17                   My wife will tell you there was two (2)  
18 very loud crashes. My statement is very detailed.  
19 Nowhere in there did I talk about the sound of a  
20 crash, and by the fact that I was diagnosed with  
21 whiplash, as I said.

22                   So, as Mike said, they use some obscure  
23 document called the Draft Concessus in Sport  
24 Guideline, which says, basically, if they can blame  
25 your symptom on anything else, they'll never look at

1 concussion. I have letter after letter after letter  
2 from MPI using that exact reasoning to deny my  
3 concussion. Next slide, please.

4                   So, when I got home the next day I went  
5 to the Swan Valley Hospital, which is really not a  
6 place to get diagnosed with a brain injury, a nurse  
7 identified whiplash from the accident, which allowed  
8 MPI to use the guideline that took concussion off the  
9 table. And they've maintained that to this day using  
10 their own anonymous internal experts who I don't  
11 frankly believe have the expertise of the specialist  
12 that I saw.

13                   So, the facts speak for themselves over  
14 the past eight (8) years. I'll show you just a chart  
15 here that shows you the number of visits I've gone,  
16 specialists, scans done, treatments performed,  
17 anything I could possibly do that might be able to fix  
18 it. And there's no way even -- even now I've  
19 recovered.

20                   So, I'm not going to go through that.  
21 You've got it there. It's just -- and it's all the  
22 things I have done in eight (8) years to try and find  
23 out what is going on and if I can fix it.

24                   So, some questions I think need to be  
25 asked before we talk about rate changes is where has

1 MPI indicated anywhere that the number of complex  
2 cases, the ones still in play, are under appeal such  
3 as ours? Why don't they routinely account for these?

4 Has there ever been a random audit of  
5 such MPI claims and, if not, why not? And I don't  
6 mean by some internal MPI entity; it needs to be an  
7 outside entity in no way affiliated with MPI.

8 Has it ever been assessed whether MPI  
9 is abusing the 'can't sue us clause' through  
10 satisfaction surveys are an outside complaint process?  
11 A good measure is how many claims are being reviewed  
12 by internal review versus mediation versus AICAC  
13 hearings.

14 Why did our mediation lawyer tell us  
15 the following? Fifty percent of the victims don't  
16 even ask for an internal review because the process is  
17 too daunting. Of those left, half of them won't even  
18 go to mediation.

19 If that fails, maybe 5 to 10 percent of  
20 those coming out of mediation go on to request an  
21 AICAC hearing.

22 So, that says for every hundred  
23 victims, ninety-five (95) people out of the original  
24 hundred may not even get their fair review. And this  
25 just factors into the annual rate calculation because

1 then they get nothing. They fall off the table and  
2 they've been paid nothing.

3                   When rebate cheques were sent out in  
4 the past few years how did MPI warrant -- justify  
5 giving those cheques out when there was injured  
6 parties, such as myself, or Fred, or others, that were  
7 still waiting for a diagnosis, treatment, or  
8 compensation, especially through these lengthy complex  
9 appeal processes?

10                   How does MPI justify complex appeal  
11 processes that don't in any way serve those with brain  
12 injuries? You can't do these processes with a brain  
13 injury. If I didn't have help from so many other  
14 people to navigate this, I'm dead in the water. I can  
15 barely manage my day-to-day life, let alone a multi-  
16 year complex process such as this. MPI knows that.  
17 That's why there's a delay. That's why it drags out.

18                   One (1) decision from MPI, they use  
19 two-thirds of a year to respond to something that I  
20 would have been expected to respond to in thirty (30)  
21 days, and there's nothing I can do about it.

22                   They hold all the cards. They can take  
23 as much time as they want because their game is, if we  
24 stall this long enough, he'll quit and go away. And  
25 I'm not going away.

1                   Has any party -- outside party ever  
2 assessed the fairness of these fixed award amounts and  
3 whether they're actually fair or whether they penalize  
4 victims who have no real -- no real recourse to fight  
5 MPI?

6                   In what world should the insurer  
7 determine these fixed award amounts? Where is the  
8 audit that shows they are fair? How do these compare  
9 to the very jurisdictions MPI uses to judge its rate  
10 structure?

11                   Is there a requirement for MPI to be  
12 the knowledge base for assessing claims for serious  
13 head injuries, if so, it must really improve. It's  
14 plainly not knowledge enough for brain injuries, and  
15 the specialists I've seen indicate MPI is twenty (20)  
16 years behind in the head trauma science.

17                   Whether they know the information or  
18 are hiding it or whether they actually don't know, I  
19 can't tell you.

20                   Why does MPI reject my doctor's  
21 subjective assessments which they say are based on my  
22 subjective self-reports and not objective measures but  
23 relies on anonymous MPI internal experts and  
24 contractors through using subjective language?

25                   They use language like the balance of

1 probabilities; they don't define that. Most likely  
2 did not -- did not have traditional manifestations --  
3 manifestations of concussion. There's no such thing  
4 as that. Do not appear to be probably causally  
5 related. That's a lot of word salad. Insufficient  
6 evidence. Did not probably sustain.

7           MPI's assessments are hardly the  
8 language that will withstand scrutiny in a court  
9 setting. The specialist I went to conducted numerous  
10 objective measures and reported these to MPI,  
11 specifically, identifying concussion and suffering  
12 post-concussion syndrome. And, in fact, I'm now at  
13 the stage that's called persistent post-concussion  
14 syndrome which they say there's really no coming back  
15 from.

16           All my doctors' reports were ignored or  
17 rejected even though my specialist provided a lot of  
18 scientific studies and conclusions to back up the  
19 reports and my claim.

20           We've spent eight (8) years fighting a  
21 system that is designed for the insurer, and not the  
22 victims. We've did internal review, but government  
23 people don't make decisions that go against other  
24 government people. It's a career limiting move.

25           We've tried mediation and, frankly, for

1 us, it was a joke. We walked into the room with our  
2 appointed lawyer, the MPI rep, and the mediator all  
3 talking about their kids, their vacations, and that's  
4 a sure sign of collusion and that nothing would come  
5 out of this.

6 I've been to court before. If you walk  
7 in and see that, you are screwed. We never even got  
8 to present any evidence. MPI said it was done. The  
9 mediator said the case was closed. When we objected,  
10 the MPI rep asked us what we wanted from them. We  
11 said, We need help here. And here was the response we  
12 got. We're an insurance company. We are not here to  
13 help you.

14 So, I go back to my clause that says  
15 the -- the 'you can't sue us' clause has now become  
16 'you can't touch us', nothing you can do can touch us.  
17 And that clause, frankly, I think needs to be reviewed  
18 because it has now turned into a clause for abuse of  
19 victims.

20 Years after that, we're now coming to  
21 our AICAC hearing. In the system, that's our last  
22 chance. It's been a longtime getting here, and not a  
23 brain injury friendly process.

24 I don't know all the pieces that  
25 comprise a rate structure. What I do know is there

1 are many people like me with traumatic brain injuries  
2 that are all fighting multi-year battles with MPI.  
3 That suggests there's a trend or a standard business  
4 practice, and that's not good.

5           People don't put themselves through a  
6 process like we are in unless they are suffering  
7 something significant wrong. And TBIs are not  
8 something I would wish on anyone.

9           But to increase the rates for a system  
10 that is already not functioning for some serious  
11 issues just seems like throwing good money after bad.  
12 The evidence at this point is that it is quite  
13 possibly Manitobans have cheap insurance because it's  
14 paid for on the backs of the injured, and you don't  
15 know that until you become one of them.

16           I'm going to add one (1) more thing  
17 here. I got asked the other day something from  
18 somebody, about what it was -- what it's like to be  
19 me. And this is what I told them in one sentence.

20           I said, the most devastating part of my  
21 type of TBI would be watching yourself die while  
22 you're still alive because that's, frankly, what it  
23 feels like. Thanks.

24           PANEL CHAIRPERSON: Thank you very  
25 much for your presentation, Mr. Waito. Questions?

1 Questions? Thank you. Our next presenter --

2 MR. BARRY WAITO (by TEAMS): Okay.

3 PANEL CHAIRPERSON: -- is Mr. -- I'm  
4 sorry, is Diana McGhee, who is also on Teams. Ms.  
5 McGhee, are you prepared to proceed?

6 MS. DIANA MCGHEE (TEAMS): I'm good.  
7 I'm going to just -- I have to share my screen before  
8 I start the presentation --

9 PANEL CHAIRPERSON: Okay.

10 MS. DIANA MCGHEE (TEAMS): -- if you  
11 can all see that.

12 PANEL CHAIRPERSON: Yeah, we can see  
13 that. Thank you. Okay. Please proceed.

14 MS. DIANA MCGHEE (TEAMS): Okay. So,  
15 I recently moved to Manitoba just back in July, and I  
16 was really shocked to find that my -- there was no  
17 request for my out-of-province driver experience  
18 record which had enormous impact on my insurance rate.

19 So don't worry, it's not as much as it  
20 looks like. I'm just going to go through some main  
21 points, and this is just a list so for -- for your  
22 benefit so you can see what's in the presentation.

23 Just to set the stage, you know, I  
24 really just wanted to define what -- what risk is  
25 because insurance really is all about risk and risk

1 management, and that includes not just financial  
2 losses, but also the human costs. And that corporate  
3 risk is generally aimed at eliminating those negative  
4 risks or totally avoiding them, and also to make sure  
5 that the Corporation doesn't lose money.

6                   And so, in the insurance game, be it  
7 private or -- or public insurance, generally the  
8 premiums are based on the level of risk, right? And  
9 it's absolutely one of the most important management  
10 tools that we have, that we all have, for managing  
11 risk is insurance.

12                   So, if we know there's a chance  
13 something bad will happen, we want to make it less  
14 serious if it does.

15                   So, for a corporation that's in the  
16 business of insurance, then risk management, as I know  
17 it, is extremely important to know about, and it's a  
18 step-by-step process. You can't skip steps. You have  
19 to identify risks and measure risks if you want  
20 everything to work, and then you decide how much  
21 you're willing to accept or how you're going to  
22 address those risks.

23                   So, in the risk assessment process,  
24 there's kind of three (3) things you're going to do to  
25 identify, measure, avoid, accept, or address the risk,

1 all based on the risk level. And you can't get an  
2 accurate risk level unless you're looking at two (2)  
3 things.

4                   One would be the severity. Is it  
5 negligible, not too bad, or is it something very  
6 severe? And we measure that against the probability,  
7 how likely something is to have happen, and we make  
8 our decisions from there.

9                   We absolutely cannot manage risks until  
10 we go through this -- this process. And again, I  
11 point out there's both harm -- as in the gentleman  
12 before this presentation -- and then financial loss,  
13 like property damage, cars, things like that.

14                   So, we cannot assess or identify risks  
15 without going to our information sources, and here we  
16 have statistical knowledge or reports which MPI has  
17 seven thousand (7,000) pages in their Application to  
18 you full of all this kind of stuff, right, and the,  
19 you know, qualitative data that comes out of the news  
20 and surveys that we might conduct and -- and so on.  
21 So, this is the -- this is the basis of our  
22 information.

23                   So, I kind of like to lighten things up  
24 a little bit, and just to use an analogy to make sure  
25 that everybody can kind of relate to this process,

1 we're going to just pretend for a couple of minutes  
2 that if we were planning an outdoor wedding, what  
3 would we identify as a risk of doing that?

4                   And here we are in Manitoba, right? So  
5 obviously the number one risk we would think of is the  
6 weather. Now, a few drops, you know, sun shower with  
7 a rainbow, that would be nice, but a booming  
8 thunderstorm with gale-force wind, it's going to ruin  
9 the food and the clothes and everything. We're not  
10 willing to accept that.

11                   So now we have to figure out how likely  
12 is it that that's going to happen? And what is the  
13 information source that we need in order to determine  
14 this? And, of course, it is location and season.  
15 We're not going to have an outdoor wedding in Winnipeg  
16 in January, so we might go to Mexico.

17                   But if we're having that weather -- the  
18 wedding in July, of course we're going to look at the  
19 forecast. And again, it's not just the money involved  
20 and all the investment in that wedding, it's also the  
21 human costs that we have to look at.

22                   So -- okay. So, there's just some --  
23 one (1) thing that could go wrong with an outdoor  
24 wedding.

25                   What would be our -- if we were

1 planning to ensure drivers in vehicles, what would be  
2 the number one risk that we would look at? Well,  
3 obviously, accidents. And they could be minor fender  
4 benders or they could be very severe. They could be  
5 traffic fatalities.

6                   And how do we measure likelihood in  
7 this case when we're looking at -- sure, if it's  
8 freezing rain, again, we're going to check the weather  
9 forecast. We know there's going to be accidents, but  
10 driver behaviour is the most major contributing factor  
11 to accidents. And you can read this in MPI's own  
12 report, right? They break it down into inattention,  
13 reckless driving, drunk driving. All of those are  
14 major causes of accidents, right?

15                   And so, of course we're going to check  
16 the driving record. This is the responsible way to  
17 measure likelihood. This is due diligence, right?  
18 And again, because, sure, there's property damage and  
19 financial loss that the Corporation is responsible  
20 for, but there could be enormous human costs and  
21 losses, right up to the point of traffic fatalities.  
22 So, there's a huge amount of responsibility to measure  
23 this very carefully and accurately.

24                   So, once we have done our measurement,  
25 our identification and measurement, then we decide,

1 you know, what are we going to do about it? So, in  
2 the case of a wedding, we would decide to put up a  
3 tent.

4                   And something that all the provinces  
5 across Canada do is have some type of a system to make  
6 sure that the bad drivers are paying more and the good  
7 drivers are being rewarded. We want to encourage good  
8 driver behaviour, right? And so, we try to find ways  
9 of doing that, but both have to be based on available  
10 information, right?

11                   So, we can't really avoid accidents  
12 completely, but we can make sure that we're doing our  
13 best to try to reduce the likelihood that they would  
14 happen.

15                   So, in BC, for example, proof of the  
16 driving experience record is required right upfront.  
17 There are three (3) public insurance agencies in  
18 Canada, and Quebec, make an appointment to have your  
19 driver's experience.

20                   And in Saskatchewan, it says for out of  
21 country, but at least it's up front and centre that  
22 placement on the safety rating scale is determined by  
23 your claims history. So, it still is a required  
24 aspect, whereas in MPI, no. I was shocked. Westland  
25 Insurance said nothing about the driver safety record

1 to me.

2                   As a former Manitoba residence (sic), I  
3 didn't find out how much more I was paying for my  
4 insurance until I bought a new car and went to insure  
5 it, and it was more than seven hundred dollars (\$700)  
6 more.

7                   So, I've made several calls to MPI, and  
8 I was -- actually had a conversation, and they were  
9 very good about calling me back when I made a  
10 complaint. And -- and I said, You know, like these  
11 are -- this is -- you know, safety rating scale is not  
12 doing what it should. You are punishing good drivers.  
13 You know, like that's not the outcome.

14                   And she says, Yes, but bad drivers  
15 could be paying less than they should. And I think,  
16 What? No. That's not what we want. Both those  
17 things are wrong.

18                   And twice with the Autopac agent and  
19 three (3) times with MPI, they confirmed that they do  
20 not require people to provide their driving records in  
21 Manitoba. They don't.

22                   So, I have since managed -- it's a long  
23 process -- I have since managed to get my records for  
24 three (3) years only in Ontario. I won't go into all  
25 of -- it's costing me over a hundred and fifty dollars

1 (\$150) for Ontario and Alberta. So this is going back  
2 since -- till 2017.

3 And so already I've gone from point six  
4 (.6) to point nine (.9), and I've had to talk to five  
5 (5) people to find out how they arrived at the plus  
6 six (6) 'cause I've been driving fifty (50) years, so  
7 I was not expecting to pay the amount that I paid in  
8 insurance, right?

9 So, I've already saved more than that.  
10 And the other thing is I wouldn't have had to have  
11 time payments if I'd known to provide my records,  
12 which has a sixty-seven dollar (\$67) charge to it, but  
13 that's actually 3 percent of the premium and not 2  
14 percent, like it's supposed to be. So, I still have  
15 to drill down into that.

16 So anyway, the website is part of the  
17 problem. The information about this is at the very  
18 bottom of the page, and it doesn't say you have to.  
19 It just says, you know, you might be able to, right.  
20 Like you might get some discount here if you give us  
21 this, but people are by no means required to and this  
22 little brochure does not, in itself, have any  
23 information of out-of-province or out-of-country  
24 drivers.

25 And then in the application to you,

1 which is seven thousand (7,000) pages long, they claim  
2 all these wonderful goals to strengthen abilities and  
3 enhance over understanding and whatever, but it  
4 doesn't apply to out of country and out of province  
5 new and returning drivers. What's with that?

6                   So, anyway, it says that they are  
7 supposed to be doing this in the regulation itself  
8 that they refer to often in the report. And I wonder  
9 how this is possible, you know, when 45 percent of  
10 these collisions are caused by driver behaviour and  
11 where 85 percent of those are fatalities. And when  
12 you look at how much population is increasing in  
13 Manitoba, this is from 2023, of course, not all of  
14 these people are driving, but there's thousands of new  
15 Manitobans who are.

16                   So, I think it's a very important thing  
17 to look at. I did notice that they have changed the  
18 website so that those -- the information that says  
19 'more information about providing drivers' records is  
20 now at the bottom of each section and not at the  
21 bottom of the page where nobody is going to see it.

22                   So very happy to see that, but it's not  
23 more information, it's important information to  
24 provide driving records and to have the people with  
25 more higher risk driving behaviours should be paying

1 more; not the good drivers who are simply told not to  
2 provide their records. Thank you.

3 PANEL CHAIRPERSON: Thank you, Ms.  
4 McGhee. Any questions?

5 Thank you for your presentation. We'll  
6 now here from Douglas Houghton.

7 MR. HOUGHTON: Thank you. Good  
8 afternoon, Board members, MPI staff and the legal  
9 counsels, Interveners and presenters. Thank you for  
10 this opportunity to speak to Manitoba Public  
11 Insurances 2025/26 Rate Application.

12 I've been riding motorcycles for more  
13 than fifty-six (56) years and I have been a member of  
14 the Coalition of Manitoba Groups (CMMG) for twenty-  
15 eight (28) years.

16 I'm the former president of CMMG and  
17 currently on as a Board of Directors as Treasurer.  
18 I've been a motorcyclist most of my life and  
19 motorcycling is how I spend much of my spare time with  
20 family and friends.

21 Prior to -- retirement I was a  
22 municipal planner for thirty-six (36) years with the  
23 Province of Manitoba. Also served on the Board of the  
24 Regional Health Authority and sat as a member of the  
25 Manitoba Municipal Board.

1 I'm currently involved with other  
2 volunteer organizations as well.

3 Today I'm speaking on my own behalf and  
4 some of the views expressed are my own and not  
5 necessarily those of CMMG.

6 (INDISCERNIBLE) GR Presentation. I'm  
7 pleased to see that this year's GA -- I missed it, GRA  
8 depicts an overall decrease in motorcycle insurance  
9 premiums and an increased Driver Safety Rating DSR  
10 discount for good drivers.

11 I was disappointed today to learn that  
12 this rate increase will not necessarily result in a  
13 premium discount for next year but delayed until  
14 later.

15 I believe that it's important to  
16 achieve an actuarial sound DSR system and to implement  
17 a fair model for determining premium rates for  
18 vehicle. I support CMMG with this year's intervention  
19 and support PUB's previous Order in directing MPI to  
20 forward a five (5) year plan for implementation of the  
21 primary driver model.

22 CMMG/MPI relations. When one first  
23 observes the Public Hearing process, it would appear  
24 that CMMG's relationship with MPI is rather  
25 confrontational.

1                   Although CMMG does not always achieve  
2 its premium objectives, our relationship with MPI  
3 remains cordial and cooperative.

4                   MPI's CEO -- CEO joins CMMG each spring  
5 to speak at our Motorcycle Safety Awareness Rally.  
6 The CEO and senior staff meet annually with our  
7 members to present updates in motorcycle, accident  
8 statistics and trends and, if necessary, MPI may  
9 provide responses to member enquiries at a subsequent  
10 meeting.

11                   As a result of previous meetings, MPI  
12 recently committed to undertake a Motorcycle Collision  
13 Analysis, and recently CMMG met with the Road Safety  
14 and Loss Prevention Analysis -- analysts to provide  
15 input into this study.

16                   MPI has always supported motorcycle  
17 safety with ongoing safety as in commercials and by  
18 subsidization of the Motorcycle Training Program.

19                   CMMG participates on MPI's external  
20 stakeholder committee on road safety and MPI  
21 participates on a Motorcycle Road Debris Working Group  
22 collated by CMMG and Manitoba Transportation.

23                   This group's objective is to develop  
24 recommendations to the Province of Manitoba regarding  
25 issue of debris deposited on Manitoba roads, which has

1 resulted in tragic -- in tragic fatalities.

2                   Most recently, CMMG was invited to sit  
3 and then provide input regarding Leger Marketing  
4 Survey regarding the Driver Training -- the DSR System  
5 in its application in determining vehicle insurance  
6 rates in Manitoba.

7                   The Registered Driver Model. MPI's  
8 current Registered Driver Model allows for premium of  
9 avoidance by high-risk drivers. This model was --  
10 allocates premiums based on the record of the  
11 registered owner is open to abuse and does not reflect  
12 the real risk rated by actual drivers of insured  
13 vehicles.

14                   This model permits previous avoidance  
15 by high-risk drivers who can transfer vehicle  
16 ownership to a person with a higher DSR premium  
17 discount by continuing to drive -- to be the primary  
18 driver.

19                   In some cases, the registered owner may  
20 not even drive the insurance -- insured vehicle or  
21 even have the appropriate driver's licence for the  
22 vehicle type. These persons would otherwise be paying  
23 much higher premiums if a primary driver model were  
24 used with premiums based on driving record.

25                   The great number of accidents caused by

1 drivers who are not registered owners is a matter of  
2 record. When a driver who is not a registered owner  
3 is at fault in an accident, the current methodology  
4 provides for an increase in the cost of the driver's  
5 licence, but to my knowledge, the registered owner's  
6 vehicle premiums are not affected. There is little or  
7 no other incentive for the registered owner to  
8 discontinue allowing these drivers to use their  
9 vehicle, nor for the drivers to improve their driving  
10 habits.

11                   The loss of premium can otherwise be  
12 paid is borne by higher premiums for all other Man --  
13 insured Manitobans.

14                   If the Registered Driver Model is to  
15 remain in effect, perhaps there should be a greater  
16 onus placed on the registered owner, since it's the  
17 registered owner who permits a high-risk driver to use  
18 their vehicle on a regular basis, perhaps there should  
19 be a premium or surcharge placed on the registered  
20 owner's vehicle should it be involved in an accident  
21 caused by the high-risk driver.

22                   The Primary Driver Model. It is my  
23 understanding that the Primary Driver Model is that  
24 each insured vehicle is assigned to one primary  
25 driver, that is, the driver whose driving record and

1 risk profile is used to calculate premiums because  
2 they are a person who drives the car the most.

3           This model may be difficult to  
4 administer and monitor as it depends on the honesty of  
5 the registered owner to identify all primary and/or  
6 secondary drivers.

7           Some owners may take the chance in not  
8 listing other regular drivers who may have a lower or  
9 a negative DSR rating. And unless there is an  
10 accident and detailed investigation, there is no way  
11 to determine if all vehicles will be insured  
12 appropriately or if there has been misrepresentation  
13 or falsification.

14           If the Primary Model is implemented,  
15 there must be clear parameters as to what constitutes  
16 a primary driver and that all vehicles fully -- sorry,  
17 vehicle owners fully understand it.

18           Will this model also include regular  
19 drivers such as spouses who must share the same  
20 vehicle on an equal's basis but may have different DSR  
21 ratings?

22           Although better than the Registered  
23 Owner Model, there may be some -- still some  
24 shortfalls with the Primary Driver Model. For  
25 example, the primary driver may be eligible for a high

1 premium discount, but there could be one or more  
2 secondary drivers with poor driving records who also  
3 drive the affected vehicle on a regular basis, perhaps  
4 30 percent of the time.

5                   Should the driving record of the  
6 secondary high-risk driver also be included in the  
7 premium calculation?

8                   In many cases, the registered owner is  
9 the primary driver. If the primary driver's DSR  
10 rating becomes negative and secondary drivers have not  
11 been listed, what is to prevent the driver/owner from  
12 changing the listed primary driver to another regular  
13 driver with a higher DSR rating discount? Again, how  
14 would this be monitored.

15                   I'm of the opinion that the Primary  
16 Driver Model -- include -- that the Primary Model  
17 should include all regular or secondary drivers and  
18 that premium is be a portion appropriately and based  
19 on the average DSR rating of all involved.

20                   This, however, may be difficult to  
21 monitor and administer on a year-to-year basis, as  
22 individual driving records change according to birth  
23 dates and not necessarily coinciding with the vehicle  
24 renewal date.

25                   Personally, I would not want to affect

1 the ability to loan your vehicle to a friend or other  
2 family member on an occasional basis to run an errand  
3 or when their own vehicle's in for repair et cetera.

4           As well, perhaps there would be some  
5 leeway given to new drivers who have not yet accrued  
6 any demerits or have not yet had the opportunity to  
7 gain merits.

8           It's my understanding that -- that MPI  
9 does not have the accurate data to reflect who is  
10 actually driving vehicles in Manitoba and that the  
11 legislation does not provide it with jurisdiction to  
12 collect that kind of data.

13           I should note that MPI already requires  
14 this data when insuring other types of vehicles. When  
15 insuring my ATV quad, I was required to list and  
16 provide copies of driver's licences of other persons  
17 who would be driving this ATV. Is this legislation  
18 different for these vehicles?

19           It is my suggestion that MPI seek  
20 legislative changes to provide it with a jurisdiction  
21 to collect data from its customers and provide for the  
22 appropriate penalties for falsifying information.  
23 It's important that MPI knows who is driving its  
24 insured vehicles.

25           Another option, why don't we transfer

1 penalties to those driver's licence. I prefer the  
2 Primary Driving Model over the current Registered  
3 Driver Model; however, should the registered driver  
4 model continue, there's a much simpler methodology to  
5 ensure that high-risk drivers fair -- share a fair  
6 share of claims costs.

7 MPI has the data and driving records  
8 for all data. If one is at fault in an accident,  
9 there are currently additional charges on the driver's  
10 licence; however, the majority of the penalty's  
11 applied to the vehicles in their name; that's creating  
12 the incentive to transfer ownership with a higher DSL  
13 premium discount. This incentive's even greater when  
14 the driver has more than one (1) vehicle in their  
15 name.

16 Drivers and riders cause accidents;  
17 vehicles don't. So, perhaps the easiest and fairest  
18 way -- fairest solution is to apply all accident  
19 offence penalty costs to the driver license, and not  
20 the vehicle. There will then be no financial  
21 incentive to transfer ownership.

22 The data required for this method is  
23 already available and runs with the driver's licence.  
24 It's a model that could incorporate fairness in  
25 premium methodology and be much easier to enforce and

1 administer -- and administrate.

2 And that concludes my presentation.

3 And thank you for giving me this opportunity to speak

4 and for your attention to this matter. Thank you.

5 PANEL CHAIRPERSON: Thank you, Mr.

6 Houghton. Any questions? Mr. Gabor...?

7 BOARD CHAIR GABOR: Mr. Houghton, in

8 your presentation, I'm just reading under the

9 Registered Driver Model, I just want to read a  
10 sentence.

11 "In some cases, the registered owner  
12 may not even drive the insured  
13 vehicle or have the appropriate  
14 driver's licence for that vehicle  
15 type."

16 MR. DOUGLAS HOUGHTON: Yes.

17 BOARD CHAIR GABOR: That's what you

18 wrote. And I'm just going by memory. And I'm sure

19 MPI will correct me when they get on to the stand, but

20 I think in a few hearings ago there was evidence put

21 in by MPI that there were seven thousand (7,000)

22 people who were registered owners of motorcycles who

23 didn't have a motorcycle license.

24 MR. DOUGLAS HOUGHTON: Yes. I don't

25 think Grandma owns a motorcycle.

1 BOARD CHAIR GABOR: So, I was just  
2 asking, what's your comment on that? What's -- what  
3 do you think -- view as the impact of that on the  
4 system?

5 MR. DOUGLAS HOUGHTON: There may be  
6 several reasons for that. Sometimes there's a  
7 financing issue where the -- a young person may not  
8 have the banking record or the background to get --  
9 finance the -- the motorcycle and it has to be in the  
10 name of the person that finances it.

11 Other cases are that the person has a  
12 bad driving record and it's better if someone else in  
13 the family owns it. And that's where the old  
14 expression, 'Grandma owns my motorcycle', came from.

15 And if that bad driving record exists,  
16 then the premium -- increased cost of premiums is  
17 going to be passed on to better -- better riders and  
18 better driers.

19 BOARD CHAIR GABOR: Thank you.

20 PANEL CHAIRPERSON: Thank you. And  
21 thank you very much to all the people who made  
22 presentations to this Panel this afternoon.

23 We'll take our afternoon break right  
24 now and come back at 2:45, please.

25

1 --- Upon recessing at 2:28 p.m.

2 --- Upon resuming at 2:44 p.m.

3

4 PANEL CHAIRPERSON: Mr. Scarfone...?

5 MR. STEVE SCARFONE: Good afternoon,

6 Madam Chair. Thank you. Just before we begin with

7 our first panel of this hearing, I'll read in two (2)

8 further exhibits that MPIC has just recently

9 circulated. MPI Exhibit Number 41 is the ALM

10 Investments Presentation, and MPI Exhibit Number 42 is

11 PUB/MPI-1-40, black-line version.

12

13 --- EXHIBIT MPI-41: ALM Investments Presentation

14

15 --- EXHIBIT MPI-42: PUB/MPI-40, back-line version.

16

17 MR. STEVE SCARFONE: Just before I

18 begin with the introduction of the panel members and

19 the back row support, following which I'll ask Dr.

20 Christle to have the witnesses either sworn or

21 affirmed, I have one (1) correction to make from what

22 I said this morning.

23 You'll see that before you is Ms.

24 Jatana and Ms. Hildahl. Maria Campos, who I said

25 would be part of the panel, is sitting in the back

1 row, so I'll have to make -- you'll -- you'll notice  
2 that correction. And that's going to happen quite  
3 frequently, it seems, because there's another  
4 correction that I'll make when a later panel appears.  
5 I missed two (2) individuals this morning.

6 So, with that, I'll just introduce, to  
7 my right --

8 MR. TODD ANDRES: Sorry. Madam Chair,  
9 if I can just jump in. I apologize. Looking at the  
10 hearing calendar, my understanding is that we're  
11 supposed to have a presentation from the CEO and  
12 overview. Is this -- is this that presentation, or is  
13 this something different?

14 MR. STEVE SCARFONE: That is this  
15 presentation.

16 MR. TODD ANDRES: So -- okay. So,  
17 this is now the Strategic Vision Panel.

18 MR. STEVE SCARFONE: Yes. It is the  
19 CEO Overview and Strategic Vision Panel.

20 MR. TODD ANDRES: So, both are being  
21 combined into one (1)?

22 MR. STEVE SCARFONE: Correct.

23 PANEL CHAIRPERSON: Thank you for that  
24 --

25 MR. STEVE SCARFONE: Was that

1 different, Mr. Andres, than what you were expecting?

2 MR. TODD ANDRES: Yes, Mr. Scarfone.

3 MR. STEVE SCARFONE: Oh.

4 MR. TODD ANDRES: My understanding  
5 generally is that the -- pardon me -- CEO will present  
6 first, and that the Strategic Vision Panel would have  
7 happened in the morning or --

8 MR. STEVE SCARFONE: Okay. So, it's -  
9 -

10 MR. TODD ANDRES: -- extra time.

11 MR. STEVE SCARFONE: -- it is a bit of  
12 a combined effort. So, Ms. Jatana's going to make  
13 some opening remarks, and then they'll morph into the  
14 strategic part of the -- of the presentation.

15

16 (BRIEF PAUSE)

17

18 MR. STEVE SCARFONE: So, what she's  
19 done, Mr. Andres, if it -- if it works better for the  
20 other parties in the room, we could have Ms. Jatana  
21 make her presentation, have the cross-examinations  
22 done, and then move on to strategy.

23 MR. TODD ANDRES: Thank you, Mr.  
24 Scarfone. If I can just make a suggestion for what I  
25 think, what I would like to see happen is have Ms.

1 Jatana make her presentation. She'll be subject to  
2 cross-examination on the GRA, as is in the ordinary  
3 course, and I believe what we had decided was that the  
4 Strategic Vision Panel would present after that --

5 MR. STEVE SCARFONE: Yes.

6 MR. TODD ANDRES: -- and cross-  
7 examinations for the Strategic Vision Panel would  
8 happen after we've had opportunity to review the  
9 Strategic Plan.

10 MR. STEVE SCARFONE: Yes. Okay.

11 MR. TODD ANDRES: Thank you.

12 MR. STEVE SCARFONE: I don't think  
13 there's any objection to that at all.

14 MR. TODD ANDRES: Thank you.

15 PANEL CHAIRPERSON: Thank you. And  
16 that's what the Board would prefer.

17 MR. STEVE SCARFONE: What's that,  
18 Madam Chair?

19 PANEL CHAIRPERSON: That's what the  
20 Board would prefer.

21 MR. STEVE SCARFONE: Yes.

22 PANEL CHAIRPERSON: Thank you.

23 MR. STEVE SCARFONE: Okay. So just  
24 before the witnesses are sworn in, I'll introduce each  
25 of the individuals in the room. As I said, to my

1 right is Amanda Hildahl. She is our director of  
2 strategy, and of course to her right, Satvir Jatana,  
3 president and chief executive officer, Manitoba Public  
4 Insurance.

5 In the back row we have Roy Hart, vice-  
6 president and chief information and technology  
7 officer; Cara Low, vice-president and chief actuary;  
8 Kari Dykes, director of brand communications and  
9 marketing; Ryan Kolaski, vice-president and chief  
10 financial officer; and Reghan Scaletta, director of  
11 human resources.

12

13 STRATEGIC VISION PANEL:

14 SATVIR JATANA, Sworn

15 AMANDA HILDAHL, Affirmed

16

17 MR. STEVE SCARFONE: Thank you, Dr.  
18 Christle.

19 And if you're ready to proceed, Ms.  
20 Jatana, go ahead. Thank you.

21

22 (BRIEF PAUSE)

23 CEO OVERVIEW:

24 MS. SATVIR JATANA: Good afternoon,  
25 Madam Chair, Board members, Board counsels,

1 Interveners, and members of the public. My name is  
2 Satvir Jatana, and it is my honour and privilege to  
3 lead MPI, representing nearly two thousand (2,000)  
4 team members who are dedicated and passionate about  
5 providing valuable products and services to  
6 Manitobans.

7                   Prior to stepping into the role of CEO  
8 this past February, I had been in a senior leadership  
9 role for over twenty (20) years in customer-focussed  
10 organizations such as Walmart, Cadeins (phonetic),  
11 Princess Auto, and over the last nine (9) years at  
12 MPI.

13                   I have led many teams in -- over my  
14 nine (9) years with MPI, including operations, human  
15 resources, road safety, product development, customer  
16 experience, facilities management, communication  
17 brand, and stakeholder relationships and government  
18 relations.

19                   My tenure and experience has helped me  
20 gain a deep understanding of our business, and I truly  
21 appreciate the value of public insurance model.

22                   I, along with the MPI team, understand  
23 our responsibility as it relates to us being a Crown  
24 Corporation in Manitoba, and this is particularly  
25 important to me as Manitoba is my home and I am

1 committed to strengthening MPI to ensure it continues  
2 to meet the needs of Manitoba long after I retire.

3 MPI is a Manitoba company through and  
4 through. We employ Manitobans. We serve Manitobans.  
5 We are dedicated to giving back to Manitobans. We  
6 keep this mindset front and centre in everything we  
7 do.

8 And while I was part of MPI's executive  
9 team under previous leadership, I have made a  
10 conscious and purpose -- purposeful decision to take  
11 this organization in a different direction, a  
12 direction that is aligned with our mandate and  
13 purpose.

14 Under my leadership, I am committed to  
15 building a stable organization that delivers on its  
16 promises. I am also committed to building an open and  
17 honest relationship with our employees, our customers,  
18 our stakeholders, and our regulator.

19 Furthermore, I want to lead this  
20 organization in a way that meets Manitobans'  
21 expectation, including rate affordability, meeting  
22 service delivery, and operating with a strong  
23 discipline in managing our financial responsibility.  
24 This is critical to MPI's success. My aim is to  
25 foster an environment that is honest, transparent, and

1 based on mutual respect.

2 I recognize that the past few years  
3 have been particularly challenging for our team, and  
4 we have at times fallen short of our promises and  
5 expectations. I am committed -- I am committed to  
6 changing that. And furthermore, I have taken critical  
7 steps in the last eight (8) months to put us on that  
8 path.

9 And before I share more about the  
10 critical steps that we have taken in the last eight  
11 (8) months, maybe I'll -- I'll share where we were  
12 before I stepped into this role.

13 I took this role after -- in the  
14 aftermath of a ten (10) week strike that was first in  
15 MPI's fifty-three (53) week history -- fifty-three  
16 (53) year history. We were left with broken trust  
17 with our team and thousands of frustrated customers  
18 with enormous amount of backlog, operational backlog.

19 The organization had been under intense  
20 scrutiny for the last three (3) years which landed us  
21 with an independent third-party review from EY. And on  
22 the eve of stepping into this role MPI was provided a  
23 report highlighting many concerns and recommendations.

24 The organization lacked direction and  
25 clarity with numerous conflicting priorities underway,

1 causing frustration and confusion, chaos for our team.

2                   We had been impacted by high level of  
3 turnover at the senior leadership level, creating  
4 multiple organizational changes and fracturing our  
5 culture.

6                   Our special risk extension and DVA line  
7 of businesses were facing significant challenges and  
8 required immediate focus. The surge in claim severity  
9 in recent years and the need to address technical debt  
10 was addressing pressure on our costs.

11                   Stepping into this role under the  
12 guidance of our Board, active and very engaged Board,  
13 we immediately began the hard work. Having deep  
14 knowledge of our business and good foundational  
15 understanding of our shortcoming has allowed me to  
16 immediately start working with my team to put a plan  
17 in place to heal and address our gaps.

18                   Another immediate focus was on  
19 restoring trust and engagement with our employees.  
20 And that also trust and engagement was needed for our  
21 customers, our stakeholders, and creating a clarity  
22 and focus for the organization.

23                   This meant creating a focus plan that  
24 committed to not chasing after the shiny objects,  
25 stopping many initiatives and aligning our demands

1 with our capacity and financial resources.

2 Our plan for this year called MPI's  
3 Stability Strategy is intended to calm and heal and  
4 bring focus, clarity, and alignment to our  
5 organization.

6 This stability strategy which we  
7 currently are operating within highlights three (3)  
8 priorities; restore trust and engagement with our  
9 employees, stakeholders, and customers; meet  
10 customers' expectation by providing affordable rates  
11 and delivering value for Manitobans; and strengthening  
12 our enterprise technology.

13 My first priority was to restore trust  
14 and engagement with our team. I consider this to be  
15 the most critical component as I truly believe that it  
16 takes each and every employee of MPI to manage and run  
17 this organization.

18 And I want to build a culture where  
19 team members are proud to be part of this organization  
20 and want to serve Manitobans.

21 I immediately implemented weekly visits  
22 with our team across the organization, and it  
23 continues to this day, and I hope it will be my legacy  
24 as I wanted to be accessible, visible, approachable,  
25 and responsive to my team's need.

1 I have taken the same approach with our  
2 partners and stakeholders as these partnerships are  
3 crucial for MPI's success.

4 In alignment with our three (3)  
5 priorities under our Stability Strategy we made  
6 immediate effort to clear the backlog from the strike  
7 and manage high volume of hail claims.

8 And I'm pleased to say that as of today  
9 -- actually, a few months back, our team has cleared  
10 the backlog and we have restored full services to our  
11 customers.

12 Furthermore, we have implemented  
13 initiatives to improve and enhance our service  
14 delivery across all channels. We put focus on  
15 projects that were aligned to the three (3) priorities  
16 while stopping many others.

17 And we also initiated the work needed  
18 to strengthen MPI's enterprise technology ecosystem to  
19 support our public insurance model. And we will be  
20 incorporating that into our long-term plan, and which  
21 goes beyond our immediate legacy system modernization  
22 through Project NOVA.

23 And this work was abandoned in recent  
24 years. I'm -- I'm pleased to say that with the help  
25 our IT team, we have created a roadmap that outlines

1 invested -- investment needed to strengthen our  
2 technology which will be prioritized in our multiyear  
3 strategy and plans which we will be happy to share a  
4 little bit later.

5 All that to say, some of that work was  
6 immediate and needed. One (1) of the areas that I --  
7 I'm passionate about is having the right team and  
8 structure in place.

9 As highlighted in the EY report, our  
10 former structure was top heavy and built to support  
11 large scale transformation.

12 We needed a management team that was  
13 lean, nimble, and ready to execute against our short-  
14 and long-term strategy.

15 I'm pleased to share that we have  
16 realigned our organization, reducing management layers  
17 and streamlining our operations to ensure we could  
18 respond quickly and effectively to the needs of our  
19 customers.

20 The changes resulted in decrease in the  
21 size of our management team by 23 percent overall,  
22 returning our management compliment to 2021 levels.

23 With our now Stability Strategy in  
24 place, our attention turned to developing our  
25 multiyear plan, one that would build off of the

1 Stability Strategy and provide a path for the future.

2 I'm pleased to share that our long-term  
3 strategy was crafted with input of our two thousand  
4 (2,000) employees and insight from our customers,  
5 partners, and stakeholders.

6 Over the last six (6) months we have  
7 held more than sixty-five (65) internal workshops that  
8 included participants from every division at MPI and  
9 with the input of our stakeholders.

10 We have incorporated the feedback that  
11 our customers have provided us through our surveying,  
12 focusing on what we do well and where we needed to  
13 improve. And I look forward to giving you more detail  
14 on our strategy in the upcoming presentation.

15 This brings me to where we are today in  
16 our ask in this year's Application. This year's rate  
17 Application is about rebuilding our company while  
18 delivering on our commitment to provide Manitobans  
19 with affordable rates. That is at the heart of what  
20 we do and who we are and is one (1) of my priorities.  
21 Matter of fact, it is one (1) of my top priorities.

22 While we don't have all the answers  
23 yet, I definitely don't have all the answers yet, I am  
24 proud of the progress we've made in the last eight (8)  
25 months and I remain committed to leading this

1 organization with passion and ultimate care.

2 I am genuinely proud of how far our  
3 team has come in the last eight (8) months in  
4 restoring trust, building engagement, and committing  
5 to a future of our company, a future that meets  
6 Manitobans' need for today and for tomorrow while  
7 keeping the affordability at the forefront.

8 This will continue to require strong  
9 discipline in managing our financial responsibilities  
10 while managing our risks effectively.

11 In our organization there is truly a  
12 renewed sense of pride amongst our team. Our recent  
13 employees showed that -- our recent employee survey  
14 showed that our employees are engaged, the first  
15 survey conducted since 2021, and remarkable results  
16 given what our team has managed through over the past  
17 year.

18 Our results showcase that 97 percent of  
19 our employees intend to stay with MPI and are invested  
20 in the success of MPI. I am incredibly proud of --  
21 I'm incredibly proud to move forward with our two  
22 thousand (2,000) team members who make up this  
23 organization.

24 We remain committed to continuing to  
25 build trust, robust relationship with all our

1 partners, and that includes our regulator.

2                   And as this is my first proceeding as  
3 the CEO of MPI, I will be attending every session,  
4 every conversation to learn, to demonstrate my  
5 commitment to this process, and to support my team  
6 throughout the hearings. Thank you.

7                   PANEL CHAIRPERSON: Thank you, Ms.  
8 Jatana. Mr. Scarfone, any direct?

9                   MR. STEVE SCARFONE: Yes. Thank you,  
10 Madam Chair. Just a couple questions for Ms. Jatana.

11

12 EXAMINATION-IN-CHIEF BY MR. STEVE SCARFONE

13                   MR. STEVE SCARFONE: Thank you for  
14 those comments, Ms. Jatana.

15                   You mentioned in your presentation the  
16 commitment to affordable rates.

17                   MS. SATVIR JATANA: I did.

18                   MR. STEVE SCARFONE: And that would be  
19 consistent with MPI's mission to provide exceptional  
20 coverage and service, affordable rates, and safer  
21 roads through efficient public auto insurance,  
22 correct?

23                   MS. SATVIR JATANA: That is correct.

24                   MR. STEVE SCARFONE: And you're aware  
25 that in a recent filing before this Board the

1 Corporation provided Accepted Actuarial Practice  
2 overall rate indication of 6.77 percent?

3 MS. SATVIR JATANA: That's correct.

4 MR. STEVE SCARFONE: And  
5 notwithstanding, the Corporation is asking this --  
6 this Board to approve a 3 percent overall rate  
7 indication, correct?

8 MS. SATVIR JATANA: That is correct.

9 MR. STEVE SCARFONE: Could you comment  
10 on this principle of affordable rates and how you feel  
11 it compares to the Accepted Actuarial Practice rates  
12 in terms of importance?

13 MS. SATVIR JATANA: I'm going to  
14 provide a bit of a lengthy answer. I understand and  
15 have -- I appreciate the importance of rate indication  
16 and AAP as MPI has been filing since 2016/'17.

17 This year was unique, and it was not an  
18 easy decision to make. And this decision was made in  
19 the spring. And I want to kind of take you back what  
20 was happening when we were preparing for this  
21 Application.

22 We were still dealing with the  
23 aftermath of the strike. We were still clearing  
24 backlogs. There was -- there was nothing normal about  
25 our organization in the last year, especially during a

1 strike and coming out of a strike.

2                   There was a lot of uncertainty as to  
3 understanding what claim severity was and what would  
4 the increase hail claim would have caused for us going  
5 into this year's Application.

6                   So our, you know, our -- our actuarial  
7 team did the best they could to provide information to  
8 file an application.

9                   But I, as a CEO, had to consider  
10 multiple things in asking what I asked and what I'm  
11 asking for the Board to approve is inflation, impact  
12 on Manitobans, uncertainty in kind of what was coming  
13 at us and did we have a full picture of the claim  
14 severity coming out of it.

15                   At that time, we also had not done much  
16 of the work -- or understanding the impact of our  
17 restructuring our operating cost, what that would mean  
18 on that.

19                   So therefore, you know, the -- and  
20 having the mandate of afford -- affordability and  
21 predictability was important. And I did not feel --  
22 did not feel it was a responsible way of asking for a  
23 rate that is significantly larger than what Manitobans  
24 have gotten over the last five (5) years in -- in  
25 light of what was even in this year with minus 5

1 percent. And I did not feel that it was a -- it  
2 really delivered on our mandate and responsibility of  
3 affordability.

4 MR. STEVE SCARFONE: Thank you. So, I  
5 take that to mean, Ms. Jatana, that this decision was  
6 made at the Executive level, correct?

7 MS. SATVIR JATANA: It was made by  
8 Management and approved by our Board of Directors.

9 MR. STEVE SCARFONE: Thank you. And a  
10 second question for you: Your comments made reference  
11 to a reduction in management layers in a -- in a  
12 reorganization of the Corporation?

13 MS. SATVIR JATANA: Correct.

14 MR. STEVE SCARFONE: Was that made in  
15 response to the organizational review performed last  
16 December by EY?

17 MS. SATVIR JATANA: I would say it's  
18 one of the input. It -- definitely important input,  
19 but I would say any good leadership team should have a  
20 team and structure that supports its short- and long-  
21 term goals.

22 Coming into this role I could not  
23 justify having management count or structure that was  
24 built for different plan and different era and perhaps  
25 a different outlook.

1 MR. STEVE SCARFONE: Okay. Thank you  
2 for that. And I may have some further questions for  
3 you after the strategy part of the presentation, but  
4 for now I'll -- I'll hold those questions in abeyance  
5 and the other lawyers in the room will have some  
6 questions for you, I'm sure.

7 PANEL CHAIRPERSON: Thank you. Mr.  
8 Andres...?

9 MR. TODD ANDRES: Thank you, Madam  
10 Chair. If I can just have a moment, I need to  
11 consolidate my notes, thirty (30) seconds, if that.

12 Thank you, Madam Chair.

13

14 CROSS-EXAMINATION BY MR. ANDRES:

15 MR. TODD ANDRES: Just a -- I --I do  
16 have a number of questions for you this afternoon, Ms.  
17 Jatana.

18 As a starting point, you accept that  
19 MPI bears the proof to substantiate the GRA?

20 MS. SATVIR JATANA: That's correct.

21 MR. TODD ANDRES: And you accept that  
22 MPI bears the onus for establishing that the proposed  
23 rates and fees are just and reasonable.

24 MS. SATVIR JATANA: I do.

25 MR. TODD ANDRES: And another way of

1 stating that test is that the rates are to be  
2 actuarially sound and statistically driven; yes?

3 MS. SATVIR JATANA: I understand that.

4 MR. TODD ANDRES: You understand that  
5 the role of the Public Utilities Board is to set rates  
6 that are just and reasonable:

7 MS. SATVIR JATANA: I do.

8 MR. TODD ANDRES: And as we just  
9 commented, just and reasonable rates are those that  
10 are made in accordance with Accepted Actuarial  
11 Practices; yes?

12 MR. ANTHONY GUERRA: Sorry, we're  
13 going to object to that. We did apply for something  
14 that was less than the AAP and so this witness can't  
15 confirm that.

16 MR. TODD ANDRES: All right. I -- I'm  
17 not entirely sure I understand the basis for the  
18 objection. Can you --

19 MR. ANTHONY GUERRA: The objection is  
20 based on the fact that the Application is not  
21 consistent with the question that's being asked.  
22 You're asking this witness to put into evidence  
23 something that's not within the Application, clearly  
24 not within this Application.

25 MR. TODD ANDRES: My question, to be

1 clear, is that -- and -- and this question's been  
2 asked in basically every GRA that's preceded this, and  
3 the answer has consistently been yes. I can pull up  
4 transcripts if you wish, asking the witness to confirm  
5 whether the test, which is just and reasonable rates,  
6 are those that are actuarially sound and statistically  
7 driven.

8 MR. ANTHONY GUERRA: Sorry. The  
9 objection stands that the witness should not be  
10 answering this question. The Application is for less  
11 than AAP.

12 This is not a lawyer. This is not  
13 somebody who has particular knowledge of the legal  
14 test that this -- this Board will apply to determine  
15 just and reasonable rates. We are requesting rates  
16 that are based upon something that's other than the  
17 AAP indicated rate.

18 PANEL CHAIRPERSON: Thank you, Mr.  
19 Guerra, for your objection. I believe that objection  
20 is overruled. The question was: What was the basis  
21 of just and reasonable? That was not a question in  
22 relation to -- in relation to this particular  
23 Application.

24 So, in terms of the principle of what's  
25 just and reasonable, I would like Ms. Jatana to please

1 answer that question.

2 MS. SATVIR JATANA: I understand and  
3 recognize that in the past the AAP has been the basis  
4 for setting rates.

5 MR. STEVE SCARFONE: And just to  
6 clarify, since 2016, I believe.

7 MR. TODD ANDRES: Right, and -- and  
8 thank you, Mr. Scarfone. So you understand that MPI  
9 has been ordered in Order 162/'16 to direct, starting  
10 with the next Application, that the Corporation's rate  
11 proposal, both overall and by major classification,  
12 will be anchored on a rate level -- pardon me, on rate  
13 level indications derived in accordance with Accepted  
14 Annual -- pardon me, with Accepted Actuarial Practice  
15 in Canada; yes?

16 MR. STEVE SCARFONE: Yes.

17 MR. TODD ANDRES: Thank you. And the  
18 Application is not consistent with that directive,  
19 correct?

20 MR. STEVE SCARFONE: For the reasons  
21 the witness already explained, yes.

22

23 CONTINUED BY MR. TODD ANDRES:

24 MR. TODD ANDRES: And in fact, it goes  
25 back further than that. There was a report prepared

1 by Provincial Court Judge Kopstein back in 1988. Are  
2 you familiar with that report?

3 MS. SATVIR JATANA: I am aware of that  
4 report.

5 MR. TODD ANDRES: Thank you. That was  
6 the report to the Autopac Review Commission prepared  
7 by Provincial Court Judge Kopstein, yes?

8 MS. SATVIR JATANA: I'm aware of that.

9 MR. TODD ANDRES: Thank you. And he  
10 held public meetings across Manitoba and conducted  
11 research into this matter; yes?

12 MS. SATVIR JATANA: Yes, I understand  
13 that.

14 MR. TODD ANDRES: Thank you. And in  
15 his comments, he said, amongst other things, that --  
16 and actually, perhaps, Ms. Schubert, if you can pull  
17 up -- this is CAC-1-43, Attachment B. And if we skip  
18 ahead to page 41, and that paragraph under section  
19 marker 'V', position paper number 3, it says:

20 "Insurance is a compact whereby an  
21 insured pays a certain small amount,  
22 the premium -- the premium, to an  
23 insurer. In return, uncertain large  
24 losses or risks are borne by the  
25 insurer. Fixing a fair premium

1 which compensates for this transfer  
2 of risk is a core activity of an  
3 insurance company. Premiums charged  
4 by MPIC, like those of any insurer,  
5 must:

6 - reflect the actuarially determined  
7 risks of any particular business."

8 Do you see that?

9 MS. SATVIR JATANA: I do.

10 MR. TODD ANDRES: Thank you. And if  
11 we skip forward to page 51, recommendation number 312,  
12 that:

13 "Effective not later than insurance  
14 year 1991, MPIC develop an  
15 actuarially sound and statistically  
16 driven rate-making system."

17 Do you see that?

18 MS. SATVIR JATANA: I see that.

19 MR. TODD ANDRES: Thank you. And so,  
20 this idea of the actuarially sound and statistically  
21 driven system has been around and one would think  
22 implemented since this time; yes?

23 MS. SATVIR JATANA: Sorry. Can you  
24 repeat that question?

25 MR. TODD ANDRES: Sure. The idea of

1 an actuarially sound and statistically driven  
2 ratemaking system has been at least around since this  
3 report was produced in 1988, correct?

4 MS. SATVIR JATANA: I understand that,  
5 but I do also recognize that the AAP was introduced  
6 later, much later after that.

7 MR. TODD ANDRES: Thank you. Are you  
8 aware -- has MPI ever applied for a rate that is less  
9 than the AAP rate?

10 MS. SATVIR JATANA: Yes, last year  
11 when we were directed to do so by government.

12 BOARD CHAIR GABOR: Sorry. I just  
13 want to clarify. Your question was: Have they ever  
14 asked for it?

15 MR. TODD ANDRES: Correct.

16 BOARD CHAIR GABOR: I believe the  
17 answer is they received it.

18

19 CONTINUED BY MR. TODD ANDRES:

20 MR. TODD ANDRES: So has MPI ever --

21 BOARD CHAIR GABOR: I guess the  
22 question is: Have you ever asked for a rate less than  
23 AAP?

24

25

(BRIEF PAUSE)

1

2 MS. SATVIR JATANA: Yes. I do believe  
3 that last year when we filed the Application, we did  
4 ask for less than what the AAP was at the time of  
5 filing.

6

7 CONTINUED BY MR. TODD ANDRES:

8 MR. TODD ANDRES: Okay. I'll come  
9 back to that, Ms. Jatana.

10 Ms. Schubert, if you can bring up SFR,  
11 Appendix 1, Annual Report of 2023. This is in Part 8.  
12 There it is. And this is the 2023 Annual Report of  
13 MPI; yes?

14 MS. SATVIR JATANA: That is correct.

15 MR. TODD ANDRES: Thank you. And if  
16 we start at pages 5 and 6 of 94, Ms. Schubert, so  
17 scroll up just -- back one. Oh, I see. They're not  
18 labelled that way, so that'll be page 4.

19 So, if we scroll up a little bit, this  
20 is the message from the Chairperson Carmen Nedohin,  
21 correct?

22 MS. SATVIR JATANA: That is correct.

23 MR. TODD ANDRES: Thank you. And then  
24 if we scroll down two (2) pages. Thank you.

25 And this is the -- the message that you

1 prepared for the Annual Report as well, correct?

2 MS. SATVIR JATANA: That is correct.

3 MR. TODD ANDRES: Thank you. And  
4 there are a number of overlapping themes between your  
5 message and that of Ms. Nedohin, correct?

6 MS. SATVIR JATANA: Yes.

7 MR. TODD ANDRES: So -- and -- and we  
8 heard some of those themes this afternoon. In  
9 particular, we heard that trust was a big one,  
10 correct?

11 MS. SATVIR JATANA: That is correct.

12 MR. TODD ANDRES: Right. And in  
13 particular, it was about -- I mean, Ms. Nedohin  
14 mentions, you know, providing -- more than providing  
15 insurance coverage, it was about fostering trust and  
16 offering peace of mind. And we don't need to review  
17 it carefully, but just generally speaking, she talked  
18 about:

19 "rebuilding trust with customers,  
20 employees, and stakeholders, as well  
21 as rebuilding trust and engaging  
22 with our employees, regulator, and  
23 partners."

24 MS. SATVIR JATANA: That is the  
25 sentiment and our commitment.

1 MR. TODD ANDRES: Thank you. And  
2 obviously it's safe to say you agree with Ms.  
3 Nedohin's comments.

4 MS. SATVIR JATANA: Sorry. Can you  
5 repeat that?

6 MR. TODD ANDRES: It's safe to say  
7 that you agree with Ms. Nedohin's statements?

8 MS. SATVIR JATANA: I do.

9 MR. TODD ANDRES: Thank you. And, I  
10 mean, I don't mean to beat this to death, but  
11 obviously maintaining public trust is important to  
12 MPI, correct?

13 MS. SATVIR JATANA: I believe so, yes.

14 MR. TODD ANDRES: Thank you. And this  
15 is guiding MPI's actions moving forward?

16 MS. SATVIR JATANA: That is correct.

17 MR. TODD ANDRES: Thank you. And I  
18 think I heard you say it this afternoon, but obviously  
19 transparency is also an important value for MPI?

20 MS. SATVIR JATANA: I truly believe  
21 that.

22 MR. TODD ANDRES: Thank you. Ms.  
23 Schubert, could you please bring up -- I believe it's  
24 now Exhibit 16. This is the Organizational Review of  
25 MPI.

1                   You are familiar with this document  
2 obviously, Ms. Jatana?

3                   MS. SATVIR JATANA:    I am.

4                   MR. TODD ANDRES:    Thank you.  And to  
5 that end, I understand that MPI has implemented what  
6 it's calling a Stability Strategy, correct?

7                   MS. SATVIR JATANA:    That is correct.

8                   MR. TODD ANDRES:    And did that flow  
9 from the recommendations in this report?

10                  MS. SATVIR JATANA:    I don't know if it  
11 was exactly spelled out.  The EY report talks about  
12 organization needing clarity and direction, having the  
13 right structure.

14                  Stability Strategy, you know, being  
15 part of MPI for nine (9) years in -- and -- and  
16 especially experiencing what we experienced over the  
17 last number of years, stepping into this role, it  
18 would not have been a responsible of -- of me stepping  
19 in and not truly understanding the needs of my team  
20 and the organization.

21                  So, that Stability Strategy was exactly  
22 what I stated, was to calm and heal the organization,  
23 create that clarity, stop the chaos, and focus on the  
24 things that truly matter to Manitobans and aligns to  
25 us, our -- to our mandate, and our purpose.

1 MR. TODD ANDRES: Thank you for that.  
2 Ms. Schubert, if you could bring up CAC/MPI 1-6,  
3 attachment A. If we can scroll down. And sorry...  
4 Right.

5 And sorry, can you tell me what this  
6 document is, Ms. Jatana? Are you familiar with this?

7 MS. SATVIR JATANA: Can you just give  
8 me a moment to review?

9 MR. TODD ANDRES: Certainly.

10

11 (BRIEF PAUSE)

12

13 MS. SATVIR JATANA: My understanding  
14 is that this a respond to -- response to an IR about  
15 the EY report without going through the whole  
16 document.

17 MR. TODD ANDRES: Thank you. And one  
18 (1) of the top recommendations, if you look in the  
19 left-hand column, is it talks about fostering  
20 organizational stability and role clarification

21 And that was a recommendation by EY;  
22 correct?

23 MS. SATVIR JATANA: Yes.

24 MR. TODD ANDRES: Thank you. And I'm  
25 wondering if you can give us an update. Well, first

1 of all, can you tell me who is responsible for  
2 implementing the Stability Strategy?

3 MS. SATVIR JATANA: It starts with --  
4 well, it starts with, one, Board of Directors  
5 approving a strategy. Then the responsibility falls  
6 on the CEO to ensure that that strategy is not only  
7 implemented, but it is well understood and leadership  
8 -- my executive team is aligned to that strategy.

9 And then there are a number of  
10 activities that goes on to ensure that our team also  
11 aligns and -- and is implementing. And, you know,  
12 it's -- it's -- there's -- multiple activity goes in  
13 from developing, articulating strategy, getting it  
14 approved, getting it aligned, socializing, and ensure  
15 that we stay true to what we say.

16 And that's probably the hardest part,  
17 but strategy is not a two (2) day in the boardroom.  
18 Strategy is -- is each and every day and by taking --  
19 you know, whether it's a small action or large  
20 initiatives, but staying true to our promise.

21 MR. TODD ANDRES: Thank you for that.  
22 Ms. Schubert, I wonder if you can pull up CAC/MPI 1-6,  
23 attachment B. Oh, pardon me. No, it's attachment A,  
24 not appendix A. I think in the GRA there is one (1)  
25 labelled 'appendix 1' and one labelled 'attachment A'.

1 This is the one labelled 'appendix 1', but there's  
2 another one, which is appendix A. And it's the  
3 Stability Strategy. We can return to this.

4                   Sorry, yes, if you scroll down. If you  
5 go back to the GRA.

6

7                   (BRIEF PAUSE)

8

9                   MR. TODD ANDRES: Thank you. That's  
10 the one.

11                   So, if we go to the third page, there  
12 are three (3) stages listed; stage 1, which is  
13 situation analysis; stage 2, which is strategic  
14 direction; then stage 3, which incorporates, I guess,  
15 functional strategy development, some consolidated  
16 corporate strategic plan, as well as the culture  
17 strategy and other functional strategy.

18                   And it looks like some have been  
19 completed; some are not. Wondering if you can comment  
20 on the three (3) stages particularly and the status of  
21 each.

22                   MS. SATVIR JATANA: So, what this  
23 slide illustrate is multiple things that are going on  
24 there in the organization at the same point.

25                   So, if we start from top, the state

1 zero, this was to illustrate our -- that we needed a  
2 short-term this -- coming out of strike, taking on  
3 this role. We needed a plan to -- like I said, to  
4 calm, and heal, and bring focus, and stop the chaos in  
5 multiple initiatives.

6                   So, we implemented this one (1) year  
7 strategy called Stability Strategy, and that's that  
8 stage zero. And that's the three (3) priorities that  
9 I spoke to in my opening remarks.

10                   Once we had that Stability Strategy, we  
11 immediately started the work of multi-year strategy  
12 which encompasses the step -- stage 1 to stage 5. And  
13 what that is illustrating, as -- as we were discussing  
14 multi-year strategy, that we wanted to ensure, 1) that  
15 we have a good understanding of our current state  
16 before we commit to a strategic direction, and that is  
17 the what is that MPI accomplishing over the multi-year  
18 -- with the multi-year strategy.

19                   But we didn't just want to stop at the  
20 what. We have spent the last six (6) months on  
21 discussing the how. And -- and that was a critical  
22 part to -- to fully understanding that -- what were we  
23 committing to, do we have the financial and people  
24 resources to deliver on that.

25                   So, this -- this slide illustrates how

1 we developed our multi-year strategy.

2 MR. TODD ANDRES: Thank you, Ms.  
3 Jatana. So, clearly the focus on stability highlights  
4 the importance of that issue to MPI, correct?

5 MS. SATVIR JATANA: The Stability  
6 Strategy was the core foundation for us before we were  
7 going to embark on a multi-year strategy.

8 MR. TODD ANDRES: Thank you. And --  
9 and, Ms. Schubert, if I can have you return to the  
10 annual report. Thank you.

11 In -- in the annual report, in your --  
12 your statement, the message from the president and  
13 CEO, you -- you talk about a number of challenges  
14 faced by MPI in the last year and a bit; yes?

15 MS. SATVIR JATANA: I do.

16 MR. TODD ANDRES: And Ms. Nedohin  
17 does, as well. She talks about bringing an end to the  
18 strike and -- pardon me -- restoring MPI services to  
19 Manitobans, yes?

20 MS. SATVIR JATANA: I do, yeah.

21 MR. TODD ANDRES: And, I mean, you  
22 also referenced the labour -- pardon me -- the work  
23 stoppage in your message, but also in your testimony  
24 this afternoon, yes?

25 MS. SATVIR JATANA: That's correct.

1 MR. TODD ANDRES: And I -- I believe I  
2 heard you say that the backlog had been eliminated,  
3 the backlog created during the labour disruption.

4 Just wondering, is that all service  
5 backlogs, so, service, driver testing, et cetera, all  
6 have been eliminated?

7 MS. SATVIR JATANA: Yeah. There's  
8 some larger category, like, estimating, adjusting,  
9 driver examination. Those were kind of the big ones  
10 that -- and, of course, there's other parts, not  
11 counting the backend.

12 Of course, you know, when you have 85  
13 percent of your employees out for ten (10) weeks, of  
14 course, it impacts every area, but where the customer  
15 may only phases at the frontline services.

16 MR. TODD ANDRES: Thank you for that.  
17 And both you and Ms. Nedohin referenced a severe  
18 weather event in your messages, correct?

19 MS. SATVIR JATANA: Yeah.  
20 Unfortunately, that was on top of a very unfortunate  
21 year going into the strike was the hail. I guess, you  
22 know, it's true when they say it rains, it poured. It  
23 truly poured on MPI last year.

24 MR. TODD ANDRES: And reading your  
25 statement, this occurred in August of 2023, correct?

1 MS. SATVIR JATANA: Couple of days  
2 before the strike, I believe.

3 MR. TODD ANDRES: Sure. So, if we  
4 actually go to page 7 of 94, which is I think where we  
5 are now. Scroll down just a little bit. Fourth  
6 paragraph. All right.

7 And so, you do talk about that being  
8 the case in August of 2023 generating fifteen thousand  
9 (15,000) hail claims, yes?

10 MS. SATVIR JATANA: That is correct.

11 MR. TODD ANDRES: And you refer to it  
12 as the largest natural catastrophic event in MPI's  
13 history, correct?

14 MS. SATVIR JATANA: That is my  
15 understanding.

16 MR. TODD ANDRES: And -- and you refer  
17 to it as a record setting event and it contributed to  
18 MPI ending the year with a corporate net loss of \$130  
19 million. Correct?

20 MS. SATVIR JATANA: That is correct.

21 MR. TODD ANDRES: Thank you. And this  
22 essentially caused a deluge of claims right before the  
23 labour stoppage. Correct?

24 MS. SATVIR JATANA: Sorry, can you  
25 repeat that?

1 MR. TODD ANDRES: It -- it would have  
2 caused a very high volume of claims just before the  
3 labour stoppage. Correct?

4 MS. SATVIR JATANA: Well, going into  
5 strike, quite honestly, we didn't even know how many  
6 claims from hail was outstanding. It was -- there was  
7 no way to even estimate that until we fully got out of  
8 a strike.

9 MR. TODD ANDRES: Right. And, Ms.  
10 Schubert, can I ask you to go up to page 6 of 94  
11 please, first full paragraph in the right-hand column.

12 So, again, about halfway through that  
13 paragraph, it says:

14 "Severe weather in August 2023  
15 resulted in over fifteen thousand  
16 (15,000) hail claims which created a  
17 backlog in claims before the strike  
18 began."

19 Do you see that?

20 MS. SATVIR JATANA: I do.

21 MR. TODD ANDRES: So, Ms. Nedohin's  
22 information is apparently that the backlog started in  
23 the days before the strike began, yes?

24 MS. SATVIR JATANA: I don't believe we  
25 had the visibility going into strike, but the number

1 is correct. And when we learned that well into the  
2 strike, and actually the true numbers were still kind  
3 of building up as even earlier this year.

4 MR. TODD ANDRES: Thank you for that.  
5 So, in other words, just before the unionized  
6 employees went on strike, extraordinary weather event,  
7 then there's the strike.

8 Can -- can you confirm that the  
9 hailstorm losses contributed materially to the \$8.2  
10 million loss to Basic?

11

12 (BRIEF PAUSE)

13

14 MS. SATVIR JATANA: Of the eighty-two  
15 (82) and some, fifty (50) million was directly from  
16 the hailstorm.

17 MR. TODD ANDRES: Thank you for that.  
18 Has the Corporation experienced any difficulty in  
19 making claims against the three (3) insurers?

20 MS. SATVIR JATANA: No, we're -- we  
21 are collecting, of course, we do have re-insurance for  
22 such event and there is a re-insurance cost in -- in  
23 our premium for that is the -- the thirty-five (35).  
24 Yes.

25 MR. TODD ANDRES: Thirty-five (35)?

1 MS. SATVIR JATANA: Thirty-five (35)  
2 million.

3 MR. TODD ANDRES: Thank you. Has MPI  
4 made any changes to its re-insurance strategy, given  
5 the claims?

6 MS. SATVIR JATANA: We are going to be  
7 going through that process early in the new year and,  
8 of course, on an annual basis, we -- we review those  
9 decisions whether our approach and the coverage is  
10 appropriate. And like I said, this was kind of, you  
11 know, first time in history. This is not -- it's a  
12 1:100 type of event.

13 But nevertheless, these are the things  
14 that we review when we make those re-insurance  
15 decisions.

16 MR. TODD ANDRES: So, at this point in  
17 time, can you advise whether MPI has made any -- may  
18 or propose to make any changes to the level of  
19 protection?

20 MS. SATVIR JATANA: It is early days.  
21 Our team is doing that analysis and we will be  
22 reviewing that early January as we get into those  
23 conversations.

24 MR. TODD ANDRES: Thank you. And if  
25 not for the hailstorms, would MPI have incurred a loss

1 for the 2023/2024 years?

2 MS. SATVIR JATANA: Well, if the \$50  
3 million did not hit, you -- you know, we can do a  
4 quick math and definitely the loss would not have been  
5 as significant as posted.

6 MR. TODD ANDRES: So now if we scroll  
7 down again to page 7 of 94, left-hand column third  
8 paragraph.

9 Where you write:

10 "In addition, the severity of claims  
11 rose significantly in 2022 -- pardon  
12 me, 2023/'24, resulting in higher  
13 costs across our Basic Extension and  
14 Special Risk Extension lines of  
15 business. A steady and prolonged  
16 increase in the cost of claims  
17 continues to impact the  
18 Corporation's net income position."

19 So, on that point, can you elaborate on  
20 the inflationary pressures faced by the Corporation?

21

22 (BRIEF PAUSE)

23

24 MS. SATVIR JATANA: You know, although  
25 last year's no exception, but we are seeing an

1 increase in severity over last number of years, and  
2 it's -- in some years it's been double digit.

3 MR. TODD ANDRES: And does that relate  
4 to auto repairs?

5 MS. SATVIR JATANA: It does.

6 MR. TODD ANDRES: And bodily injury  
7 claims?

8

9 (BRIEF PAUSE)

10

11 MS. SATVIR JATANA: Inflation, of  
12 course, has impact on all of our business, and -- and  
13 we have seen that in all areas. We are still  
14 fortunate in that the frequency is -- is down compared  
15 to I guess -- I keep saying prior to COVID. However,  
16 severity has increased.

17 MR. TODD ANDRES: And how is the  
18 Corporation managing the risk, these inflationary  
19 pressures?

20 MS. SATVIR JATANA: You know, we would  
21 love to get more into that. The -- there's a number  
22 of things, of course. There's the management of  
23 everyday I'll say claims management, but then there  
24 are some other measures as well that will be spoken  
25 throughout the panel, and I'll -- I'll be happy to

1 contribute and support my team in those discussions  
2 when we can go in detail.

3 MR. TODD ANDRES: So, on a somewhat  
4 related note, MPI appears to be tasked with  
5 administering the province's EV, or Electric Vehicle  
6 Incentive Program?

7 MS. SATVIR JATANA: Yes, we are  
8 administering that on behalf of government.

9 MR. TODD ANDRES: Thank you. And so,  
10 I mean, it's early days, but does the Corporation have  
11 a sense of the program's uptake among insured electric  
12 vehicles?

13

14 (BRIEF PAUSE)

15

16 MS. SATVIR JATANA: It is very early  
17 days. We don't have that information on hand, but we  
18 can provide that if you want some numbers.

19 MR. TODD ANDRES: Thank you. And --  
20 and we -- we may get into that further down the road,  
21 but with the introduction of electric vehicles, does  
22 the Corporation have any comments on the impact to  
23 claims costs to repair these types of vehicles?

24 MS. SATVIR JATANA: You know, maybe  
25 that question can be kind of posed to that panel. I

1 don't have that information offhand, whether EV  
2 vehicles are -- are far more expensive to repair than  
3 general.

4                   What -- what I do know as the vehicles  
5 are getting more complex, and we actually have a slide  
6 in one (1) of the presentation. It's the complexity  
7 of the vehicle is adding to severity. You know, those  
8 days are gone then when front bumper had single-digit  
9 parts to now, you know, you're looking triple if not  
10 more number of parts that goes on.

11                   So we can definitely share more of that  
12 in one (1) of the panel that will answer some of those  
13 questions.

14                   MR. TODD ANDRES: Thank you for that,  
15 Ms. Jatana. And just return -- returning to an issue  
16 we'd covered off earlier.

17                   In terms of last year's Application,  
18 the Application was for no change to the rates, a zero  
19 percent increase, correct?

20                   MS. SATVIR JATANA: I do believe yes.  
21 When we filed and when the update was provided, the  
22 ask was zero.

23                   MR. TODD ANDRES: Yeah, and -- and I  
24 can certainly bring up the GRA, if necessary, but the  
25 AAP in the Application was actually 0.1 percent, so --

1 pardon me, negative 0.1 percent. That means that the  
2 Application was requesting more than the actuarially  
3 indicated rate.

4

5 (BRIEF PAUSE)

6

7 MS. SATVIR JATANA: Thank you for  
8 correcting my record for that, but I recognize that we  
9 were to ask for no rate change last year, but I am not  
10 aware if there has been any times where we were in  
11 that situation.

12 MR. TODD ANDRES: And the situation  
13 meaning where you have requested a rate that is lower  
14 than AAP?

15 MS. SATVIR JATANA: That is correct.

16 MR. TODD ANDRES: Thank you for that.  
17 And back to the EY report, which is Exhibit 16 -- and  
18 I guess we don't really even need to look at this, but  
19 just a question for you.

20 Does the Corporation have a sense of  
21 the resources required and the budget costs for  
22 implementing the recommendations?

23 MR. ANTHONY GUERRA: Sorry, counsel.  
24 We specifically agreed not to get into the Corporate  
25 Strategic Planning portion of this. We are going into

1 that information and -- and we're going to have some  
2 panel members speak to this. So perhaps those  
3 questions are best left to after those witnesses have  
4 had a chance to give direct evidence.

5 MR. TODD ANDRES: Sure. I'm -- I'm  
6 just asking, Mr. Guerra, for her comments at a high  
7 level on this, presuming she's able to speak to it.

8 MS. SATVIR JATANA: Sorry. Can you  
9 repeat that question?

10

11 CONTINUED BY MR. TODD ANDRES:

12 MR. TODD ANDRES: Yeah. I was just  
13 asking about the Corporation's capacity -- or do you  
14 have a sense of the resources required or the budget  
15 costs of implementing the recommendations in the --  
16 the EY report?

17

18 (BRIEF PAUSE)

19

20 MS. SATVIR JATANA: Thank you. No, we  
21 have not added extra resources to address gaps or  
22 recommendations from EY. We are taking that as our  
23 regular work, those gaps that needed to be addressed.

24 MR. TODD ANDRES: Thank you for that.  
25 Are there any particular recommendations that have

1 been prioritized by MPI?

2 MS. SATVIR JATANA: Well, I -- I can  
3 speak to a few things that we have done, and -- and  
4 coincidentally, they're also in the EY review: our  
5 short-term strategy, our long-term strategy,  
6 realigning our structure, the ICAM work that was done.

7 Like I said, you know, I -- I read that  
8 report from start to end because it is an important  
9 document, an important investment that MPI made in --  
10 in receiving this. So, we don't want to ensure that --  
11 -- we want to ensure that we take good recommendation  
12 in consideration.

13 So many of those things in the natural  
14 course of our -- our work has -- I would say is  
15 underway or we've completed or we're contemplating.

16 MR. TODD ANDRES: Thank you for that.  
17 And -- and turning to the issue of risk, Ms. Schubert,  
18 if you can pull up PUB IR-178, Appendix 2, redacted.

19

20 (BRIEF PAUSE)

21

22 MR. TODD ANDRES: Ms. Jatana, it  
23 appears that Application's failure -- so if you look  
24 at the very first line -- is the most critical risk  
25 identified here.

1 Do you know what has caused this risk  
2 to become critical when it was yellow last year?

3

4 (BRIEF PAUSE)

5

6 MS. SATVIR JATANA: I can maybe speak  
7 at a high level, and perhaps we can pick it up in the  
8 IT panel where it will be discussed in detail.

9 At a high level, we know that there are  
10 a number of technology solutions that are near end of  
11 life or requiring updates. So, it is with that in  
12 mind that this would have -- be deemed as a critical  
13 risk.

14 MR. TODD ANDRES: And has MPI triaged  
15 this risk in its Stability Strategy?

16 MS. SATVIR JATANA: Yes. That's what  
17 I spoke to in my opening remarks, that for the first  
18 time since 2017 or '18, our team, our IT team,  
19 actually took extensive work to understand what an IT  
20 roadmap should be. And we're incorporating that into  
21 our multi-year strategy.

22 MR. TODD ANDRES: Thanks for that.  
23 And if we look at the same document, the rows labelled  
24 'Inadequate Capacity' and 'Inadequate Capability', so  
25 'Inadequate Capacity', it says there:

1 "Inadequate capacity, planning and  
2 recruitment leading to low  
3 productivity, limited ability to  
4 execute."

5 And the risk level is marked as high.

6 And then in 'Inadequate Capability', it says:

7 "Inadequate skills leading to low  
8 productivity, limited ability to  
9 execute."

10 And again, it's identified as a high  
11 risk. Can you elaborate on how MPI is addressing  
12 these risks?

13 MS. SATVIR JATANA: Can you scroll up  
14 the document, please. And sorry, can you now scroll  
15 back so I can just compare.

16 Similar to I will say -- you know, if  
17 people risks are not in your top risk, I -- I'm not  
18 sure if an organization is really being true in  
19 assessing kind of where they are.

20 As an organization, we have felt both  
21 our capacity and capability to be a high risk. One,  
22 as I said, it takes each and every employee of this  
23 Corporation to run this organization. And for  
24 organizations such as us -- ours right now that is  
25 also going through a significant IT transformation

1 Legacy system change, you know, our -- our capacity  
2 and -- and capability is challenged.

3           And -- and hence why, you know, one of  
4 the reason that we wanted to both look at our short-  
5 term and long-term strategy with true understanding of  
6 what we're capable, what our capacity is so that we --  
7 we don't, you know, chew more than -- bite more than  
8 we can chew at this point.

9           So, this -- this is a true reflection  
10 of where MPI is. And we are, of course, managing this  
11 risk both by ensuring that we don't take more than we  
12 can actually handle. But, also, there are going to be  
13 -- there are times that we have to borrow that  
14 capability or capacity to deliver on -- on our  
15 objectives and our promises.

16           MR. ANTHONY GUERRA:     Sorry, Counsel.  
17 I'll just add here that there were detailed risk  
18 profiles filed for each of these two (2) risks, and  
19 that's at PUB Information Request MPI 1-78, appendix  
20 3, which is on the confidential record.

21           MR. TODD ANDRES:     Thank you for that.

22

23 CONTINUED BY MR. TODD ANDRES:

24           MR. TODD ANDRES:     And do you see there  
25 being the potential for these risks to affect service

1 delivery?

2 MS. SATVIR JATANA: Under the  
3 Stability Strategy and our multi-year strategy, we are  
4 prioritizing our operational work. I truly believe  
5 that our first mandate is to deliver service and  
6 products to Manitoban, and we need to prioritize our  
7 effort and our capacity to that.

8 And then, you know, I'll say, you know,  
9 90 percent of the organization is -- is focused on  
10 delivering day-to-day service and products to  
11 Manitoban, and then access capacity, whatever that is  
12 left, is -- is focused on our transformation and --  
13 and improvement type of work.

14 MR. TODD ANDRES: Thank you. And the  
15 issue of pricing risk, now, it says:

16 "Pricing risk is the risk that the  
17 established premium is or becomes  
18 insufficient to cover expected  
19 claims, expense, and underwriting  
20 profit. The risk in these losses  
21 relates to uncertainty and severity,  
22 frequency, or even timing of claims  
23 incurred during the period, as well  
24 as to uncertainty related to  
25 operating expenses."

1                   This is another risk that has moved  
2 from medium to high. Is this identified as a -- as a  
3 top risk for the Corporation?

4                   MS. SATVIR JATANA: I do see that as  
5 the -- and -- on the document, yeah.

6                   MR. TODD ANDRES: Sorry. And then --  
7 and it's not whether the document says it is.

8                   Would you then, as CEO and as your  
9 management team, identify this as one (1) of the top  
10 risks to the Corporation?

11                  MS. SATVIR JATANA: We have.

12                  MR. TODD ANDRES: Thank you. And why  
13 the change? Why the move from medium to high in this  
14 particular instance?

15

16                                   (BRIEF PAUSE)

17

18                  MS. SATVIR JATANA: Thank you for  
19 allowing me time to just confirm. Maybe if you can  
20 repeat the question so I can make sure I cover all of  
21 it.

22                  MR. TODD ANDRES: Just I guess why the  
23 change? Why the change?

24                  MS. SATVIR JATANA: Or --

25                  MR. TODD ANDRES: Why the move from

1 medium to high risk in terms of the pricing risk?

2 What -- what triggered that?

3 MS. SATVIR JATANA: Thank you for  
4 that. A number of things. Of course, the increase in  
5 severity, as I touched on earlier, in addition to  
6 coming out of the strike, uncertainty around severity.

7 This year, you know, we're -- we are  
8 faced with -- we've asked for no rate change and, of  
9 course, we received minus 5. So, with -- with that  
10 view -- and -- and uncertainty around strike has  
11 caused us to rate that as high.

12 MR. TODD ANDRES: And you'll agree  
13 with me that the Corporation's decision to seek a rate  
14 increase less than what is required from AAP has  
15 likely increased that risk?

16 MS. SATVIR JATANA: I can't say if it  
17 will change from high to more, but I -- I would --  
18 without going through that extensive exercise, I could  
19 agree with that.

20 MR. TODD ANDRES: Thank you. How is  
21 the Corporation managed to -- planning to manage the  
22 shortfall?

23 MS. SATVIR JATANA: You know, as I --  
24 as I said earlier, when we filed the Application,  
25 there was still some uncertainties, uncertainties

1 whether we were asking the right ask. And that is --  
2 that is not to say that I didn't trust the information  
3 that was in front of me but recognizing that our  
4 actuarial team can only predict based on the  
5 information that's in front of them.

6                   And there was still not clarity as to  
7 what really -- last year what was the impact of strike  
8 and what was the impact on severity. So, that was,  
9 you know, one (1) thing that I -- I needed to keep in  
10 mind.

11                   Also, knowing that -- you know, that we  
12 -- in the last five (5) years we have not applied for  
13 rate increases. We've had rate decreases, so you  
14 know, can -- can this be bear by Manitoban. And the  
15 decision to ask for less than what we needed at that  
16 time I felt was the right decision for the Corporation  
17 with the interest of our customers.

18                   How we will bear the loss, I, you know,  
19 also looked at the financial health of the  
20 organization. And, you know, the information that was  
21 shared with me allow -- gave me the confidence to ask  
22 that knowing that -- where our financial -- our -- our  
23 reserves were and where they would be at the yearend.

24                   MR. TODD ANDRES: And just to get,  
25 like I said, a little further clarity, might the

1 outcome of this risk lead to a change in the service,  
2 delivery, or reduction of benefits received from -- or  
3 by accident victims?

4 MS. SATVIR JATANA: We have not  
5 considered that in this plan at all, that we would be  
6 reducing our service delivery, or benefits provided,  
7 or benefits that Manitobans expect from MPI today.

8 MR. TODD ANDRES: So, again, in the  
9 same document there's a row called 'reserve risk'  
10 where it says:

11 "The risk of financial losses  
12 relating to policies for which  
13 premiums already have been earned  
14 fully or partially, i.e., risk  
15 related to claims that has already  
16 incurred but which might be  
17 unsettled, reopened, or even not yet  
18 known to the insurance company.  
19 This risk relates to uncertainty in  
20 both the amounts paid and the timing  
21 of these amounts."

22 You see that?

23 MS. SATVIR JATANA: I do.

24 MR. TODD ANDRES: Thank you. And so,  
25 again, is this now considered by the Corporation a top

1 risk?

2 MS. SATVIR JATANA: Yes.

3 MR. TODD ANDRES: Thank you. And is  
4 there a concern that the Corporation may not have  
5 sufficient reserves?

6 MS. SATVIR JATANA: I don't have  
7 information that would validate that concern at this  
8 point.

9 MR. TODD ANDRES: And I note that the  
10 Corporation is not seeking a Capital Management Plan  
11 in this Application, correct?

12 MS. SATVIR JATANA: That is correct.

13 MR. TODD ANDRES: Is MPI not concerned  
14 with the adequacy of its capital in this Application?

15 MR. STEVE SCARFONE: Well, just in  
16 fairness to the witness, the fact that the Corporation  
17 isn't applying for a Capital Management Plan doesn't  
18 necessarily lead to the conclusion that we don't have  
19 a Capital Management Plan in place that's being  
20 followed; it's just not before this Board.

21

22 CONTINUED BY MR. TODD ANDRES:

23 MR. TODD ANDRES: So, I guess that's  
24 a follow-up question. Is there a Capital Management  
25 Plan in place then?

1 MR. STEVE SCARFONE: Yes, the same one  
2 that was before this Board in previous years that  
3 would see excess monies from the Extension Line of  
4 Business transferred into the RSR.

5

6 CONTINUED BY MR. TODD ANDRES:

7 MR. TODD ANDRES: Does the lack of a  
8 funding arrangement for DVA operations factor into  
9 this risk?

10 MS. SATVIR JATANA: It does.

11 MR. TODD ANDRES: Thank you. And what  
12 about the consequences of Project NOVA, do they have  
13 any implications in this risk?

14

15 (BRIEF PAUSE)

16

17 MS. SATVIR JATANA: So, NOVA cost  
18 would not have been factored into this. NOVA cost  
19 would impact future rate.

20 MR. TODD ANDRES: Thank you for that.  
21 Are you a member of the Investment Committee Working  
22 Group?

23 MS. SATVIR JATANA: I am.

24 MR. TODD ANDRES: And does MPI still  
25 believe that inflation is a top corporate risk to the

1 Corporation?

2 MS. SATVIR JATANA: I would have to  
3 check that. I'm -- I don't believe so, but I -- I  
4 would like to check.

5 MR. TODD ANDRES: Certainly. And so,  
6 as a member of the Investment Committee Working Group,  
7 I -- I just -- well I'll -- I'll ask you:

8 Has the Corporation completed its  
9 inflation hedging strategy? Are you aware?

10 MS. SATVIR JATANA: Inflation risk is  
11 definitely a -- one of the risks that is regularly  
12 discussed and we're still -- we're exploring  
13 additional options to hedge that risk.

14 MR. TODD ANDRES: So, the inflation  
15 hedging strategy which was previously discussed in --  
16 in particular, there -- there -- there had been a  
17 strategy, I believe, advanced in the last GRA.

18 Has the Corporation completed that  
19 strategy?

20 MS. SATVIR JATANA: Can you elaborate  
21 which strategy?

22 MR. STEVE SCARFONE: Mr. Andres, the -  
23 - the bond overlay strategy that was presented last  
24 year was -- was rejected by the Board of Directors.

25 MR. TODD ANDRES: Right, but there was

1 also a hedging ratio and a level of protection from  
2 inflation and bonds that was discussed --

3 MR. STEVE SCARFONE: Yes. Yes and Mr.  
4 Bunston will speak to that particular strategy when he  
5 appears.

6 MR. TODD ANDRES: Thanks for that.

7 MR. STEVE SCARFONE: Tomorrow.

8 MR. TODD ANDRES: And I -- I know that  
9 we are at four o'clock and I -- I do have actually a  
10 fair bit more to go. I think, I -- I don't know that  
11 I'll finish even within half an hour.

12 Given that the Strategic Vision Panel  
13 will be subject to cross-examination on the 29th, I  
14 wonder if it makes sense to break for the day and  
15 resume tomorrow morning.

16 PANEL CHAIRPERSON: That's fine.  
17 We'll break for the day now than and resume tomorrow  
18 morning at nine o'clock with cross-examination -- your  
19 cross-examination and the Interveners.

20 MR. TODD ANDRES: Thank you, Madam  
21 Chair.

22 PANEL CHAIRPERSON: Thank you.

23

24 --- Upon adjourning at 4:00 p.m.

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Wendy Woodworth, Ms.