

C A N A D A
PROVINCE OF QUÉBEC
DISTRICT OF MONTRÉAL
N^o : R-3669-2008 – Phase 2

RÉGIE DE L'ÉNERGIE

Demande relative à la modification des tarifs et
des conditions des services de transport
d'Hydro-Québec à compter du 1er janvier 2009
(Phase 2).

EVIDENCE
OF THE INTERVENOR
NEWFOUNDLAND AND LABRADOR HYDRO

September 23, 2010

OUTLINE

The present document constitutes NLH's evidence in file R-3669-2008 (Phase II). It deals with one main issue:

HQT's contention that its OATT does not require an equivalent to Attachment K of the *pro forma* OATT that FERC adopted in orders 890, 890-A and 890-B, on the basis that HQT's transmission planning already meets the requirements of FERC's aforementioned orders.

HQT's witness Judah Rose has provided testimony on this issue. HQT originally filed the *Rebuttal Testimony of Judah Rose on behalf of TransEnergie*¹ on July 3, 2009, in which Mr. Rose makes a general statement on HQT's transmission planning process at page 52. HQT also filed Mr. Rose's *Response to Questions 6.5 and 6.6 of the Request for Information No. 1 Presented before the Régie by RNCREQ and UC*², on July 13, 2010, on the specific issue of HQT's transmission planning process.

This last response to the intervenors' request for information is what led NLH to file the present document.

According to Mr. Rose, the various regulatory processes and forums that oversee HQT's activities already meet the requirements envisioned in FERC Order 890 for transmission planning and, according to Mr. Rose; HQT does not need to include an equivalent Attachment K in its *pro forma* OATT.

NLH challenges HQT's contention and Mr. Rose's testimony. Specifically, we will explain that the "coordination" requirement envisioned in Attachment K of FERC Order 890 is not met by the *various elements of HQT's actual planning processes* identified by Mr. Rose. We will also demonstrate that, to achieve FERC's goals or to prevent undue discrimination in transmission planning in Québec, the current planning process is insufficient – an Attachment K is required for HQT's OATT.

¹ HQT-12, document 1
² HQT-8, Document 6.1

At page 52 of the document entitled *Rebuttal Testimony of Judah Rose on behalf of TransEnergie*³ (the “**Rebuttal**”), Mr. Judah Rose concluded that:

“TransEnergie is not required to file Attachment K under Order 890 at the U.S. FERC. TransEnergie can have a planning process tailored to its unique conditions, many of which are superior in terms of meeting the goals of Attachment K compared to U.S. utilities.”

In a request for information dated May 19, 2009, intervenors’ RNCREQ and UC asked HQT to answer the following questions:

“R6.5. Does the Transmission Provider’s planning process comply with the principles and other requirements of Order 890, described in paragraphs 444 ff.? If it does, please specify how the Transmission Provider’s process meets the FERC’s requirements. If it does not, please indicate exactly why the Transmission Provider considers that it should not modify its planning process so as to meet the said requirements, in regard to the [components identified at paragraphs 445 to 602 of FERC order 890]

R6.6. Please specify, for each of the components mentioned in paragraph 602 of Order 890, why the Transmission Provider does not consider that such component should be included in its Rates and Conditions”

In response to this request for information, HQT filed, on July 13, 2010, Mr. Rose’s *Response to Questions 6.5 and 6.6 of the Request for Information No. 1 Presented before the Régie by RNCREQ and UC*⁴ (the “**Response**”); this Response is in two parts:

- in the first part, Mr. Rose explains that, in his opinion, it is “*not necessary for HQT to adopt Attachment K in order to offer open and comparable access to its transmission system*”;
- in the second part, he states his opinion that “*the various elements of HQT’s actual planning processes, when combined, given HQT’s unique situation and the regulatory environment in which it operates, allow HQT to offer coordinated, open and transparent planning that is comparable to Attachment K.*”

In attempting to support the first part of his Response, Mr. Rose addresses transmission congestion, transmission investments, transparency, and coordination mechanisms. With respect to transparency and coordination, Mr. Rose describes the various processes in which, in his opinion, HQT meets the transmission planning requirements of FERC order 890.

NLH will provide evidence herein that challenges the conclusions provided by Mr. Rose’s testimony. Specifically, we will explain that the “coordination” requirement of Attachment K, described at paragraphs 444 to 454 of FERC Order 890, is not met by the “*various elements of HQT’s actual planning processes*” identified by Mr. Rose in his testimony.

³ HQT-12, document 1, page 49

⁴ HQT-8, Document 6.1, filed July 13, 2010

Our evidence herein is presented in two main sections. In Section I we discuss the key aspects of FERC Order 890 regarding coordination and transmission planning. In section II, we discuss the various regulatory processes which Mr. Rose cites as the as satisfying the planning requirements in Attachment K. This includes regulatory processes associated with transmission investment, HQT strategic planning, ratemaking, environmental review and OATT procedures. We will explain that these processes, either individually or combined, do not meet the requirements of FERC Order 890 for transmission planning.

I. FERC Order 890 on Transmission Planning

Before addressing the issue of whether HQT's planning process meets the "coordination requirement" of FERC order 890, in the section we examine the specific requirements of FERC order 890, with respect to coordination:

"2. Planning Principles

444. We set forth below the planning principles that must be satisfied for a transmission provider's planning process to be considered compliant with the Final Rule. The NOPR identified eight such principles, but based on the comments received the Commission will require compliance with nine – the original eight plus a cost allocation principle, as described further below.

a. Coordination

445. In the NOPR, the Commission proposed that transmission providers must meet with all of their transmission customers and interconnected neighbours to develop a transmission plan on a non-discriminatory basis. We sought comment on specific requirements for this coordination, such as the minimum number of meetings to be required each year, the scope of the meetings, the notice requirements, the format, and any other features deemed important by commenters.

(...)

Commission Determination

451. The Commission adopts the coordination principle proposed in the NOPR. Commenters overwhelmingly desire flexibility as to the coordination principle, and as such, we will not prescribe the requirements for coordination, such as the minimum number of meetings to be required each year, the scope of the meetings, the notice requirements, the format, and any other features. We will allow transmission providers, with the input of their customers and other stakeholders, to craft coordination requirements that work for those transmission providers and their customers and other stakeholders.

452. We emphasize that the purpose of the coordination requirement is to eliminate the potential for undue discrimination in planning by opening appropriate lines of communication between transmission providers, their transmission-providing neighbours, affected state authorities, customers, and other stakeholders. Rigid and formal meeting procedures may be one way to accomplish this goal, but there may be other ways as well. For example, a transmission provider could meet this requirement by facilitating the formation of a permanent planning committee made up of itself, its neighbouring transmission providers, affected state authorities, customers, and other stakeholders. Such a planning committee could develop its own means of

communication, which may or may not emphasize formal meeting procedures. We are more concerned with the substance of coordination than its form.

453. In response to the concerns of some commenters, we clarify that transmission providers are not required to meet with customers and other stakeholders that choose not to meet. Transmission providers cannot force others to meet with them. Transmission providers are, however, required to craft a process that allows for a reasonable and meaningful opportunity to meet or otherwise interact meaningfully. We also clarify that the coordination requirements imposed in this Final Rule are intended to address transmission planning issues, and are not intended to provide a forum for ancillary issues,

such as specific siting concerns, which are better addressed elsewhere. As for NRECA's concern that transmission providers must plan for their nonjurisdictional network customers even if they decline to fully participate in the planning process, a transmission provider cannot be expected to effectively plan for a customer if that customer declines to engage in the planning process. Therefore, we encourage NRECA and non-public utilities to participate fully in the planning process.

454. In response to the suggestion by some commenters that we require transmission providers to allow customers to collaboratively develop transmission plans with transmission providers on a co-equal basis, we clarify that transmission planning is the tariff obligation of each transmission provider, and the pro forma OATT planning process adopted in this Final Rule is the means to see that it is carried out in a coordinated, open, and transparent manner, in order to ensure that customers are treated comparably. Therefore, the ultimate responsibility for planning remains with transmission providers. With this said, we fully intend that the planning process adopted herein provide for the timely and meaningful input and participation of customers into the development of transmission plans. This means that customers must be included at the early stages of the development of the transmission plan and not merely given an opportunity to comment on transmission plans that were developed in the first instance without their input.⁵

[Our underlining.]

This last statement is crucial – transmission planning should not be limited to an after-the-fact or *ex post* approval of investment projects that are previously developed by the transmission provider (alone, or, in certain cases, with his distribution affiliate); instead, transmission planning is meant to be a coordinated effort where customers are *included at the early stages of the development of the transmission plan and not merely given an opportunity to comment on transmission plans that were developed in the first instance without their input.*

In making this statement, FERC was confirming statements made by some intervenors according to whom transmission planning was not conducted openly, but rather internally, by the transmission provider, with the RTO's and regulatory agencies rubber-stamping *ex post* their transmission plans:

“Comments

429. Most commenters support the development of coordinated, open, and transparent planning. While differing on how they should be implemented, commenters express broad support for the eight planning principles, though all RTOs and ISOs and many investor-owned utilities believe

⁵ FERC Order 890, paragraphs 444 and ff.

that their planning processes already comply with the proposals in the NOPR. ISO/RTO Council, as well as individual RTOs and ISOs, advance the position that RTOs and ISOs already meet the planning requirements in the NOPR, that there has been no credible case made for reopening their already approved planning processes, and that RTOs and ISOs should be exempt from complying with the NOPR's planning principles.

430. Some transmission providers agree that RTOs already meet the principles, and others argue against commenters who maintain that RTOs "rubber stamp" transmission provider plans. For example, MISO asserts that it conducts an open planning process and does not "rubber stamp" projects. Duke concurs with MISO, stating that there are abundant opportunities for participation in the MISO planning process. Xcel also replies in support of the MISO process.

431. Several transmission customers, however, argue that current RTO processes are insufficient because, among other things, they merely accept the transmission owners' plans and only provide for after-the-fact input, thus failing to satisfy the planning principles proposed in the NOPR. (...)⁶

[Our underlining]

By requiring that transmission customers and other stakeholders be included in the early stages of transmission planning, FERC's goal was to eliminate some of the existing opportunities for undue discrimination:

"423. As the Commission explained in Order No. 888, "[i]t is in the economic self-interest of transmission monopolists, particularly those with high-cost generation assets, to deny transmission or to offer transmission on a basis that is inferior to that which they provide themselves." The court agreed on review of Order No. 888, noting in TAPS v. FERC that "[u]tilities that own or control transmission facilities naturally wish to maximize profit. The transmission-owning utilities thus can be expected to act in their own interest to maintain their monopoly and to use that position to retain or expand the market share for their own generated electricity, even if they do so at the expense of lower-cost generation companies and consumers." The Supreme Court in New York v. FERC similarly explained that "public utilities retain ownership of the transmission lines that must be used by their competitors to deliver electric energy to wholesale and retail customers. The utilities' control of transmission facilities gives them the power either to refuse to deliver energy produced by competitors or to deliver competitors' power on terms and conditions less favourable than those they apply to their own transmissions."

424. The existing pro forma OATT does not counteract these incentives in the planning area because there are no clear criteria regarding the transmission provider's planning obligation. Although the pro forma OATT contains a general obligation to plan for the needs of their network customers and to expand their systems to provide service to point-to-point customers, there is no requirement that the overall transmission planning process be open to customers, competitors, and state commissions. Rather, transmission providers may develop transmission plans with limited or no input from customers or other stakeholders. There also is no requirement that the key assumptions and data that underlie transmission plans be made available to customers.

425. Taken together, this lack of coordination, openness, and transparency results in opportunities for undue discrimination in transmission planning. Without adequate coordination and open participation, market participants have no means to determine whether the plan developed by the transmission provider in isolation is unduly discriminatory. This means that disputes over access

⁶ FERC order 890, paragraphs 429-431

and discrimination occur primarily after-the-fact because there is insufficient coordination and transparency between transmission providers and their customers for purposes of planning. The Commission has a duty to prevent undue discrimination in the rates, terms, and conditions of public utility transmission service and, therefore, an obligation to remedy these transmission planning deficiencies. As we explain above, our authority to remedy undue discrimination is broad. In addition, new section 217 of the FPA requires the Commission to exercise its jurisdiction in a manner that facilitates the planning and expansion of transmission facilities to meet the reasonable needs of LSEs. A more transparent and coordinated regional planning process will further these priorities, as well as support the DOE's responsibilities under EPCRA 2005 section 1221 to study transmission congestion and issue reports designating National Interest Electric Transmission Corridors and the Commission's responsibilities under EPCRA 2005 section 1223.⁷

[Our underlining]

This was also discussed in relation to transparency and:

“Commission Determination

471. The Commission adopts the NOPR's proposal and will require transmission providers to disclose to all customers and other stakeholders the basic criteria, assumptions, and data that underlie their transmission system plans. In addition, transmission providers will be required to reduce to writing and make available the basic methodology, criteria, and processes they use to develop their transmission plans, including how they treat retail native loads, in order to ensure that standards are consistently applied. This information should enable customers, other stakeholders, or an independent third party to replicate the results of planning studies and thereby reduce the incidence of after-the-fact disputes regarding whether planning has been conducted in an unduly discriminatory fashion. We note, however, that transmission providers cannot be expected to fulfill these planning obligations unless non-public utility transmission providers that participate in the planning process make similar information available and, for the reasons set forth above, we fully expect that they will do so. We believe that the same safeguards developed as discussed above regarding the openness principle, such as confidentiality agreements and password protected access to information, will adequately protect against inappropriate disclosure of confidential information or CEII.”

[Our underlining]

Furthermore, in the part of the Order related to determining “Significant and Recurring” congestion, FERC insisted on the part played by stakeholders (including transmission customers) in network planning. FERC requested that transmission providers adopt an approach that ensures *that economic studies required under this principle are focused on customer needs and concerns, not administratively determined metrics that may bear no necessary relation to those concerns:*

“Commission Determination

542. The Commission adopts the NOPR proposal and retains a congestion study principle as part of the Final Rule's transmission planning process; however, we modify and clarify the principle in certain important respects in response to the comments received. At the outset, we wish to clarify

⁷ FERC order 890, paragraphs 423-425

that our primary objective in adopting this principle is to ensure that the transmission planning process encompasses more than reliability considerations. Although planning to maintain reliability is a critical priority, it is not the only one. Planning involves both reliability and economic considerations. When planning to serve native load customers, a prudent vertically integrated transmission provider will plan not only to maintain reliability, but also consider whether transmission upgrades or other investments can reduce the overall costs of serving native load. Such upgrades can, for example, reduce congestion (redispatch) costs or integrate efficient new resources (including demand resources) and new or growing loads. Thus, to represent good utility practice and provide comparable service, the transmission planning process under the pro forma OATT must consider both reliability and economic considerations. The purpose of this principle is to ensure that the latter is considered adequately in the transmission planning process.

(...)

547. The Commission will modify the principle to allow customers to choose the studies that are of the greatest value to them. Specifically, we are modifying the principle to require that stakeholders be given the right to request a defined number of high priority studies annually (e.g., five to ten studies) to address congestion and/or the integration of new resources or loads. The intent of this approach is to allow customers, not the transmission provider, to identify those portions of the transmission system where they have encountered transmission problems due to congestion or whether they believe upgrades and other investments may be necessary to reduce congestion and to integrate new resources. The customers should be able to request that the transmission provider study enhancements that could reduce such congestion or integrate new resources on an aggregated or regional basis without having to submit a specific request for service. **This approach ensures that the economic studies required under this principle are focused on customer needs and concerns, not administratively determined metrics that may bear no necessary relation to those concerns.** Once such studies are requested, the transmission provider would conduct the studies, including appropriate sensitivity analyses, in a manner that is open and coordinated with the affected stakeholders. The cost of the defined number of high priority studies would be recovered as part of the overall pro forma OATT cost of service. By limiting this principle to a defined number of high priority studies annually, we are not precluding stakeholders from requesting additional studies. However, to provide appropriate financial incentives, the stakeholder(s) requesting these additional studies would be responsible for paying the cost of such studies.”⁸

[Our underlining and emphasis]

In confirming the transmission planning requirements developed in Order 890, FERC, in Order 890-A, reiterated the need for an *ex ante* transmission planning process involving customers, in which necessary planning information is shared with them:

“4. We also commend transmission providers for the substantial resources dedicated to the development of transmission planning processes in response to Order No. 890. Transmission providers and stakeholders recently submitted tariff proposals that will govern transmission planning under the pro forma OATT. Transmission planning is critical because it is the means by which customers consider and access new sources of energy and have an opportunity to explore the feasibility of non-transmission alternatives. It is therefore vital for each transmission provider to open its transmission planning process to customers, coordinate with customers regarding future system plans, and share necessary planning information with customers.”⁹

[Our underlining]

⁸ FERC order 890, paragraphs 542-547

⁹ FERC Order 890-A, paragraph 4

In this subsequent order, FERC underlined the link between coordinated *ex ante* planning processes and eliminating the potential for undue discrimination in transmission planning:

“a. Coordination

182. In order to satisfy the coordination principle, transmission providers must provide stakeholders the opportunity to participate fully in the planning process. The purpose of the coordination requirement is to eliminate the potential for undue discrimination in planning by opening appropriate lines of communication between transmission providers, their transmission-providing neighbours, affected state authorities, customers, and other stakeholders. The planning process must provide for the timely and meaningful input and participation of customers regarding the development of transmission plans, allowing customers to participate in the early stages of development.”¹⁰

In short, FERC has expressed the view that a coordinated, transparent and open transmission planning process which includes all transmission customers, is essential in preventing undue discrimination, whereas after-the-fact or *ex post* review of transmission planning, conducted in isolation, does not provide such protection.

As indicated in the quote above, reducing the amount of system planning activities that are conducted in isolation also applies as an objective in planning conducted between neighbouring systems. In fact, FERC established the Principle of Regional Participation as one of its nine planning principles. FERC’s Order 890 directed transmission providers to coordinate with interconnected systems to (1) share system plans to ensure that they are simultaneously feasible and otherwise use consistent assumptions and data and (2) identify system enhancements that could relieve congestion or integrate new resources. This is what FERC said:

“Commission Determination

523. We adopt the NOPR’s proposal to include a regional participation principle as a component of the Final Rule’s transmission planning process. Accordingly, in addition to preparing a system plan for its own control area on an open and non-discriminatory basis, each transmission provider will be required to coordinate with interconnected systems to (1) share system plans to ensure that they are simultaneously feasible and otherwise use consistent assumptions and data and (2) identify system enhancements that could relieve congestion or integrate new resources (discussed further below).”¹¹

II. Mr. Rose’s Testimony and Regulatory Processes in Quebec

In this section we address each of the regulatory processes introduced by Mr. Rose and explain why in reality the processes do not provide the planning and coordination envisioned in Order 890. First we summarize Mr. Rose’s opinion and then we evaluate each of the processes that, according to Mr. Rose, satisfy the FERC Order requirements.

¹⁰ FERC order 890-A, paragraphs 182

¹¹ FERC order 890, paragraphs 523

In this regard, we address the Régie process for authorizing transmission investments, HQT strategic planning, ratemaking, environmental review and the OATT.

(1) Mr. Rose's Testimony

In his Testimony, Mr. Rose's presentation of the requirements of FERC Order 890 for transmission planning is flawed as it fails to take into account the aforementioned views expressed by FERC. Mr. Rose does not discuss the fact that transmission customers should be included in the early stages of transmission planning. In contrast, to support his assertion that transmission planning occurs in Québec, Mr. Rose lists forums which provide, at best, an *ex post* or after-the-fact review of certain aspects of HQT's transmission planning developed internally.

This is precisely the type of behaviour that FERC has identified as potentially leading to undue discrimination.

Although Mr. Rose mentions that HQT's customers could take part in some of these processes, he fails to examine the issue of whether they actually do.

In the foregoing, we discuss, for each forum mentioned by Mr. Rose as part of HQT's transmission process, the reason for which it does not meet the requirements of FERC order 890 for transmission planning. In each of these forums, three themes recur: (i) Only an *ex post* review of transmission planning is provided for; (ii) HQT customers are *de facto* not invited to participate; and (iii) Information given to intervenors is limited and does not allow them to *determine whether the plan developed by the transmission provider, in isolation, is unduly discriminatory*.

(2) HQT's Planning Process

Mr. Rose alleges that transmission planning takes place through the Régie's process for the approval of HQT's investments, Hydro-Québec's Strategic Plans (the latest being the 2009-2013 Strategic Plan), HQT's annual rate cases, the BAPE, and in the OATT procedures. We will briefly discuss each of these processes and explain why these do not meet the requirements of FERC order 890 on transmission planning.

(a) Investment files

The Régie process for authorizing investment projects, under Section 73 of the *Régie de l'énergie Act*, clearly does not meet the "coordination requirement" as it is an *ex post* or "after the fact" process aimed at approving investment decisions. Under FERC order 890, transmission planning must include transmission customers at the early stages of the development of the transmission plan.

Furthermore, regarding investment projects, the Régie indicated, last year, that its role was, essentially, to defend the public interest (environmental and socio-economical considerations) and to control costs; it says nothing of the goal of promoting fairness in transmission planning:

[Our Translation]“**3. RÉGIE’S OPINION**

[39] This Bench deems it necessary to respond to certain comments by RNCREQ. This intervenor’s observations indicate that it wishes to bring the Régie to a level of intervention which the Régie has not deemed appropriate for this type of file in the past. Such an approach shows a poor understanding of the Régie’s role regarding authorization of projects under section 73 of the Régie Act.

[40] First of all, it would be unrealistic and very cumbersome to discuss in a public hearing HQT’s choices on the different ways to upgrade or maintain its equipment in the four corners of the Province. This would be a never-ending process. Regulation has to be intelligent – this is not a new concept.

[41] The legislator in fact recognized this by not imposing the obligation to hold a public hearing to deal with applications for the authorization of construction projects under section 73 of the Act.

[42] The Régie is neither responsible for approving HQT’s drawings and specifications nor to design its transport network in its place. This is HQT’s responsibility.

[43] Essentially, the Régie must ensure that all the projects that are submitted for its approval meet public interest objectives and that their costs are reasonable. The Régie considers that this is presently the case.”

[Original French version] “**3. OPINION DE LA RÉGIE**

[39] La présente formation croit nécessaire de répondre à certains commentaires du RNCREQ. Les observations de l’intéressé indiquent qu’il veut amener la Régie à un niveau d’intervention dans ce type de dossiers où la Régie n’a pas jugé bon d’aller dans le passé. Cette approche tient d’une mauvaise compréhension du rôle de la Régie en matière d’autorisation de projets sous l’article 73 de la Loi.

[40] D’abord, il serait irréaliste et fort laborieux de discuter en audience publique des choix du Transporteur sur les différentes façons d’améliorer ou d’entretenir ses installations aux quatre coins de la province. Cela n’en finirait plus. La réglementation doit être intelligente et l’idée n’est pas nouvelle.

[41] Le législateur l’a d’ailleurs reconnu en n’imposant pas l’obligation de tenir une audience publique pour traiter les demandes d’autorisation de projets de construction en vertu de l’article 73 de la Loi.

[42] La Régie n’est pas là pour approuver les plans et devis du Transporteur ni pour faire le design du réseau de transport à sa place. Ces responsabilités incombent au Transporteur.

[43] Essentiellement, la Régie doit s'assurer que les projets qui lui sont soumis pour approbation rencontrent des objectifs d'intérêt public et que les coûts du projet sont raisonnables. La Régie considère que tel est le cas du Projet.¹²

[Our underlining]

The Régie's investment authorization process is not a "planning process" fulfilling the coordination requirement of FERC order 890, but rather a "public interest and cost-oriented approval process." This is confirmed by the fact that HQT's customers generally do not participate in these files; instead, we mainly find public-interest intervenors such as environmental groups and organizations defending the interests of electricity consumers.

In the annual investment files for projects under \$25 million, only two of HQT customers' have intervened (BEMI and OPG). In a total of nine files, they intervened only three times.¹³ As for the investment files for specific projects above \$25 million, a total of three HQT customers have intervened (NLH, ÉLL, and BEMI, the last two being affiliated entities), and they did so in only three out of 33 files.¹⁴

NLH's contention here is not that HQT customers are physically prevented from intervening in these files, but that they are not interested to do so because true transmission planning does not take place in these files. This is also a consequence of the intervenors' role in such files and the scope allowed for their interventions. In Régie files, intervenors are required to limit their interventions to the approval of the project(s) in question; they are not meant to interact meaningfully with regards to transmission planning.

NLH has already attempted, in an investment file, to have HQT and the Régie look at other options than those submitted by HQT for the Régie's consideration:

[Our Translation] "[46] Finally, NLH concludes that the Régie does not hold all the necessary information to make an enlightened decision on the Project. NLH submits that different possibilities exist for the use of the resources available South of the constraint line, such as the generation of the Beauharnois station and the input of energy via the Radisson converter, and that these could lighten the traffic coming from the North, thus rendering unnecessary or premature, perhaps, the equipment which was proposed for the project."

[Original French version] "[46] Finalement, NLH conclut que la Régie n'a pas en mains toute l'information requise pour prendre une décision éclairée sur le Projet. NLH suggère que des possibilités d'utilisations différentes des ressources disponibles au sud de la ligne de contrainte, comme la production de la centrale de Beauharnois et l'apport d'énergie via le convertisseur de Radisson, pourraient alléger le transit venant du nord et ainsi peut-être rendre inutiles ou prématurés les équipements proposés dans le Projet."¹⁵

¹² Decision D-2009-140 issued in file R-3705-2009 on October 23, 2009.

¹³ See the list of HQT annual investment files for projects under \$25 million attached as Appendix I.

¹⁴ See the list of HQT investment files for specific projects over \$25 million attached as Appendix II.

¹⁵ Decision D-2009-109 issued in file R-3696-2009 on August 25, 2009.

[Our underlining]

The Régie rejected this request on the basis that the choice of the options considered in an investment file is HQT's prerogative – HQT can therefore limit the scope of a file:

[Our Translation] “[56] The Régie reiterates that in the current regulatory framework, the choice of the solution and the choice of the alternative or alternatives presented in these files is HQT's prerogative. It is clear, upon reading this file, that HQT has considered certain technical solutions which it has quickly set aside because, *inter alia*, of excessive costs. The Régie considers that the alternatives presented here meet the requirements of the Regulation

[57] The Régie has already decided, in its decision D-2009-85, upon the quality and quantity of information disclosed in response to requests for information and can only reiterate here that these answers are satisfactory for the appropriate processing of the file.”

[Original French version] “[56] La Régie rappelle que dans le cadre réglementaire actuel, le choix de la solution et le choix de l'alternative ou des alternatives présentées au dossier sont les prérogatives du demandeur. Il est clair à la lecture du dossier que le Transporteur a envisagé des solutions techniques qu'il a rapidement écartées pour, entre autres, des motifs de coûts excessifs. La Régie considère que les solutions alternatives présentées rencontrent les exigences du Règlement.

[57] La Régie s'est déjà prononcée dans sa décision D-2009-85 sur la qualité et la quantité des informations fournies en réponse aux demandes de renseignements et elle ne peut ici que réitérer que les réponses données sont satisfaisantes pour un traitement adéquat du dossier.”¹⁶

[Our underlining]

Decision D-2009-85, referred to in this excerpt, was a procedural decision rendered in the same file, dismissing the request, by NLH, to have the Régie order HQT to answer some of its requests for information in greater detail. Among these, we find the following questions that NLH had originally asked HQT to answer:

“Q4. Did the analysis consider a 735 - 315 kV tie at Bout-de-Île, for example, to redistribute load in a more southern direction so that southern generation would provide the necessary voltage support and alleviate the voltage issues associated with the increased north south load? What is the status of a new 735 kV tie in the south? Its in service date?

a. When will the station Bout-de-Île be brought up to 735kV?”¹⁷

These were HQT's answers:

[Our Translation] “R.4 First of all, HQT reiterates that it has considered many different means of supply or reduction of the needs for reactive power, as evidenced by exhibit HQT-2, Document 1, pages 6 to 8. As mentioned in this exhibit, HQT has quickly eliminated the analysis of the construction of new transmission lines given the high cost of this option with respect to other possibilities.

¹⁶ Decision D-2009-109 issued in file R-3696-2009 on August 25, 2009.

¹⁷ Document C-3-5 filed by NLH on June 4, 2009 in file R-3696-2009

Specifically, HQT mentions that adding a 735 kV section to the Bout-de-l'Île substation was considered but was not retained as a solution for the present project because this option did not provide the necessary reactive support at an appropriate cost to meet the objectives sought.

HQT reiterates that the objectives sought are met by the current project and that adding or not adding another 735 kV line to this substation has no impact on the levelling of the main transmission network.

R4a. HQT reiterates that adding another 735 kV section to the Bout-de-l'Île substation is not part of the present project.”

[Original French version] “R4. D’entrée de jeu, le Transporteur rappelle qu’il a considéré plusieurs moyens de fourniture ou de réduction des besoins en puissance réactive comme en fait foi la pièce HQT-2, Document 1, pages 6 à 8. Tel que mentionné à cette pièce, le Transporteur a éliminé rapidement de l’analyse la construction de nouvelles lignes de transport étant donné le coût important de cette option par rapport aux autres possibilités.

Plus spécifiquement, le Transporteur mentionne que l’addition d’une section à 735 kV au poste Bout-de-l’Île a été considérée mais n’a pas été retenue pour les fins du présent projet car elle ne permet pas de fournir le soutien réactif nécessaire à un coût acceptable pour rencontrer les objectifs visés.

Le Transporteur réitère que les objectifs visés sont rencontrés par le présent projet et l’addition ou non d’une nouvelle ligne à 735 kV à ce poste n’a pas d’impact sur le projet de mise à niveau du réseau de transport principal.

(...)

R4a. Le Transporteur rappelle que l’addition d’une section à 735 kV au poste Bout-de-l’Île ne fait pas partie du présent projet.”¹⁸

It is interesting to note the link between “coordination” and “transparency” in this excerpt – HQT refuses to answer Q4a on the basis that the Bout-de-l'Île substation was not part of that particular investment file, but claims to have studied it. If it was studied, it is therefore relevant. Why then did HQT refuse to share this information with the intervenors?

If the investment files are an actual “transmission planning process”, projects would be considered within a broader “transmission planning context”, including other, related, parts of HQT’s network. HQT’s answer to NLH demonstrates that HQT may have considered such a broad context but does not feel that it should share its information on this broad context with intervenors since it does not deal specifically with the project under consideration.

In dismissing this request, the Régie confirms that the scope of a given investment file is limited to the project being submitted for approval therein, and is not meant to consider other projects which have not yet been approved:

¹⁸ HQT-10, Document 1, filed on June 16, 2009 in file R-3696-2009

[Our Translation] “[17] The relevance of a request for information is determined by the link, the connection between an allegation in the application [before the Régie] and the information sought by the information request. The evidence sought must be a fact which logically would have evidentiary weight with respect to the goal of the proceeding.

[18] In the case at hand, it is clear from HQT’s answers that only projects which have been approved are considered for the study. What is possible, and even what is likely to happen, has not been and should not be considered when levelling the network.

[19] Taking such things into account would lead HQT to indefinitely postpone the levelling of its network and to include thereto undertakings, and costs related thereto, which require design studies and which need to be paid for, in part, by specific clients.

[20] In light of HQT’s comments which, as a side note, are coherent with all the evidence it has filed, the Régie is satisfied with the answers given to NLH.”

[Original French version] “[17] La pertinence d’une demande de renseignements se détermine par le lien, la connexité entre un fait allégué dans la requête et l’information visée par la demande. L’élément de preuve ainsi recherché doit être un fait qui aurait logiquement une valeur probante à l’égard du but de la procédure.

[18] Dans le cas présent, il est clair des réponses du Transporteur que seuls les projets approuvés sont pris en compte pour l’étude. Ce qui est possible et même probable par la suite n’a pas été pris en compte et ne doit pas l’être non plus pour les fins de mise à niveau du réseau.

[19] Pareille prise en compte pourrait amener le Transporteur à remettre indéfiniment la mise à niveau et à y inclure des travaux, et partant des coûts, devant faire l’objet d’études d’avant-projets et devant être payés en partie par des clients particuliers.

[20] À la lumière des commentaires du Transporteur, par ailleurs cohérents avec l’ensemble de la preuve qu’il a déposé, la Régie est satisfaite des réponses fournies à NLH.”¹⁹

[Our underlining]

One issue which could be of interest to HQT customers is the real impact on current transmission rates of investment projects adopted in previous Régie files.²⁰ In D-2010-056²¹, an investment file considered last year, a public-interest intervenor raised the issue that, although in previous investment files HQT asserted that the proposed investments would lead to a decrease in transmission tariffs, this does not present itself in rate cases. The intervenor recommended that there be a follow-up on the impact of investment projects on tariffs in the yearly (under \$25 million) investment files:

[Our Translation] “[82] The FCEI is preoccupied with the impacts on tariffs of HQT’s investments. In previous investment files, HQT has often demonstrated that the investments

¹⁹ Decision D-2009-085 rendered in file R-3696-2009 on July 3, 2009

²⁰ “Real” impacts of projects previously approved as opposed to “prospective” impacts of projects being considered for approval in a given file.

²¹ Decision D-2010-056 issued in file R-3707-2009 on May 14, 2010

sought would create a downwards pressure on transmission tariffs. Yet these tariff decreases are never visible in rate cases. The FCEI therefore recommends that a follow-up of the real impact on tariffs of investments be instituted for investment files of less than 25M\$.”

[Original French version] “[82] La FCEI est préoccupée par les impacts tarifaires des investissements du Transporteur. Dans les dossiers d’investissements antérieurs, le Transporteur a souvent démontré que les investissements amèneraient un impact à la baisse sur les tarifs de transport. Or, ces baisses tarifaires ne sont jamais visibles dans les dossiers tarifaires. La FCEI recommande qu’un suivi de l’impact tarifaire réel des investissements soit instauré dans le cadre des dossiers de demandes d’investissements de moins de 25 M\$.”

The Régie said that it was not appropriate to require from HQT to file a follow-up of the real impact of investments on rates:

[Our Translation] “[85] The Régie deems it inappropriate to require that HQT file a follow-up on the real impact of investments on tariffs. The Régie considers that such a follow-up is not necessary to determine if the investments budgets requested by HQT for a given year are warranted. Furthermore, such a follow-up would only provide a partial explanation of the global impact on tariffs which is a consequence of many factors.”

[Original French version] “[85] La Régie juge qu’il n’est pas approprié de requérir du Transporteur qu’il dépose un suivi de l’impact tarifaire réel des investissements. La Régie considère qu’un tel suivi n’est pas nécessaire pour juger si les budgets d’investissements demandés par le Transporteur pour une année donnée sont requis. De plus, un tel suivi ne fournirait qu’une explication partielle de l’impact tarifaire global qui est la résultante de plusieurs autres paramètres.”

Clearly, Régie investment files have not evolved into a transmission planning process that meets the requirements of FERC order 890. The most important flaw, in this regard, is that the Régie merely approves investments, on a case-by-case basis. This is not only an after-the-fact or *ex post* process, it is one that only considers one aspect of HQT’s transmission planning at a given time. Also, generally, the information provided by HQT in this process is insufficient to fully assess HQT’s transmission planning: intervenors’ requests for information are limited by the scope of each file.

(b) HQ’s Strategic Plan

Mr. Rose alleges that transmission planning takes place through HQ’s Strategic Plans, which are to be approved by the *Assemblée nationale*.

The 2009-2013 Strategic Plan was discussed by the *Committee on Agriculture, Fisheries, Energy and Natural Resources* on October 6 and 7, 2009. According to the *Journal des débats*, none of HQT’s customers intervened in this process; the only intervenors were members of parliament and Hydro-Québec representatives.²² This is confirmed by the

²² <http://www.assnat.qc.ca/fr/travaux-parlementaires/commissions/CAPER/mandats/Mandat-8097/index.html>

report filed with the *Assemblée nationale* which states that the only people present during this process were members of parliament and Hydro-Québec representatives.²³

Once again, HQT's "transmission planning process" does not meet the coordination requirement since none of HQT's customers take part in this process, and even if they did, it would once again be an *ex post* intervention consisting of commenting on a transmission plan which has already been developed without their input.

The only clients of HQT's whose specific interests are considered in this process are HQD and HQP. Actually, the heads of both HQT and Hydro-Québec described HQT as the link between the producer (HQP) and distributors (notably, HQD) – and not, generally, as a transmission provider with many clients:

[Our Translation] "**Presentation by
Ms. Isabelle Courville, president**

(...)

HQT, that's the link (the "hyphen") between HQP and HQD. Hydro-Québec needs to be able to rely on the flawless operational performance of its transmission division in order to achieve its objectives and meet its clients' expectations. From this, stem our orientations for the period 2009-2013, which are: ensuring the quality of our service, increasing the network's capacity, and making our division perform even better.

(...)

Mr. Vandal (Thierry): Maybe, this question requires a bit of context. HQT, as Ms. Courville explained, is the link – the hyphen – between the producer and distributors. Therefore, in this context, this additional interconnection with the USA, New Hampshire, that's the link (hyphen) between HQP, with the new generation, for instance, of the Romaine, and distributors in New England, mainly, here, NSTAR and Northeast Utilities. And the junction between the two, it's a project which is a project, in Québec, of HQT, and a project in partnership with HQT and American transmission providers, on which Ms. Courville can say a few words."

[Original French version] "**Présentation de
Mme Isabelle Courville, présidente**

(...)

TransÉnergie, c'est le trait d'union entre Hydro-Québec Production et Hydro-Québec Distribution. Hydro-Québec doit pouvoir compter sur une performance opérationnelle sans faille de sa division de transport pour atteindre ses objectifs et répondre aux attentes de ses clients. De ceci découlent nos orientations pour la période 2009-2013, soit: assurer la qualité du service, accroître la capacité du réseau et rendre la division encore plus performante."²⁴

²³

http://www.assnat.qc.ca/media/Process.aspx?MediaId=ANQ.Vigie.Bll.DocumentGenerique_20899&process=Original&token=ZyMoxNwUn8ikQ+TRKYwPCjWrKwg+vlv9rjij7p3xLGTZDmLVSmJLoqe/vG7/YWzz

²⁴ *Journal des débats de la Commission de l'agriculture, des pêcheries, de l'énergie et des ressources naturelles*, le 7 octobre 2009, Vol. 41 N° 9, Examen du plan stratégique 2009-2013 d'Hydro-Québec

(...)

“**M. Vandal (Thierry)**: Peut-être, cette question nécessite une mise en contexte. TransÉnergie, comme Mme Courville l'a mentionné, est le trait d'union entre le producteur et les distributeurs. Donc, dans ce contexte-là, cette interconnexion avec les États-Unis additionnelle, New Hampshire, c'est un trait d'union entre Hydro-Québec dans son activité de production, avec la nouvelle production, par exemple, de projets comme Romaine, et des distributeurs en Nouvelle-Angleterre, principalement, ici, là, NSTAR puis Northeast Utilities. Et la jonction entre les deux, c'est un projet qui est un projet, au Québec, de TransÉnergie et un projet en partenariat TransÉnergie avec des transporteurs américains, dont Mme Courville peut dire un mot.”²⁵

One would expect that in a “coordinated transmission planning process”, the main focus would be on the transmission provider, its business and its clients’ needs. However, before the *Committee on Agriculture, Fisheries, Energy and Natural Resources*, HQT’s business is presented as secondary and ancillary to that of Hydro-Québec (“it’s the hyphen between HQD and HQT”). HQT is not viewed as a functionally separated entity with its own interests (the development of a transmission grid and of a clientele) but rather as a means of furthering the interests of Hydro-Québec.

(c) *Rate cases*

In paragraph 37 of his Response, Mr. Rose states that *since 2000, there is a Transmission System Planning Description as part of TransÉnergie’s filing*. The term “description” is important – the fact that HQT describes its planning process to the Régie does not mean that HQT includes its customers in a “coordinated planning process”; it is yet another *ex post* exercise consisting of (partly) examining a plan that HQT has developed.

As a recent example, in Phase I of the current file (R-3669-2008), HQT summarily described this process:

[Our Translation] “**2.1.3 Transmission Network Planning Process**

The process used by HQT for the purpose of the transmission planning of its network is over a ten-year span and allows a global point-of-view on the issues, problematics and needs which underlie the actions undertaken to meet the clients’ needs with the expected quality.

HQT aims at establishing an assessment under two planning periods – a first period of five years with greater detail on specific projects, followed by planning of the next five years which consists of an estimate of planned investments.

Thus, HQD’s needs in relation to supplying the native load, producers’ requests, needs related to longevity, to technological innovation, to quality upgrades, or to compliance with norms and external regulation, as well as needs for the conduct of the network and telecommunications needs are assessed. The needs are based on the information available and foreseeable that is likely to materialize, putting in perspective different scenarios to ultimately choose the optimal scenario on technical, economical, and environmental grounds.

²⁵ *Ibid.*

These investment needs are established using parametric costs, partly because a certain degree of uncertainty is linked, for example, to the materialization of certain projects related to growth, and also because the materialization of transmission projects span across many years. Projects related to maintenance or sustainability can also be hastened or postponed since HQT will benefit from growth projects in order to optimize the solution to a problematic in a specific area or in relation to specific equipment.

To this end and as mentioned, HQT has established teams which are dedicated to the optimization of the network planning process in order to better manage its projects portfolios.”

[Original French version] “**2.1.3 Démarche de planification du réseau de transport**

La démarche appliquée par le Transporteur aux fins de la planification du réseau de transport porte sur un horizon de dix ans et permet d'avoir une vision globale des enjeux, problématiques et besoins qui sont sous-jacents à des actions à mettre en oeuvre afin de rencontrer les besoins des clients avec la qualité attendue.

Le Transporteur vise à établir le bilan selon deux périodes de planification, soit une première période de cinq ans comportant plus de précisions sur les projets spécifiques, suivie d'une planification des cinq années suivantes qui consiste en une estimation des investissements prévus.

Ainsi, les besoins d'Hydro-Québec dans ses activités de distribution d'électricité (le « Distributeur ») pour l'alimentation de la charge locale, les demandes des producteurs, les besoins en pérennité, les besoins en innovation technologique, les besoins en amélioration de la qualité ou en respect des normes et de la réglementation externe, de même que les besoins pour la conduite du réseau et en télécommunications sont évalués. Ces besoins sont basés sur des informations disponibles et prévisibles qui ont de bonnes probabilités de se réaliser mettant en perspective différents scénarios pour enfin choisir le scénario optimal sur les plans technique, économique et environnemental.

Ces besoins d'investissements sont établis en coûts paramétriques, notamment parce qu'un certain degré d'incertitude est relié, par exemple, à la réalisation de certains projets de croissance et aussi parce que la réalisation des projets de transport s'étendent sur plusieurs années. Des projets de maintien ou de pérennité peuvent aussi être devancés ou reportés car le Transporteur profitera de projets de croissance afin d'optimiser la résolution d'une problématique dans une zone donnée ou sur un équipement en particulier.

À cette fin et tel que mentionné plus avant, le Transporteur a mis en place des équipes dédiées à l'optimisation du processus de planification du réseau afin de mieux gérer ses portefeuilles de projets.”

As evidenced by the table found in Appendix III, in the 6 rate cases mentioned in HQT-19, document 1, HQT’s only customer to participate regularly in such cases was BEMI; however, this company did not participate in the first rate case, R-3401-98.

Not only is this an *ex post* process that does not involve HQT customers – it is also not a very thorough process. In the first rate case, the Régie limited the scope of its analysis of HQT’s transmission planning to a forecast of the needs of HQT’s clientele and planned investments with respect to potential future impacts on tariffs. This is what the Régie said in decision D-2000-102:

[Our Translation] “After having analysed the intervenors comments, the Régie would like to clarify right away that the theme “Transmission Network Planning” should be limited to the

forecasts of the needs of the clientele and planned investments, with respect to potential future impacts on tariffs, and, as a consequence, the title of this topic will be ‘Forecast of Needs and Planned Investments’.”

[Original French version] “Après avoir analysé les commentaires des participants, la Régie tient à préciser d’emblée que le thème « Planification du réseau de transport » doit se limiter aux prévisions des besoins de la clientèle et investissements projetés en fonction des impacts tarifaires potentiels futurs, et en conséquence, le titre de ce thème sera « Prévision des besoins et d’investissements projetés ».”²⁶

The “transmission planning” part of rate cases is therefore a very high-level review of a transmission planning exercise done internally at HQT. The Régie mentions that its goal, in this review, is to prevent sudden jumps in tariffs, and generally to ensure coherence from one rate case to another.

[Our Translation] “Finally, beyond the headings of the list proposed by Hydro-Québec, and taking into account the long delays between the approval of a transmission project and the implementation of this equipment, the Régie considers that it is necessary for it to develop a long term point of view on the development of Hydro-Québec’s transmission network in order to foresee massive investments and prevent sudden jumps in tariffs. This perspective is also required of the Régie’s own initiative to ensure coherence and continuity of the information presented during the present rate case and those that will be presented in the following rate cases.”

[Original French version] “Enfin, au-delà des rubriques de la liste proposée par Hydro-Québec, et compte tenu des longs délais entre l’approbation de projets de transport et la mise en service de tels équipements, la Régie considère qu’il lui est nécessaire de développer une vision à long terme du développement du réseau de transport d’Hydro-Québec afin de voir venir les investissements massifs et de prévenir les chocs tarifaires. Cette perspective est également requise de par la volonté de la Régie d’assurer la cohérence et la continuité entre les informations présentées au cours de la présente cause tarifaire et celles qui seront présentées lors des causes qui lui succéderont.”²⁷

In achieving this goal, the Régie does not take an in-depth look at HQT’s transmission planning. There are no discussions on how HQT’s network should look in the future. Instead, it is the presentation, by HQT, of a broad forecast on the costs of investments and their impacts on transmission tariffs. Although it may meet the *ex ante* requirement, it does not provide customers the opportunity to engage in meaningful discussions on overall transmission planning.

In a subsequent decision, D-2001-49, the Régie reiterated its objective of a broad, financial forecast and, as a consequence, limited the scope of the information disclosed by HQT on transmission planning in rate cases to what was necessary to meet this long-term objective.²⁸ Here, specifically, the necessity to file the “plan de gestion des actifs de TransÉnergie” was discussed. This is what HQT said on this topic, as quoted by the Régie:

²⁶ Decision D-2000-102 rendered in file R-3401-98 on June 2, 2000, page 34.

²⁷ *Ibid.*, page 35

²⁸ Decision D-2001-49 rendered on February 14, 2001 in file R-3401-98.

[Our Translation] “**Rebuttal by Hydro-Québec**

In its comments dated January 19, 2001, Hydro-Québec made it clear that it understood from past decisions in this file that the Régie intended to receive enough information to allow it to develop a long-term point of view on the development of the electricity transmission network, to foresee massive investments and to prevent sudden jumps in tariffs for consumers.

Hydro-Québec contends that the information it filed on December 21, 2001 are, in response to the Régie’s initial information request 5.1, more than just a summary of the evolution of the transmission network for the years 1998-2008 and that it has also filed, in response to the Régie’s initial request for information 5.2, the results of HQT’s analysis of the impact of major investments on tariffs. HQT is of the opinion that this information constitutes the information sought by the Régie’s decision D-2000-102.

Moreover, where the information that was filed allows the Régie to meet the objective sought and to execute its mandate according to standard practices in electricity regulation, Hydro-Québec is of the opinion that the filing of the *Plan de gestion des actifs de TransÉnergie* is not required, by reiterating that this is an internal working document which contains strategic and commercial data developed on the basis of scenarios, some of which have been modified since it was prepared.”

[Original French version] “**Réplique d’Hydro-Québec**

Dans ses commentaires du 19 janvier 2001, Hydro-Québec précise qu’elle a compris des décisions antérieures dans la présente cause que la Régie désirait recevoir suffisamment d’informations pour lui permettre de développer une vision à long terme du développement du réseau de transport d’électricité, de voir venir les investissements massifs et de prévenir les chocs tarifaires aux consommateurs.

Hydro-Québec soutient que les informations qu’elle a déposées le 21 décembre 2001 constituent, en réponse à la demande de renseignements initiale 5.1 de la Régie, un exposé plus que sommaire sur l’évolution du réseau de transport pour les années 1998-2008 et qu’elle a aussi déposé, en réponse à la demande de renseignements initiale 5.2 de la Régie, les résultats de l’analyse de TransÉnergie de l’impact des investissements majeurs sur les tarifs. La demanderesse est d’avis que ces informations constituent l’information recherchée par la décision D-2000-102 de la Régie.

Aussi, dans la mesure où les informations qui ont été déposées permettent à la Régie de rencontrer l’objectif visé et d’exécuter son mandat selon les pratiques usuelles de la réglementation de l’électricité, Hydro-Québec est d’avis que le dépôt du Plan de gestion des actifs de TransÉnergie n’est pas requis, en rappelant qu’il s’agit d’un document de travail interne qui contient des données stratégiques et commerciales élaborées sur la base de scénarios dont certains ont été modifiés depuis sa préparation.”²⁹

It is interesting to note that one of the arguments presented by HQT to challenge the request to file this document is that it contains information on “scenarios, some of which have been modified since their preparation”. One would expect that in a “coordinated transmission planning process”, these scenarios would be shared, to a certain extent, with the transmission customers, as they are being developed.

The Régie ruled in favour of HQT and decided that the “plan de gestion des actifs was not necessary”:

²⁹ *Ibid.*, page 16-17

[Our Translation]“**Régie’s Opinion**

To decide on the merits of Hydro-Québec’s application to be released from the obligation imposed by decision D-2000-214 to file the *Plan de gestion des actifs de TransÉnergie*, the Régie examined the intervenors’ and HQT’s comments in light of its previous decisions rendered in this very file and the information newly filed as evidence by Hydro-Québec.

(...)

As a consequence, and taking into account Hydro-Québec’s arguments and the risks related to forecasts on long-term needs as well as planning of investments on the main transmission network which are required for the addition of new generation capacity, the Régie deems it unnecessary that more detailed information be filed at the time being. As mentioned, the Régie has already underlined the fact that *‘taking into account the scope of the present file, the Régie wishes to target as narrowly as possible the information required based on the priorities and the choices made. Thus, the Régie privileges information that it most likely to meet the objectives sought by decision D-2000-102.’*”

[Original French version] “**Opinion de la Régie**

Pour décider au mérite de la demande d’Hydro-Québec d’être relevée de l’obligation imposée par la décision D-2000-214 de déposer le Plan de gestion des actifs de TransÉnergie, la Régie a examiné les commentaires des intervenants et d’Hydro-Québec à la lumière de ses décisions antérieures rendues dans le présent dossier et des informations nouvellement déposées en preuve par Hydro-Québec.

(...)

Conséquemment et compte tenu des arguments d’Hydro-Québec et des aléas associés aux prévisions des besoins à long terme ainsi qu’à la planification des investissements sur le réseau principal qui seront requis pour l’ajout de nouvelles capacités de production, la Régie estime qu’il n’est pas nécessaire que de l’information plus détaillée soit déposée à ce moment-ci. Tel que mentionné précédemment, la Régie a déjà souligné que « *compte tenu de l’ampleur de la présente cause, la Régie désire cibler le plus étroitement possible l’information qui est requise en fonction des priorités et des choix faits. Ainsi, la Régie privilégie les informations qui sont le plus susceptibles de satisfaire les objectifs visés par la décision D-2000-102.* »³⁰

[Our underlining]

In the 2005 rate case, public-interest intervenor RNCREQ requested that HQT provide it with its internal documents (working papers) related to transmission planning. HQT responded that there were many such documents but that RNCREQ attorney was most likely referring to the “plan de gestion des actifs”, which HQT representative François Hébert described as “un document principal de planification”.³¹ When asked why this document had not been filed, HQT replied that this document was not essential to support its evidence in a rate case:

³⁰ *Ibid.*, pages 18 and 20.

³¹ Transcript of the Régie hearing held in files R-3549-2004 / R-3557-2004 on January 31, 2005. Cross-examination of HQT panel 1 by Mtre Hélène Sicard, for intervenor RNCREQ. Page 106 to 119.

(Cross-examination by Me HÉLÈNE SICARD)

[Our Translation]“Q. [109] What were trying to get is the name of the document, which is the list to which you refer and the name of the documents, because it says at answer 13.1:

Yes, HQT has internal documents which draw up the entire group of planned projects, parameters and everything.

We understand that these are documents that evolve over time. But as the information is being entered by the different employees of Hydro-Québec, this is done in a specific document. So I understand that there are all sorts of elements in this list. I understand from the witnesses that this list evolves over time. But can the Régie please help me in obtaining the name of the document?

Me F. JEAN MOREL :

That's the investment files.

Me FRANÇOIS G. HÉBERT :

R. Listen, I think you refer to the *Plan de gestion des actifs* of which we was abundantly discussed in 2001, Maître Sicard. I think that this is what you are referring to, but it's one of the documents. It's the main planning document which, effectively, is updated by HQT from time to time.

Me HÉLÈNE SICARD :

Q. [110] Has this document been filed in the present case, updated as of the filing of your application?

R. The answer is no.

Q. [111] May I ask why?

R. Well, one of the reasons why we did not file this document is that we are in a rate case to set the rates for 2005. And, in our opinion, this document is not a document which necessarily has to be filed in support of our evidence.

Q. [112] I understand the description given by all the witnesses, however (*sic*), that this document contains the evolution of the planning of your projects and of your long-term needs. Am I mistaken?"

R. This is also my understanding of this document.

Mr. YVES FILION :

R. Could I just...

Q. [113] Could I ask that this document be filed as evidence?

R. I would perhaps like, Maître Sicard, to clarify one thing. It's that this document is a document that I would qualify as an internal working document which gives information, which helps us, internally, to supply the appropriate input to our official planning processes which are the preparation of the annual plan and the strategic plan.

So, the information that we are ready to make available at all times is the information related to the strategic plan and those related to the business plan. The internal documents that help feed

these processes, well those are not, these are not documents which are in the appropriate format to send to third parties, these are documents which have not necessarily been reviewed internally.

So, me, personally, when someone comes to see me with a list of projects for the next ten years, well, I haven't made up my mind on that list. So, the judgement that, as president of HQT, I would like to be able to use, and is used in our planning processes, that is the planning process for the business plan and the planning process for the strategic plan.

So, that's the reason why we did not want to deposit it... We don't want to file this document because it is not a document which has, which has been, and it is not part of our process, that it be reviewed at all levels, not only a review at my level, a review at the level of people who are below me and then at my level, before being in a format that we can file as a document, an official document from our division"

[Original French version] "Q. [109] Ce qu'on cherche à avoir, c'est le nom du document qui est la liste à laquelle il est fait référence et le nom des documents, parce qu'on parle à la réponse 13.1 :

Oui, le Transporteur dispose de documents de gestion interne qui établissent l'ensemble des projets planifiés, les paramètres et tout.

On comprend que ce sont des documents évolutifs. Mais à mesure que l'information est rentrée par les différents employés d'Hydro-Québec, ils le rentrent dans un document en particulier. Alors, je comprends qu'il y a toutes sortes d'éléments dans cette liste-là. Je comprends des témoins qu'elle évolue. Mais est-ce que la Régie pourrait m'assister pour obtenir le nom du document s'il vous plaît?

Me F. JEAN MOREL :
Ce sont les demandes d'investissements.

Me FRANÇOIS G. HÉBERT :

R. Écoutez, je pense que vous faites référence au plan de gestion des actifs dont on a abondamment parlé en deux mille un (2001), Maître Sicard. Je pense que c'est à ça que vous faites référence, mais il s'agit d'un des documents. C'est un document principal de planification qui, effectivement, est mis à jour par le Transporteur occasionnellement.

Me HÉLÈNE SICARD :

Q. [110] Est-ce que ce document a été produit dans le présent dossier mis à jour au moment du dépôt de votre demande?

R. La réponse est non.

Q. [111] Est-ce que je peux vous demander pourquoi?

R. Bien, une des raisons qui motive le fait que nous n'avons pas déposé ce document-là, c'est que nous sommes dans le cadre d'une cause tarifaire en vue d'établir les tarifs de deux mille cinq (2005). Et à notre avis, ce document-là n'est pas un document essentiel à déposer à l'appui de notre preuve.

Q. [112] Je viens de comprendre la description de tous les témoins, par contre que ce document-là contient l'évolution de votre planification de vos projets et de vos besoins à long terme. Est-ce que je me trompe.

R. C'est ma compréhension de l'objectif de ce document-là.

M. YVES FILION :

R. Je pourrais juste...

Q. [113] Est-ce que je pourrais demander la production de ce document, s'il vous plaît?

R. J'aimerais peut-être, Maître Sicard, vous préciser une chose. C'est que ce document-là est un document que je qualifierais d'un document de travail interne qui donne de l'information, qui nous aide à l'interne à fournir les intrants appropriés à nos processus de planification officielle que sont la préparation du plan annuel et la préparation du plan stratégique.

Alors, les informations que nous sommes prêts à rendre disponibles en tout temps sont les informations reliées au plan stratégique et les informations reliées au plan d'affaires. Les documents internes qui nous servent à alimenter ces processus-là, alors ils ne sont pas, ce ne sont pas des documents qui sont dans un format pour être transmis à l'externe, ce sont des documents qui n'ont pas nécessairement fait l'objet d'un arbitrage à l'interne.

Alors, moi personnellement, quand on vient me voir avec une liste de projets pour les dix prochaines années, bien, je n'ai pas encore porté un jugement sur cette liste-là. Alors, le jugement en tant que président d'Hydro-Québec TransÉnergie, j'aimerais bien l'exercer, et il s'exerce dans nos processus de planification, soit le processus de planification du plan d'affaires et le processus de planification du plan stratégique.

Donc, c'est la raison pour laquelle on ne voudrait pas le rendre... On ne veut pas déposer ce document-là parce qu'il n'est pas un document qui a été, qui a fait l'objet, et ce n'est pas prévu dans notre processus, qu'il fasse l'objet d'un arbitrage à tous les niveaux, pas seulement un arbitrage à mon niveau à moi, un arbitrage au niveau de mes relevants et ensuite à mon niveau avant d'être dans une forme qu'on peut déposer comme étant un document, un document officiel de notre unité.”³²

RNCREQ's request to the Régie to have HQT file this document was rejected. In challenging this request, HQT relied on the Régie's aforementioned decision D-2001-49.

HQT may have been right in asserting that the filing of such working papers was not required in a rate case; however, having limited the information given to Régie intervenors, it cannot claim that it is performing “transmission planning” in accordance with FERC order 890. Therefore, Mr. Rose is incorrect in referring to this process as a “transmission planning process”.

(d) *Bureau d'audiences publiques sur l'environnement*

The *Bureau d'audiences publiques sur l'environnement* (BAPE) is certainly not a forum for transmission planning as this term is understood in FERC order 890.

³² *Ibid.*, page 113 to 115

According to the *Environmental Quality Act*³³, the BAPE is an organization whose main function is to enquire into environmental questions which have been identified by the *Ministre du développement durable, de l'environnement et des parcs* of Québec:

“6.3. The function of the Bureau is to inquire into any question relating to the quality of the environment submitted to it by the Minister and to make to him a report of its findings and of its analysis thereof.”

On the BAPE's website, we also find the following mission statement for this organization:

“Mission

The Bureau d'audiences publiques sur l'environnement is an independent agency that reports to the Minister of Sustainable Development, Environment and Parks. Its mission is to enlighten government decision-making in a sustainable development perspective, which encompasses the biophysical, social and economic aspects.”³⁴

Since its creation, the BAPE has had the opportunity to examine transmission projects in three instances. HQT's transmission customers did not intervene in any of these, nor was HQT's general transmission plan discussed. As shown in the documentation relating to the three projects, the BAPE's main concern is how the project will affect local communities in a biophysical, social and economic perspective – there is no specific focus on the potential impacts on other stakeholders such as transmission customers.

These three projects are:

- Projet de construction d'une ligne monoterne à 315 kV Toulnostouc-Micoua par Hydro-Québec TransÉnergie (26 January - 8 May 2009)
- Projet de construction d'une ligne à 315 kV, la ligne Chénier-Outaouais par Hydro-Québec Trans Énergie (26 May – 28 September 2008)
- Projet de construction du poste Anne-Hébert à 315-25 kV et de la ligne d'alimentation à 315 kV à Saint-Augustin-de-Desmaures par Hydro-Québec TransÉnergie (3 December 2002 – 17 January 2003)

In all three cases, local groups were consulted by HQT in order to discuss their, respective, biophysical, social and economic concerns. However, transmission customers did not participate in the consultation process, and transmission planning was not addressed by the BAPE. Hydro-Québec is the only transmission customer's whose interests were discussed.

³³ R.S.Q., ch. Q-2. See section 6.3

³⁴ http://www.bape.gouv.qc.ca/sections/bape/organisme/eng_organisation_ind.htm

Here again, Mr. Rose is wrong in asserting that this is a transmission planning process.

(e) *Other*

Mr. Rose lists other instances in which transmission planning could occur: exploratory studies under section 12A.5 of HQT's OATT; HQT's and the Régie's complaint processes; and HQT's system impact study process. These are certainly not coordinated transmission planning process, but, instead, one-on-one processes involving HQT and its customers, with a specific objective – which is not general transmission planning.

Conclusion

HQT's current transmission planning process does not meet the “coordination” requirement of FERC 890. The fact that organizations such as the Régie and the BAPE examine certain specific issues related to HQT's transmission planning in self-contained files does not mean that HQT's transmission planning meets the requirements of FERC order 890. Moreover, on these platforms, HQT's customers (other than Hydro-Québec) do not intervene, and their specific interests are not discussed. These platforms examine issues of a more “public interest” nature.

As per FERC order 890, transmission planning options are not limited to *rigid and formal meeting procedures*. Attachment K allows a certain amount of leeway to the transmission provider to best design its transmission planning forum. Such a forum could take the form of technical meetings with interested parties (customers, neighbouring transmission providers, etc.) in which the Régie's formal rules of procedure and evidence would not apply, thus allowing stakeholders to discuss freely the planning of HQT's network.

Finally, in assessing HQT's position regarding the adequacy of existing procedures in meeting the objectives of FERC's Attachment K, it is useful to consider these procedures against the following standard:

“[the information sharing and consultation process] should enable customers, other stakeholders, or an independent third party to replicate the results of planning studies and thereby reduce the incidence of after-the-fact disputes regarding whether planning has been conducted in an unduly discriminatory fashion.”³⁵

It is our contention that this standard is not met under the existing processes identified by HQT.

³⁵ FERC Order 890, paragraph 471

APPENDIX I – YEARLY APPROVAL OF INVESTMENTS OF LESS THAN 25M\$

Régie de l'énergie – Investissements Files

Annual files for investments below \$25 million							
Name of the file	File number	Decision number	Decision date	Intervenors	Amount requested by HQT	Amount approved by the Régie	Name of the commissioner(s)
Budget d'investissement 2010	R-3707-2009	D-2010-056	May 14 2010	Association coopérative d'économie familiale de l'Outaouais (ACEF de l'Outaouais); Fédération canadienne de l'entreprise indépendante (FCEI); Groupe de recherche appliquée en macroécologie (GRAME); Stratégies énergétiques et Association québécoise de lutte contre la pollution atmosphérique (S.É./AQLPA)	634.7	634.7	Gilles Boulianne; Marc Turgeon; Jean-François Viau
Budget d'investissement 2009	R-3670-2009	D-2009-013	March 2 2009	Association coopérative d'économie familiale de Québec (ACEF de Québec); Association de l'industrie électrique du Québec (AIEQ); Fédération canadienne de l'entreprise indépendante (FCEI); Groupe de recherche appliquée en macroécologie (GRAME); Stratégies énergétiques et Association québécoise de lutte contre la pollution atmosphérique (S.É./AQLPA); Union des municipalités du Québec (UMQ)	717.6	717.6	Richard Carrier; Lucie Gervais; Jean-François Viau

Budget d'investissement 2008	R-3641- 2007	D-2008- 020	February 15 2008	Association coopérative d'économie familiale de Québec (ACEF de Québec); Association de l'industrie électrique du Québec (AIEQ); Association québécoise des consommateurs industriels d'électricité et Conseil de l'industrie forestière du Québec (AQCIE/CIFQ); Energy Brookfield Marketing Inc. (EBMI); Fédération canadienne de l'entreprise indépendante (FCEI); Groupe de recherche appliquée en macroécologie (GRAME); Stratégies énergétiques et Association québécoise de lutte contre la pollution atmosphérique (S.É./AQLPA); Union des consommateurs (UC); Union des municipalités du Québec (UMQ)	716.9	716.9	Richard Carrier; Louise Rozon; Louise Pelletier
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Budget d'investissement 2007	R-3606-2006	D-2006-170	December 21, 2006	Association coopérative d'économie familiale de Québec (ACEF de Québec); Association de l'industrie électrique du Québec (AIEQ); Association québécoise des consommateurs industriels d'électricité et Conseil de l'industrie forestière du Québec (AQCIE/CIFQ); Association québécoise de la production d'énergie renouvelable (AQPER); Energy Brookfield Marketing Inc. (EBMI); Fédération canadienne de l'entreprise indépendante (FCEI); Grand Conseil des Cris (Eeyou-Istchee)/Administration Régionale Crie (GCC(EI)/ARC); Groupe de recherche appliquée en macroécologie (GRAME); Ontario Power Generation (OPG); Option consommateurs (OC); Powerex Corp. (Powerex); Regroupement national des Conseils régionaux de l'environnement du Québec (RNCREQ); Stratégies énergétiques et Association québécoise de lutte contre la pollution atmosphérique (S.É./AQLPA); Union des consommateurs (UC); Union des municipalités du Québec (UMQ)	512.2	512.2	Richard Carrier; François Tanguay; Gilles Boulianne
Budget d'investissement 2006	R-3592-2005	D-2006-89	May 26, 2006	Union des consommateurs (UC)	601.7	587.5	Benoît Pepin

Budget d'investissement 2005	R-3557-2004	D-2005-50	March 31, 2005	Association canadienne d'énergie éolienne (ACÉE); Brascan Énergie Marketing Inc. (BEMI); Fédération canadienne de l'entreprise indépendante (FCEI); Ontario Power Generation Inc. (OPG); Option consommateurs (OC); Regroupement national des Conseils régionaux de l'environnement du Québec (RNCREQ); Société en commandite Gaz Métro (Gaz Métro); Union des consommateurs (UC); Union des municipalités du Québec (UMQ)	590.7	550.4	Normand Bergeron; Benoît Pepin; François Tanguay
Budget d'investissement 2004	R-3520-2003	D-2004-87	April 29, 2004		431.6	396.8	Jean-Noël Vallière; Benoît Pepin; Michel Hardy
Budget d'investissement 2003	R-3504-2002	D-2003-71	April 9, 2003		258.8	258.8	Jean-Noël Vallière; Benoît Pepin; Francine Roy
Budget d'investissement 2002	R-3476-2001	D-2002-81	April 12, 2002	Action Réseau consommateur et Fédération des Associations Coopératives d'Économie Familiale (ARC/FACEF); Mouvement au Courant; Option consommateurs (OC)	204.7	204.7	Anita Côté-Verhaaf

Total

4668.9 4579.6

APPENDIX 2 – SPECIFIC INVESTMENT FILES OF 25MS AND MORE

Régie de l'énergie - Investissements

List of investment files for specific investments over \$25 million							
Name of the file	File number	Decision number	Decision date	Intervenors	Amount requested by HQT	Amount approved by the Régie	Name of the commissioner(s)
Projet de reconstruction de lignes et du remplacement d'un câble de garde entre les postes Cadillac et Rouyn	R-3721-2010	D-2010-061	May 20, 2010	Regroupement national des Conseils régionaux de l'environnement du Québec (RNCREQ)	41.4	41.4	Lise Duquette
Projet de réfection de systèmes auxiliaires au poste Châteauguay	R-3719-2010	D-2010-048	April 28, 2010		45.5	45.5	Marc Turgeon
Projet de remplacement de la ligne entre les postes Notre-Dame et Berri + Projet de remplacement d'unités de mesure au poste Berri	R-3718-2009	D-2010-029	March 22, 2010		33.5	33.5	Michel Hardy

Projet visant le remplacement des liaisons hertziennes entre le poste Manicouagan, le poste Arnaud, le poste Montagnais et le complexe hydroélectrique Manic-5	R-3716-2009	D-2010-003	January 20, 20210		94.4	94.4	Jean-Paul Théorêt
Projet d'ajouts et modifications des équipements de transport requis pour l'utilisation des interconnexions HQT-MASS et HQT-NE	R-3715-2009	D-2010-084	June 30, 2010	Énergie Brookfield Marketing Inc. (EBMI); Newfoundland and Labrador Hydro (NLH); Regroupement national des Conseils régionaux de l'environnement du Québec (RNCREQ)	120.2	120.2	Michel Hardy
Projet visant à remplacer les CLC au poste de la Nemiscau	R-3712-2009	D-2010-007	January 29, 2010	Regroupement national des conseils régionaux de l'environnement du Québec (RNCREQ)	71.8	71.8	Louise Rozon
Projet visant l'augmentation de capacité et le remplacement de plusieurs équipements du poste Chomedey à 315-120 kV	R-3705-2009	D-2009-140	October 23, 2009	Regroupement national des conseils régionaux de l'environnement du Québec (RNCREQ)	75.8	75.8	Richard Lassonde
Projet de mise à niveau du réseau de transport principal	R-3696-2009	D-2009-109	August 25, 2009	Newfoundland and Labrador Hydro (NLH); Stratégies énergétiques et Association québécoise de lutte contre la pollution atmosphérique (S.É./AQLPA); Union des municipalités du Québec (UMQ)	259.8	259.8	Michel Hardy

Projet de construction du nouveau poste Rivière-des-Prairies à 12-120 kV et de ses équipements connexes	R-3686-2009	D-2009-069	May 28, 2009	Stratégies énergétiques et Association québécoise de lutte contre la pollution atmosphérique (S.É./AQLPA); Union des municipalités du Québec (UMQ)	37	37	Richard Lassonde
Projet de remise à neuf et de modernisation des compensateurs synchrones au poste Abitibi	R-3684-2009	D-2009-063	May 25, 2008	Union des municipalités du Québec (UMQ)	71.3	71.3	Richard Lassonde
Projet visant la construction du nouveau poste Waconichi à 161-25 kV et d'une nouvelle ligne d'alimentation à 161 kV	R-3683-2009	D-2009-075	June 10, 2009	Stratégies énergétiques et Association québécoise de lutte contre la pollution atmosphérique (S.É./AQLPA);	36.2	36.2	Louise Pelletier
Projet de raccordement des centrales de l'Eastmain-1-A et de la Sarcelle	R-3674-2008	D-2008-149	December 4, 2008		191.1	191.1	Lassonde
Projet relatif à la construction du nouveau poste Anne-Hébert à 315-25 kV et d'une nouvelle ligne à 315 kV	R-3666-2008	D-2008-129	October 3, 2008		83.7	83.7	Lassonde

Projet visant à raccorder de façon temporaire le camp d'exploration minière Éléonore au réseau de Transport	R-3656-2008	D-2008-073	May 21, 2008		51	51	Richard Carrier
Projet visant l'ajout d'un nouveau poste Mont-Tremblant à 120-25 kV et de deux nouvelles lignes d'alimentation à 120 kV	R-3651-2007	D-2008-043	March 28, 2008		51	51	Richard Carrier
Construction d'une nouvelle ligne de transport à 315 kV Chénier - Outaouais	R-3646-2007	D-2008-030	March 7, 2008	Association de l'industrie électrique du Québec (AIEQ); Association québécoise des consommateurs industriels d'électricité et Conseil de l'industrie forestière du Québec (AQCIE/CIFQ); Énergie La Lièvre s.e.c. (ÉLL); Groupe de recherche appliquée en macroécologie (GRAME); Stratégies énergétiques et Association québécoise de lutte contre la pollution atmosphérique (S.É./AQLPA)	214.1	214.1	Gilles Bouliane
Projet de construction du nouveau poste de Vaudreuil-Soulanges à 120-25 kV et raccordement par le bouclage de la ligne actuelle Dorion-Rigaud	R-3635-2007	D-2007-118	October 17, 2007		29.7	29.7	Gilles Bouliane; Lucie Gervais; Marc Turgeon

Projet visant l'augmentation de la capacité du poste Saint-Maxime et la reconstruction de sa section 25 kV	R-3634-2007	D-2007-87	July 20, 2007		42	42	Richard Lassonde
Projet d'intégration des parcs éoliens au réseau régional de transport d'électricité Matapédia	R-3631-2007	D-2007-141; D-2008-077	D-2007-141 (December 18, 2007); D-2008-077 (May 28, 2008)	D-2007-141 (Association de l'industrie électrique du Québec (AIEQ); Stratégies énergétiques et Association québécoise de lutte contre la pollution atmosphérique (S.É./AQLPA); Union des municipalités du Québec (UMQ))	515.8	509.5	Richard Carrier (D-2007-141); Richard Lassonde; Lucie Gervais; Marc Turgeon (D-2008-077)
Projet de construction du nouveau poste de Saint-Lin à 125-25 kV ainsi qu'une nouvelle ligne à 120 kV de 25 km, entre le poste Paquin et le nouveau poste de Saint-Lin	R-3627-2007	D-2007-78	June 29, 2007		48.1	48.1	Richard Lassonde
Projet visant la réfection du poste Sorel	R-3619-2006	D-2007-36	April 3, 2007	Association québécoise de lutte contre la pollution atmosphérique et Stratégies énergétiques (AQLPA/S.É)	52.2	52.2	Richard Lassonde
Accroissement de la transformation, maintien des actifs et fiabilité de l'alimentation du poste Hauterive	R-3616-2006	D-2007-41	April 16, 2007		79	79	Richard Lassonde

Projet de raccordement du village de Wemindji au poste La Grande-1	R-3613-2006	D-2007-18	March 5, 2007		46	46	Benoît Pepin
Projet de raccordement des centrales de la Chute-Allard et des Rapides-des-Coeurs au réseau de transport d'électricité	R-3585-2005	D-2006-36	February 28, 2006	Groupe de recherche appliquée en macroécologie (GRAME)	104.5	104.5	Anthony Frayne
Projet de raccordement de la centrale de Péribonka	R-3581-2005	D-2006-25	February 1, 2006	Association de l'industrie électrique du Québec (AIEQ); Groupe de recherche appliquée en macroécologie (GRAME); Stratégies énergétiques et Association québécoise de lutte contre la pollution atmosphérique (SÉ-AQLPA)	184.5	184.5	Anthony Frayne
Projet d'ajout d'une nouvelle section 315-25 kV au poste Saraguay	R-3575-2005	D-2005-153	August 31, 2005		38.9	38.9	Jean-Paul Théorêt
Projet Arnaud	R-3561-2005	D-2005-119	June 29, 2005		32.2	32.2	Benoît Pepin

Projet de mise à niveau du réseau régional Matapédia dans le cadre de l'intégration des éoliennes	R-3560-2005	D-2005-142	August 2, 2005 (Decision); September 16, 2005 (reasons)	Association de l'industrie électrique du Québec (AIEQ); Fédération canadienne de l'entreprise indépendante (FCEI); Groupe de recherche appliquée en macroécologie (GRAME); Regroupement national des conseils régionaux de l'environnement du Québec (RNCREQ); Regroupement des organismes environnementaux en énergie (ROÉE); Stratégies énergétiques et Association québécoise de lutte contre la pollution atmosphérique (SÉ/AQLPA); Union des municipalités du Québec (UMQ)	34.6	34.6	Gilles Boulianne
Projet de remise à neuf et de modernisation des compensateurs synchrones au poste de Lévis	R-3553-2004	D-2005-45	March 10, 2005		33	33	Anita Côté-Verhaaf
Projet de raccordement de la centrale de l'Eastmain-1 au réseau de transport	R-3527-2004	D-2004-187	September 7, 2004		145.7	145.7	Francine Roy
Projet du déglaceur de Lévis	R-3522-2003	D-2004-175	August 20, 2004	Stratégies énergétiques et Association québécoise de lutte contre la pollution atmosphérique (S.É.-AQLPA); Union des consommateurs (UC)	190.8	190.8	Francine Roy
Projet de raccordement du village cri de Waskaganish au réseau de transport d'électricité	R-3512-2003	D-2003-214	November 17, 2003	Fédération canadienne de l'entreprise indépendante (FCEI); Grand conseil des Cris (EEYOU/ISTCHEE), Administration Régionale Crie et la Bande de Waskaganish (GCC/ARC/Bande de Waskaganish);	64	64	François Tanguay

				Option consommateurs (OC)			
Projet de raccordement de la centrale Toulustouc	R-3497-2002	D-2003-68	April 4, 2003	Association de l'industrie électrique du Québec (AIEQ); Regroupement national des Conseils régionaux de l'environnement du Québec (RNCREQ); Stratégies énergétiques (S.É.); Union des consommateurs (UC)	129.1	129.1	Anita Côté-Verhaaf; Benoît Pepin; Francine Roy

Total

3247.9

3241.6

APPENDIX III – RATE CASES

File number	Intervenors
R-3401-98	<ul style="list-style-type: none"> - Association coopérative d'économie familiale de Québec (ACEF de Québec); - Association de l'industrie électrique du Québec (AIEQ); - Association des redistributeurs d'électricité du Québec (AREQ); - Association québécoise des consommateurs industriels d'électricité, Association des industries forestières du Québec Ltée et Association québécoise de la production d'énergie renouvelable (Coalition industrielle); - Gazoduc TransQuébec & Maritimes Inc. (Gazoduc TQM); - Groupe de recherche appliqué e en macroécologie et Union pour le développement durable (GRAME-UDD); - Groupe STOP et Stratégies énergétiques (STOP/S.É.); - New Brunswick Power Corporation (Énergie NB); - New York Power Authority (NYPA); - Ontario Power Generation (OPG); - Option Consommateurs (OC); - PG&E National Energy Group Inc. (NEG); - Regroupement national des Conseils régionaux de l'environnement du Québec (RNCREQ); - Société en commandite Gaz Métropolitain (SCGM); - Union des consommateurs et Centre d'études réglementaires du Québec (UC-CERQ).
R-3549-2004 - Phase 1	<ul style="list-style-type: none"> - Association canadienne d'énergie éolienne (ACÉE); - Brascan Énergie Marketing Inc. (BEMI); - Fédération canadienne de l'entreprise indépendante (FCEI); - Ontario Power Generation Inc. (OPG); - Option consommateurs (OC); - Regroupement national des Conseils régionaux de l'environnement du Québec (RNCREQ); - Société en commandite Gaz Métro (Gaz Métro); - Union des consommateurs (UC); - Union des municipalités du Québec (UMQ).
R-3549-2004 - Phase 2	<ul style="list-style-type: none"> - Association coopérative d'économie familiale de Québec (ACEF de Québec); - Association de l'industrie électrique du Québec (AIEQ); - Association québécoise des consommateurs industriels d'électricité et Conseil de l'industrie forestière du Québec (AQCIE/CIFQ); - Brascan Énergie Marketing Inc. (BEMI); - Fédération canadienne de l'entreprise indépendante (FCEI); - Option consommateurs (OC); - Ontario Power Generation (OPG); - Regroupement national des Conseils régionaux de l'environnement du Québec (RNCREQ);

	<ul style="list-style-type: none"> - Union des consommateurs (UC); - Union des municipalités du Québec (UMQ).
R-3640-2007	<ul style="list-style-type: none"> - Association coopérative d'économie familiale de Québec (ACEF de Québec); - Association de l'industrie électrique du Québec (AIEQ); - Association québécoise des consommateurs industriels d'électricité et Conseil de l'industrie forestière du Québec (AQCIE/CIFQ); - Energy Brookfield Marketing Inc. (EBMI); - Fédération canadienne de l'entreprise indépendante (FCEI); - Groupe interconnexions et énergie Québec (GIEQ); - Groupe de recherche appliquée en macroécologie (GRAME); - Option consommateurs (OC); - Regroupement national des conseils régionaux de l'environnement du Québec (RNCREQ); - Stratégies énergétiques et Association québécoise de lutte contre la pollution atmosphérique (S.É./AQLPA); - Union des consommateurs (UC); - Union des municipalités du Québec (UMQ).
R-3605-2006	<ul style="list-style-type: none"> - Association coopérative d'économie familiale de Québec (ACEF de Québec); - Association de l'industrie électrique du Québec (AIEQ); - Association québécoise des consommateurs industriels d'électricité et Conseil de l'industrie forestière du Québec (AQCIE/CIFQ); - Association québécoise de la production d'énergie renouvelable (AQPER); - Energy Brookfield Marketing Inc. (EBMI); - Fédération canadienne de l'entreprise indépendante (FCEI); - Grand Conseil des Cris (Eeyou/Istchee)/Administration régionale Crie (GCC(EI)/ARC); - Groupe de recherche appliquée en macroécologie (GRAME); - Ontario Power Generation (OPG); - Option consommateurs (OC); - Powerex Corp. (Powerex); - Regroupement national des Conseils régionaux de l'environnement du Québec (RNCREQ); - Stratégies énergétiques et Association québécoise de lutte contre la pollution atmosphérique (S.É./AQLPA); - Union des consommateurs (UC); - Union des municipalités du Québec (UMQ).
R-3669-2008 Phase 1	<ul style="list-style-type: none"> Association coopérative d'économie familiale de Québec (ACEF de Québec); - Association de l'industrie électrique du Québec (AIEQ); - Association québécoise des consommateurs industriels d'électricité et Conseil de l'industrie forestière du Québec (AQCIE/CIFQ); - Énergie Brookfield Marketing Inc. (EBMI); - Fédération canadienne de l'entreprise indépendante (FCEI); - Groupe de recherche appliquée en macroécologie (GRAME);

	<ul style="list-style-type: none">- Option consommateurs (OC);- Regroupement national des Conseils régionaux de l'environnement du Québec (RNCREQ);- Stratégies énergétiques et Association québécoise de lutte contre la pollution atmosphérique (S.É./AQLPA);- Union des consommateurs (UC);- Union des municipalités du Québec (UMQ).
R-3706-2009	<ul style="list-style-type: none">- Association coopérative d'économie familiale de l'Outaouais (ACEF de l'Outaouais);- Association coopérative d'économie familiale de Québec (ACEF de Québec);- Association québécoise des consommateurs industriels d'électricité et Conseil de l'industrie forestière du Québec (AQCIE/CIFQ);- Énergie Brookfield Marketing Inc. (EBMI);- Fédération canadienne de l'entreprise indépendante (FCEI);- Groupe de recherche appliquée en macroécologie (GRAME);- Option consommateurs (OC);- Regroupement national des Conseils régionaux de l'environnement du Québec (RNCREQ);- Stratégies énergétiques et Association québécoise de lutte contre la pollution atmosphérique (S.É./AQLPA);- Union des consommateurs (UC);- Union des municipalités du Québec (UMQ).