

R-3669-2008

AUDIENCE
21 OCTOBRE 2010

1 choses ou votre appréciation des témoignages ou
2 autres. Mais pour l'instant, la Régie demande de
3 passer à autres questions.

4 Me HÉLÈNE SICARD :

5 Q.22 At page 12 of your report, Monsieur Rose,
6 line 21 and following...

7 R. What page?

8 Q.23 12.

9 R. Okay.

10 Q.24 You state, and I'm starting at the end of
11 line 20:

12 « However, I am
13 familiar with
14 Attachment K and I
15 note that selected
16 aspects of the
17 Attachment K
18 requirements already
19 appear to have been
20 met at least in part
21 by virtue of the
22 openness to
23 participation by and
24 coordination... »

25 What you're saying here is selected

Régie de l'énergie

DOSSIER: R-3814-2012

DÉPOSÉE EN AUDIENCE

Date: 14 DÉCEMBRE 2012

Pièces n° C-UC-0044

1 aspects. So am I to understand that some
2 of the aspects, some of the requirements,
3 would not have been met yet?

4 R. Well, I wasn't aware of anything that
5 violated Attachment K's requirements for
6 open and comparable access and I was
7 hedging because there was the possibility
8 that more information would become
9 available over time.

10 Q.25 Can you be more clear in your answer? Are
11 there aspects that did not meet the
12 Attachment K requirements or not for you
13 to write « selected aspects »?

14 R. For example, there were aspects of the
15 dispute resolution process that I wasn't
16 aware of at the time I was writing the
17 document. And I've received additional
18 information that has been more detailed in
19 confirming of my understanding as to what
20 the dispute resolution was, and I was
21 thinking in terms of the Régie.

22 And so, there were additional details
23 that I received that confirmed my initial
24 assessment but I wanted to hedge because I
25 expected that I would receive more

1 information.

2 Q.26 Okay, so what you're telling me is your
3 report was written before you got and
4 gathered all the information?

5 R. Yes. I received more detailed and
6 confirming information over time. But I
7 did receive information about, you know,
8 oral aspects of it but I wanted to hold
9 open the possibility that I would get more
10 detailed information and see whether there
11 was additional aspects of the process that
12 I could confirm, or not confirm.

13 Q.27 And then why do you use the word on the
14 line following « already appears to have
15 been met at least in part ». Am I to
16 understand that even in those that are
17 met, they're only met in part, according
18 to your opinion written here?

19 R. It was more that it was in part vis-à-vis
20 the information that I had and I wanted to
21 hold up in the possibility that I would
22 get additional more detailed information
23 that would go one way or the other.

24 You know, again, I'm not a lawyer but
25 I wanted to verify that there was an

1 appeal process vis-à-vis decisions of the
2 Régie, and as I understand it, there is an
3 appeal process. And that's just
4 additional detailed pieces of information
5 that came to me over time and it supports
6 the view that you have a fair and
7 reasonable process for dispute resolution.

8 Q.28 Now, am I correct in assuming that, from
9 your previous answer, that all that
10 information was given to you or
11 communicated to you by HQT or its
12 representative TransEnergie?

13 R. We did receive a lot of information but it
14 wasn't the only source. I mean, there
15 were other sources of information that we
16 consulted as well.

17 Q.29 Which were?

18 R. Well, I mean, there was information from
19 Canadian sources on various different
20 aspects. We looked at the OATT and we
21 went to the websites and did some
22 research. And we also had some data of
23 our own.

24 Q.30 I'm talking about information about
25 Quebec.

- 1 R. Yes, we maintain databases on Quebec and
2 are involved in modelling and assessing
3 all the Canadian provinces that are on the
4 mainland.
- 5 Q.31 Now, did you do this yourself or you did
6 this with your team?
- 7 R. I did this with my team.
- 8 Q.32 So, could you be more precise as to which
9 parts were not met, according to you, at
10 the time you wrote this report, which
11 you've decided, now that you've reviewed
12 more documents, that they are met?
- 13 R. You know, there were certain... I mean,
14 the coordination was never really a
15 concern for me. But, for example, on the
16 openness, I did want to understand a
17 little bit more about some of the
18 processes here in Quebec with respect to
19 how the Régie conducts itself. And, you
20 know, I came to understand the
21 availability of participant financing
22 better, and funding.
- 23 So, I did receive additional
24 documentation and additional information,
25 and the more I found, the more it

