Ottawa Light Rail Commission

Richard France
on Wednesday, April 27, 2022

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OTTAWA LIGHT RAIL COMMISSION

ALSTOM CANADA INC. - RICHARD FRANCE

APRIL 27, 2022

--- Held via Zoom Videoconferencing, with all participants attending remotely, on the 27th day of April, 2022, 9:00 a.m. to 12:20 p.m.

COMMISSION COUNSEL:

Kate McGrann, Co-Lead Counsel Member
Carly Peddle, Litigation Counsel Member

PARTICIPANTS:

Richard France, Alstom Transport Canada Inc.

Charles Nieto, In-House Counsel,
Alstom Transport Canada Inc.

Michael Valo, Charles Powell, Lena Wang,
Glaholt Bowels LLP

ALSO PRESENT:

Judith Caputo, Stenographer/Transcriptionist
Laila Butt, Virtual Technician

INDEX OF EXHIBITS

NUMBER/DESCRIPTION PAGE NO.

(None.)

* * The following is a list of documents undertaken to be produced or other items to be followed up * *

INDEX OF UNDERTAKINGS

The documents to be produced are noted by U/T and appear on the following pages: (None.)

-- Upon commencing at 9:01 a.m.

RICHARD FRANCE: AFFIRMED.

KATE McGRANN: Good morning, Mr. France. My name is Kate McGrann, I'm one of the co-lead counsel for the Ottawa Light Rail Transit Public Inquiry.

RICHARD FRANCE: Good morning.

-- REPORTER'S NOTE: (Experienced virtual connection difficulties).

KATE McGRANN: Mr. France, the purpose of today's interview is to obtain your evidence under oath or solemn declaration for use at the Commission's Public Hearings.

This will be a collaborative interview, such that my co-counsel, Ms. Peddle, may intervene to ask certain questions. If time permits, your counsels may also ask follow-up questions at the end of this interview.

This interview is being transcribed, and the Commission intends to enter this transcript into evidence at the Commission's Public Hearings, either at the hearings or by way of procedural order before the hearing is commenced.

The transcript will be posted to the

Commission's public website, along with any corrections made to it after it is entered into evidence.

The transcript, along with any corrections later made to it, will be shared with the Commission's participants and their counsel on a confidential basis before being entered into evidence.

You will be given the opportunity to review your transcript and correct any typos or other errors before the transcript is shared with the participants or entered into evidence. Any non-typographical corrections made will be appended to the transcript.

Pursuant to Section 33 (6) of the Public Inquiries Act 2009: A witness at an inquiry shall be deemed to have objected to answer any question asked him or her upon the ground that his or her answer may tend to incriminate the witness, or may tend to establish his or her liability to civil proceedings at the instance of the Crown or of any person, and no answer given by a witness at an inquiry shall be used or be receivable in evidence against him or her in any trial or other proceedings against him or her and thereafter

taking place, other than a prosecution for perjury, in giving such evidence.

As required by Section 33 (7) of that Act, you are hereby advised that you have the right to object to answer any question under Section 5 of the Canada Evidence Act.

If at any point during this interview you need to take a break, please let me know and we will pause the recording.

Would you give us a brief overview of your professional experience as it relates to the work that you did on Stage 1 of Ottawa's Light Rail Transit System, please.

RICHARD FRANCE: Just my experience with Alstom, I started working for Alstom in 2007 on London Underground on the Jubilee Line. So in that capacity, I started off as a systems engineer covering various systems for the rolling stock, what they have there.

After a couple of years, I became the acting engineering manager on the Jubilee Line. In the last six months as we were closing the contract due to funding, it went back to the client.

Then an opportunity arose in Dublin, as the engineering manager there. So I moved over to

Dublin around 2011, and I worked as the engineering manager for the vehicles.

And in Dublin, they had a tram system which covered infrastructure and vehicle maintenance. There are comparables to the system that we have in Ottawa.

So after being the vehicle engineering manager for a few years, I became the engineering manager for both the vehicle and infrastructure maintenance, where we went through an exercise to merge the two activities together, because there was some synergies between vehicle and infrastructure maintenance.

Then around, I want to say around 2018, I became the project manager in Dublin, and I was in that role until I came to Ottawa in June of 2019. Actually, I think it was around 2017 I became the project manager in Dublin.

So, yeah, I came to Ottawa as a project manager and responsible for, you know, all the different functions that we have in the maintenance organization. I was chairing the engineering, supply chain sourcing, quality, finance and contractual teams that we had, you know, leading the activity that we had to do here in Ottawa.

KATE McGRANN: The projects that you describe, were any of those P3 projects?

RICHARD FRANCE: So London Underground and Dublin are not really the same P3 sort of makeup that you have here. But I mean there's comparables between the projects nonetheless.

KATE McGRANN: And what would the main comparables be, in your view?

RICHARD FRANCE: Well, you know, so for any railway operation, you've got an operator, you've got a maintainer, then there's the end client which is the City or the state.

And so, you know, the activities that you've got to do are largely the same. But when you're talking about 3P, it's just, you know, how it's put together and the funding, but ultimately, the objective is largely the same. You want to build and -- you know, design and build a system, and then operate and maintain it so that it's moving passengers around every single day. So the concept is pretty much the same.

KATE McGRANN: In terms of oversight and accountability, any differences that you saw between the work done in Ottawa and the prior experience you have in London and Dublin?

RICHARD FRANCE: Sorry, can I ask a question? At what stage, what do you mean by that? Can you clarify?

KATE McGRANN: Sure. To the extent that the work that you did in Dublin or London looked like the kind of work that you're doing in Ottawa with respect to the maintenance piece, just coming at it from a governance and accountability perspective. Any differences between what you saw in Dublin and London as compared to Ottawa?

RICHARD FRANCE: So the purpose of what I had to do in Ottawa versus what I did on London Underground and Dublin, it's the same, really.

So, you know, project managing and organization that has to execute maintenance, it's precisely the same. There's the same sort of activities where you need to do a prescribed set of preventative maintenance. You know, there's arising corrective work, you've got to plan for more complex maintenance at later stages, like overhauls or asset renewals. You know, there's lots of -- similar things you need to look at like obsolescence management, configuration of the assets and so forth.

So, you know, they're very comparable.

So I think my background actually from working in Dublin was, you know, a good asset for coming to Ottawa to perform the work that we had to do.

I've been working with Alstom for 15 years, and predominantly in this maintenance-type activity. So I have a, I think I have a pretty good understanding of the different elements that have to be done to execute that kind of work.

KATE McGRANN: So the purpose is the same on all three projects, but from a governance perspective, in terms of who you have access to, who's providing you with instructions, feedback, etcetera; any differences between your prior projects and this one?

RICHARD FRANCE: Yeah. So the contractual makeup in Ottawa is certainly unique compared to what I was used to on London Underground and on the Dublin Luas.

You know, here we're not really the maintainer. Alstom is a subcontractor to RTM that's the maintainer. So that relationship is stranger than what I'm used to, you know. Because the end -- the operator of this system is OC Transpo. And so it's very strange for the maintainer, or at least what I'm used to, the

subcontractor, let's say, not having a direct link to the operator.

Because there's an essential piece there, where operations and maintenance go hand-in-hand. You know, there needs to be a very high level of collaboration, you know, close working together to make things work efficiently and smoothly. Because, you know, if you're not careful, you might not succeed as well in a maintenance capacity if the operator and the maintainer are not working extremely close together.

So what we have in Ottawa is, you know, Alstom has a very large percentage of the scope of maintenance. We cover the majority of the infrastructure assets, and we maintain the vehicles. But there's a huge disconnect between us and OC Transpo, because we have to work through RTM. So that's been the challenge I've found with the experience in Ottawa, for sure, which I haven't in other locations.

KATE McGRANN: Any other challenges on this project that are similar to the one you just described you're experiencing for the first time, as compared to the other projects you've worked on?

RICHARD FRANCE: Yeah. So there was difficulties I think with getting started. So when I showed up in June of 2019, you know, majority of construction was completed on the system, and the trains were -- you know, there was lots of trains that were already manufactured, and there was -- and then there was little issues that all parties were working through to get ready for service.

And my understanding at the time was that, you know, service -- the start of service had been delayed already by a year. And I think a lot of people didn't really believe that they'd be going into service in September 2019, because they thought there was still lots of work to do.

So I showed up in this environment where suddenly we had to get to a state where we were ready to be in service, but the people on the ground were very used to the whole thing being delayed, and they were sort of in doubt that actually we would get in service.

So we had to sort of quickly turn things around in that short period of time to be ready for service.

You know, and then in doing that, as part of a mobilization piece for a project, there

is a, you know, lots of things that need to be done in a short time. But we didn't have access to a facility where you can actually do maintenance on the trains.

So, you know, there's a learning curve that people need to go through when they start to work on a train for the first time. You know, they've got to figure out new activities, figure out, "okay, well, I need these parts next to where I'm going to do the work." Or, "I need to have these tools." And there's little issues that they need to discuss back and forth between engineering and supply chain.

And so when I showed up, we didn't have a place to actually conduct maintenance. So because they were building the trains in MSF1, which was intended to be the maintenance facility after the trains were manufactured, you know, and this manufacturing continued on into after revenue service started.

So they had created MSF2, which was going to be a space for maintenance to be started. But when I showed up, we didn't have access to MSF2, it was still a construction site. So there was sort of extra, let's call it rules or

regulations required. Sorry, I'm less familiar with the local legislation. But I imagine under Province of Ontario, if something is being used as a construction site, well then there's extra controls and permissions you need to get access to that site.

So we didn't really have that space available to us to do maintenance, even though it was intended for that.

And then they had been running these trains on the line regularly as part of commissioning. So, you know, where they're testing and commissioning the trains before service, you know, to run them in and see what issues there are.

So the trains were clocking mileage, which is, you know, triggering requirements around different maintenance intervals, but we had no place to actually do that work.

So immediately before trial running around August, we had lots of the first maintenance level to complete, you know, the 25K inspections. And there was a backlog of wheel turning that hadn't been done on the trains that we had to work through very, very quickly to get ready to start service. Because we couldn't actually run

passengers on these trains if we were behind schedule on the maintenance part already. So that was very difficult.

And then the other part of, you know, mobilizing to a new site, like MSF2, is there's a level of time needed to set up the maintenance bay with tools, materials, so that you can do the work effectively.

And instead, we had to quickly rush over there. We didn't even have a desk or offices setup for supervisors and support staff to sit and lead the team. So the facility was a letdown in the beginning for sure.

On the infrastructure side, it was -- so Alstom only took over the maintenance of the infrastructure at the revenue service acceptance date, that was in the contract. So we didn't get access to the infrastructure, really, to do work before revenue service started.

And it's the same idea for the vehicles. There's a learning curve you go through when you touch the equipment for the first time, you know, so all the activities take a little bit longer. And, you know, you've got to figure things out and like this.

So it's a bit of a -- it was a bit of a shame, really, that we didn't have access or decent access to the system before revenue service started.

So I know that before I show up, there was discussions to try to get Alstom access to the system beforehand. But I learned that the staff were quite -- Alstom staff were quite frustrated, because they had put something on the plan and it would regularly get rejected.

And the feeling was that it was kind of intentionally getting rejected, because they didn't want to give us access to the system early, because we might report problems, and that would link back to the construction and stuff like this. And maybe there would have been a little bit of that, but the idea from the staff would've been, "okay, we'll find these problems earlier, so they won't cause a problem later in service".

So there was a lot of politics. So things like that were going on. And I was definitely used to less politics in my other work locations. Generally, there was a very collaborative approach with the client, the operator, where we would work closely together to

help each other fulfill our requirements. Where in Ottawa, there was -- I don't know, maybe we call it some bad history that I walked into and had to work through.

KATE McGRANN: You joined the Ottawa LRT project in June of 2019, I think, if I've got that right?

RICHARD FRANCE: Yeah, it was -- I think the 10th was the first day.

KATE McGRANN: Were you stepping into a role that had previously been filled by someone else?

RICHARD FRANCE: Yes. The previous project manager was Alban Houssin and he -- yeah, so I took on his role.

But at the time they had -- so the individual that hired me, Justin Bulpitt. So he was filling in for Alban in the period that he was off, and then I was hired by Justin and came to Ottawa.

KATE McGRANN: Okay. So Alban Houssin was in your role, he left and Justin filled in for him until you joined?

RICHARD FRANCE: Yeah. So Alban's reporting line was to Justin at the time, and then

when I joined, my reporting line was equally to Justin.

KATE McGRANN: And, generally, what was the status of the preparation for Alstom's maintenance work when you joined?

RICHARD FRANCE: Yeah, so we were in the mobilization phase. As I mentioned, there's lots of work that needs to be done at that stage.

You know, there were -- I guess on the infrastructure maintenance side, the maintenance system was not ready in some respects. And by "maintenance system" I mean we use SAP, we call it GSI. And that interfaces with the client's IMIRS system. So it's the system where all the records are kept and stuff.

So we had to get -- for each little activity that you would do as part of preventative maintenance, we would have a task list that the staff would have to go through, and they check off to say, you know, I've done this, I've done this, I've measured this, and like that. And they'd carry out certain tests. So each activity would have a task list.

So in the beginning, we didn't have all those setup, because we were missing key

information from, you know, the build. And then we didn't have access to the system to really properly create that stuff.

So we had to rush to get the maintenance management system set up, particularly, on the infrastructure side. The vehicles, it was a bit better.

KATE McGRANN: And so -- go ahead.

RICHARD FRANCE: Keep going.

KATE McGRANN: No, please, I didn't mean to interrupt you.

RICHARD FRANCE: Sorry, I'm just thinking.

Yeah, so a lot of the documentation from the infrastructure stuff, we got it very late. There was a bunch of information that was provided, maybe -- I want to say maybe something like May 2019. And the team were only, you know, upon receipt, they were starting to go through it. But there's thousands and thousands of documents that they had to go through.

But we should have gotten that information considerably earlier to be able to support with what we needed to do for setting up maintenance activities and stuff.

And then sadly, even to this day, we're still missing considerable amounts of information from the original build on the infrastructure.

So periodically we got a couple of memory sticks of information with sort of like basic drawings of where equipment is located, and then there were some manuals and like this. But it was missing considerable amounts of what you'd expect to be able to maintain the system.

So we did an exercise of, you know, the engineering team we have, did an exercise and went through all those documents and highlighted what sort of stuff was missing, you know, and we created -- for every single system of the infra we created a table that shows, you know, bill materials, maintenance manuals, assembly drawings, calculations, RAMS information. But anyway, it has all the different types of things you'd expect to receive as part of design and build, passed on to maintenance. And then so we colour coded these tables to show what we have and what we don't have.

And so there was quite a lot of information that hadn't been provided. And to this day, there's still considerable gaps in the information.

So that's been a challenge, you know.

And if you take something like software. So software for all the different systems, you have a CTS network, SCADA systems, you know, signalling system, you'd expect to have the original software so that if you needed to rebuild one of those pieces of equipment in the event there's a failure of a motherboard or something, you'd expect to have that software available so you can rebuild it. But the software has not been provided to this day.

So alternatively to having the software, you have a system where you create backups, but it's not set up. So things like that, there's clearly, there's clearly been some gaps along the way with the information provided to support all the work.

On the vehicle side, you know, less so. Alstom manufactured designed and manufactured the trains. So we didn't need to rely on receiving that information through the contractual route. So you'd expect that that information would be provided from Alstom to OLRT-C, who is the design and build entity, and then transferred up to RTG, down to RTM and then down to Alstom as the maintenance subcontractor. You'd expect to see that kind of route.

But for the vehicles, we didn't need to rely on that, because it's the same company. So all the vehicles, we had whatever information we needed. And then Alstom is a very large company, and we have technical experts dotted around the globe that can support with any sort of gap that we may or may not have.

Additionally, we are in a good position on vehicles, because they are still manufacturing trains. And while that was happening in the MSF, in Ottawa, it eventually moved to a facility in Brampton where they continued on manufacturing.

So that meant that we had good access to spare parts that we needed, if we had any problems. And, you know, extra resource and tools or whatever, you know. So on the vehicles, we were in a much better shape there.

But on infrastructure, you know, concerns. Even to this day, I believe we're still missing some of the parts that were supposed to be provided to support maintenance.

KATE McGRANN: When you say you're missing some of the parts, is that with respect to one of the maintenance service facilities or something different?

RICHARD FRANCE: No. So on the infrastructure, there's a set of parts that are supposed to be delivered to support maintenance work. So I don't know, you'd expect them -- sometimes they come in capital spares or, you know, in the contract there's a list of stuff you're supposed to receive so...

And we probably received about 70 percent of what was supposed to be there.

KATE McGRANN: And how -- sorry, go ahead.

RICHARD FRANCE: No, go ahead.

KATE McGRANN: Has there been a call for any of the parts that you haven't received yet? Like has that gap in provision caused any issues?

RICHARD FRANCE: Specific to that list, I can't say. But, you know, there has been some faults on the infrastructure and stuff, where we've been a little delayed because of parts, or information, or, you know, the software and stuff like that. So certainly, yes.

It's difficult, I mean, hard to quantify some of these things. And, you know, with the contractual relationship that we have with say -- to RTM over to OLRT-C, and with the City, is

very messy in Ottawa. Because if we're missing some parts that were supposed to be provided, then you think, "okay, well we've suffered some harm, because there will be penalties associated with that in the delay in getting things back".

So we would try to make a claim and recover our money through RTM over to OLRT-C. But it's set up in such a way that it's really very difficult to actually recover from that situation.

I'm coming way off topic on the question, but I found the -- you asked about difficulties and stuff at the start.

So the other piece is that -- so on the side of the vehicles, we had a team dedicated to carrying out the warranty activity. And then teams that were supporting with the testing and commissioning and like this. So all that stuff is really good, and it was helping getting the trains to where they needed to be.

But at the start, I kind of discovered around the start of revenue service, that there was going to be very little support for warranty-type problems on the infrastructure.

The team that was going to be supporting warranty from OLRT-C for the

infrastructure equipment, they were rapidly demobilizing and, you know, from what I'm used to, and they weren't really going to go out and fix the problems. They sort of left things for Alstom to deal with, and then to fight back later as part of a claim.

But that's -- I don't know, I -- it's not the nicest way to work. Because you'd expect that if you designed and built something, you would honour the product that you've created, and you'd honour the warranty period and proactively try to fix problems so that these issues are bottomed out.

Instead, what we've discovered is that these issues were going to be completely passed down to Alstom to deal with, and then we'd have to try to make a recovery of money that we consumed in dealing with these problems, you know, back through claims. And that approach can take years to recover that money. And so that created some considerable problems at the start.

KATE McGRANN: I have a couple of follow-up questions based on what you've shared.

When you use acronyms, I will try to get us to put the full phrase on the record. So

let's start with "MSF", what does that stand for?

RICHARD FRANCE: "Maintenance and storage facility".

KATE McGRANN: You've mentioned that the -- I think prior to -- well, definitely prior to revenue service availability, but potentially prior to trial running, the trains had been running on the line and clocking mileage, and, therefore, they were triggering preventative maintenance requirements; have I got that right?

RICHARD FRANCE: Yes.

KATE McGRANN: And one of the items that you mentioned was that there a backlog of wheel turning; is that correct?

RICHARD FRANCE: Yeah.

KATE McGRANN: What is "wheel turning"?

RICHARD FRANCE: So wheels are made out of metal, the rails made out of metal. When the two roll together, you start to create wear on both parts.

So the tires, they end up, you know, the profile of the wheel ends up changing with this wear. So you have to do machining exercise with the wheel lathes to restore that profile back to the new profile.

So you've got to do that periodically. If you were to leave it for a very, very, very long time, or very long amount of kilometres, you'd end up with profiles that are not conforming to a safe standard. So you can have issues if you didn't machine your wheels periodically, for sure.

So we had to do -- you know, there's at least 50 percent of the fleet needed some machining done on the wheels because with all the commissioning runs they had done, they were already over, I think around 30,000 kilometres. So we had to do that.

And then there's two other maintenance intervals before that. So there's every 10,000 kilometres there's an inspection of the wheels. And every 25,000 kilometres is the first maintenance interval. So we had to do those sort of things to catch up.

KATE McGRANN: When you talk about the profile of the wheels, is it basically a question of whether the wheels are perfectly round or not, or is it more complicated than that?

RICHARD FRANCE: There's like a flange -- I don't know how to explain without a diagram, tricky.

Yeah, there's like a slightly more narrow part on the wheel that goes down the head of the rail in between the rails, so on the insides. And then there's a more flatter part that sits on the top of the rail.

So as you wear, the flat surface will hollow out, and then the thin flange part will reduce in thickness. So you've got to restore that so that the flange is thicker and the hollow piece is no longer hollow.

KATE McGRANN: You mentioned that with respect to the infrastructure maintenance, that Alstom was not getting access to the infrastructure prior to revenue service availability that it would have wanted; is that fair?

RICHARD FRANCE: Absolutely, yeah. I mean, contractually we weren't the owners of the maintenance prior to RSAD, "Revenue Service Acceptance Date".

But we wanted to get access so that we could go through the learning curve before revenue service. You know, my understanding is there was discussions with Alban and Claude Jacobs, who was RTM's GM, and people, to get access where they would put sort of activities on the plan.

But then the team were telling me those were regularly getting cancelled last minute, so that, you know, and then they felt it was intentional.

So, yeah, we didn't have access. And, you know, prior to RSAD, OLRT-C were responsible for the maintenance of the infrastructure. Now the system was built quite a long time before we actually got to service, you know, track and the OCS were built well in advance. You couldn't possibly have testing and commissioning carried out without a track and OCS and other systems.

So those things were built a little earlier. Surely there were lots of things that needed to be corrected and dealt with. But they were at a state where they could run trains.

Now OLRT-C were meant to be doing the maintenance. To this day, we don't have the maintenance records from them of what was actually done before RSAD. We requested that and could not get it, and that's -- so it's not clear to us whether actually maintenance was being done before start of revenue service. You think, "well, what difference does that make? Alstom is going to take over revenue service".

Well, it is significant. Because you want to know where you are in terms of the lifecycle of those assets. Where you are in the maintenance plan to be able to start them off properly. So without that information, we sort of had to make some assumptions about where to start. So, yeah, there was a gap in the records there. And then problems with build records as well, so...

KATE McGRANN: On that, the request for maintenance records that were made. Were those requests made by letter? Like if I wanted to go looking at that --

RICHARD FRANCE: Yes.

KATE MC GRANN: -- exchange, where would I go looking for it?

RICHARD FRANCE: "Contractual correspondence" is where we'd put all that stuff.

KATE McGRANN: With respect to the assumptions that were made because you couldn't get those records; was any effort made to verify those assumptions with OLRT-C?

RICHARD FRANCE: Well, contractually we had no link to OLRT-C, so we'd go through RTM. So our contractual correspondence, let's say, is to RTM. So not directly to OLRT-C, we would need RTM

to make that connection.

But, you know, we've requested the information by letter and then, you know, informally it had been discussed on occasions. I can't really link back to a set of meeting minutes, because all the discussions at that stage were very sort of meeting-type of discussions, they were informal and not really minuted.

So hence why we put the information into letters, because that was the only way that we were actually getting these things recorded.

KATE McGRANN: So you make the request for the records, they're not forthcoming. A series of assumptions are made.

Was any attempt made to verify those assumptions, or test them through RTM up to RTG, down to OLRT-C, or through any other route?

RICHARD FRANCE: So we created our maintenance plan for the infrastructure equipment, you know, based on information we got from RTM for the infrastructure, and then we also used our return of experience. Because Alstom maintains infrastructures in other parts of the world, it's not new to us. So we've got a reference library where we've got information available that says,

for this type of equipment, generally we maintain, we do these sort of activities at different intervals. So we call it our reference library, so we have that available.

So between the reference library and what information we had from the build, we put together our initial infrastructure maintenance plan. So it started that way.

But then you're starting to do track inspections and OCS inspections long after the system was built, so we were sort of seeing problems that needed to be corrected. So it was additional work, really. Additional work for us to deal with those issues right at the beginning, yeah.

KATE MC GRANN: Did any of the assumptions that were made about the infrastructure maintenance prove to be incorrect in a way that caused problems or additional challenges for Alstom in its maintenance work?

RICHARD FRANCE: You know, we had problems with the OCS clearly, because you know, had things been better maintained prior to us taking over, we would have potentially avoided some of the issues that we saw.

And then in the first summer in June 2020, there was sort of a shutdown that was carried out where OLRT-C came in and brought their contractor to correct a number of issues with the OCS. So there were some teething problems there with that system.

And on the, I guess I'll call them the telecom systems, there was lots of little issues in the beginning with, you know, various faults on alarms. It's quite apparent in the data, actually. You know, in the start of 2019, the City were coding the work orders. So there's KPMs, key performance metric indicators outlined in the contract that say what type of penalty you get for one type of defect or another.

So the City were coding the work orders in the beginning, and they're kind of going around and shaking the systems, pushing these buttons, and checking everything to see what faults would generate. And then they'd raise a work order for the activity. And so we got a big wave of problems in the start of revenue service that shouldn't have been there. They should have been fixed before revenue service because, you know, lots of bugs around the IT system that had to be dealt with.

And then that created a big distraction for us, because we were, you know, having to go and respond and deal with these issues rather than focus on some of the other things that we could have been. So that was problematic.

You know, we've had a lot of problems with track, really. So in the first summer with the heat, we started seeing a lot of buckling of the rail. For people who don't understand what that is, you sort of -- under the heat, the metal in the rail expands. And if it's not, you know, de-stressed or secured properly, or the bed underneath the track is not nicely packed and stuff, then you'll get the rails squiggling off to the sides like spaghetti.

So we saw that quite a bit in the first summer and then again in the second summer. But, you know, issues like that should have been bottomed out in the previous years before. And then there's still, there's still some issues there with the track in the heat in the summer.

We did a campaign to tamp the ballast last summer, and that had a positive effect in trying to help the reduce the amount of buckling. But our feeling from that activity was that perhaps

the tamping was never properly done in the original build, and it would be very interesting to see the records, the build records of how that activity was done in build to ensure that the ballast was compacted properly and like this.

Because if your ballast is loose, then the rail isn't as secure. You have these ties that go across the rails, you know, underneath the rail. And if they're kind of loose, because the ballast which are like rocks, if they're not packed tightly around those things, then they're going to move when the rails are expanding and contracting.

So there's underlying problems with the track that have definitely caused this problems or distractions, let's say, from what we prefer to be doing.

KATE McGRANN: Jumping back a little bit into some of the information that you've provided.

When you were talking about Alstom's desire to gain access to the infrastructure in advance of revenue service availability in order to familiarize yourselves with the system and things like that.

You mentioned there was a feeling that

scheduled access is being cancelled and maybe that's being done intentionally. Do you know what the basis of that belief was? Why did people feel that the scheduled attendances were being intentionally cancelled?

RICHARD FRANCE: I wasn't specifically there at the time. But the feedback I had from the Alstom team would be that they'd put an activity, or they'd put an inspection or something on the plans. So there would be -- in order to get access to the main line to do work in engineering hours, you have to put the activities onto a plan for, basically, you know, RTM and the City to agree and approve, you know. Because you can't just go out and do anything. You have to agree that's part of a plan.

So things would get added to this plan, but then last minute it would get cancelled. And it might be cancelled because maybe there's some other priority and they say, "oh, no. We need to do this, and so we're going to cancel your permit. You can't go into that space because we've got to do some other activity".

So it could be completely genuine reasons why these things would be canceled, but the

team had been trying to get these things on the plan for so long, and they'd constantly be cancelled, they had this perception that whatever they would request, would generally get rejected. So, you know...

We brought in an independent contractor to do a survey of the track and the OCS in advance, and we were given a level access for that. But even then, their permits were cancelled on some occasions and they were only really able to inspect a small portion of the main line to sort of see what was going on with the track and the OCS.

So I mean, even that, we couldn't do our own sort of due diligence piece in advance, because even our independent contractor was denied access.

KATE McGRANN: Who was the independent contractor brought in to do the track survey work?

RICHARD FRANCE: We used a company called SYSTRA. So they also carry out maintenance in other parts of the world.

KATE McGRANN: Were they able to eventually complete the full scope of work that you had intended for them to do?

RICHARD FRANCE: No. Because we wanted

them to survey the entire main line, and with the right amount of time to properly carry on an assessment. So, no, they didn't complete it. They were only able to do a portion of the main line and yeah, so...

So we hired them to do that survey as well as provide some level of training to our technicians in advance.

KATE McGRANN: Were they able to complete the training portion of their mandate?

RICHARD FRANCE: Well, I mean you need to be there on the infrastructure to properly do it.

So they were able to do some stuff and create a level of familiarization, sure. But definitely not as much as we would have liked.

KATE McGRANN: In the limited track survey work that they were able to do, did SYSTRA identify any concerns related to what you've talked about in terms of the ballast and the rail line?

RICHARD FRANCE: Well, on the ballast, no. It was very superficial type of things generally is what they are finding. As they walked along the track and looked at fasteners not probably tightened down, or bonds not secured or

not in place and stuff like this. So it was very sort of superficial what you can achieve through a visual.

So if you don't have a buckling scenario at that point in time, well then they're not going to see that. We only started seeing that stuff later when it really arose as a problem.

KATE McGRANN: Did SYSTRA identify any issues in the track survey work that it did that would raise concerns about safety or reliability of service?

RICHARD FRANCE: No. I would say they're more minor points, minor points. Again, it's superficial stuff, so you know, security of various components, or a poorly aligned components on the OCS that would cause, you know, potential hazards around, you know, an issue between the pantograph and the OCS, where you can get the OCS wire tangled.

In extreme cases, that could lead to a safety-type incident. But the system in Ottawa is segregated from the public, it's all fenced off, so that helps considerably mitigate the risk.

But it would be, you know, a problem where, you know, an OCS, the pantograph interface

issue could be -- it would be a big disruption for Alstom for recovery of an event where you have that. But again, as I said, it's more superficial stuff.

KATE McGRANN: An "OCS" is?

RICHARD FRANCE: Sorry. OCS is "Overhead Catenary System".

KATE McGRANN: And just a brief explanation of what that system does.

RICHARD FRANCE: So your power distribution system, you have electrical substations that are connected to hydro, you know, hydro is providing the power to this network.

And then you have a substation that's then feeding -- you know, there's cables that feed to the main line where your OCS is, and you have a copper wire that's basically suspended or floating above the train, and then it's a live part, basically. So it kind of distributes power from a substation to the main line.

Excuse me for one second, actually, okay? Pause for a second.

KATE McGRANN: Let's take a quick break. It's 9:50, let's come back at 9:55.

-- RECESS TAKEN AT 9:51 --

-- UPON RESUMING AT 9:54 --

KATE McGRANN: Before the break, you were just providing us with a brief explanation of how that overhead catenary system works.

You had mentioned that there were issues with overhead catenary system, and I think that the suggestion may have been that those issues were inherited from OLRT-C and resulting from the maintenance work that was or was not done on that system.

First of all, is that a fair understanding of your evidence?

RICHARD FRANCE: Yeah, I would agree with that.

KATE McGRANN: So can you give us some more detail about what issues you were referring to, and how you think they came about?

RICHARD FRANCE: Well, to give an example, I mean, we had an OCS dewirement, we call it, so the conductor wire was pulled down. It was quite close to the platform at St. Laurent, if I remember correctly.

So we had an issue there, you know, and we did an investigation. And there's like an isolator that that's then fixed to the ceiling in

the tunnel, and we did our investigation and concluded that these components had come loose.

Now, so had things been maintained properly, surely someone would have spotted that and tightened it up and made sure that was secure. So that's one example.

And then we had, you know, other problems where a section insulator was clipping a pantograph and leading to damage to the pantograph carbons. And so we had to go out and figure out where that was happening, and then make a correction to the OCS.

Initially there was known problems with the Parafil ropes, Parafil ropes are used to suspend the OCS. And so they, you know, later in that summer shutdown I was talking about, the OLRT-C had organized to do some sort of activity around those ropes. We never actually received the information after the fact to say what they did, and where they did, you know, different interventions.

And, you know, this topic of OCS actually featured as part of a remedial plan that was shared with the City, so there's some letters on that. And it's quite well documented about the

different scope elements as part of that remedial plan.

But the Parafil ropes were one of those pieces, and they had a problem where the terminals were snapping off. So the idea was to put sort of an extra sheathe or a layer of insulation or change the design or something. So we actually never seen the output of the design review of those Parafils, and we don't really know what or where any kind of change was done as part of that first shutdown in the summer of 2020. So things like that.

The topic at St. Laurent, actually, is kind of frustrating to me, a little bit because, you know, we did our investigation and concluded that the components had come loose. But then RTM took that and communicated something different to the City, and said that, "well, that was caused by maintenance intervention" where we were hanging a drop lead on the conductor wire that pulled it down. But that wasn't the case at all. So they're twisting it around and saying it was something that we had done rather than being something other than to do with the original build and like that.

Just generally, that's sort of a frustration I felt over the time I've been in

Ottawa, where we would report something to RTM, who are the maintainer. And your expectation is that they'd sort of go, "yeah, you've got a point here. There's a problem with the construction. Let's pass that on to the builder and invoke the warranty and handle that and deal with it".

But instead, you have this shield where RTM were kind of blocking points and saying, well, that's because of your maintenance activity and pushing it back. But they shouldn't be doing that. They should be looking and being objective about it and saying, "well, okay, there's a problem there that is from build, and should be rectified in order to help you take that up with the builder".

But the difficulty with the contractual arrangement, or this 3P, let's say, is that the stakeholders involved in the design and construction are pretty much like not entirely, but very closely the same stakeholders that are the maintenance contractor.

So OLRT-C and RTM are almost the same entity, in my opinion. And anybody that worked in OLRT-C during the -- prior to revenue service that -- not anybody, that's too bold -- but many people that worked in OLRT-C now actually work in RTM. So

they sort of take a more defensive position around the design and build, even though they're now part of the maintainer, they should instead be focusing on, you know, what's the best thing to do to actually deal with the problem and get rid of it. Anyway, frustrating topic for me, that part.

KATE McGRANN: This blocking or protective attitude that you're seeing from RTM with respect to the work done by OLRT-C, is that a theme that has continued through to this day in Alstom's relationship with RTM?

RICHARD FRANCE: Yeah, in many aspects I would say so, yup.

KATE McGRANN: Have you seen any improvements in it, or it's largely the same?

RICHARD FRANCE: Largely the same.

I mean, I know in the background that there's some stuff that's, you know, for the big topics.

Like I talked about the buckling of the rail. So I know that in the background, RTM and OLRT-C, let's say, been having discussions with the engineer of record about what to do with all that. But, you know, Alstom is not involved. It's strange, you know, why would you not involve Alstom

who actually carried out the maintenance. It's obvious why we're not involved, it's because clearly it would open the door for us to make a claim around that system not performing properly.

So there's -- it's hard for me to say, because I'm not involved, you know, there's those background conversations happening with the engineer of record, is it RTM that's leading that? Is it OLRT-C? You know, we're certainly excluded and it's because of the potential implications for a claim later, that's why we're not involved. But it's a shame.

It's not a very -- you know, if you're interested in the passengers, and the public at the end of the day, who want a system that operates really well, and consistently, and has no issues, then you're going to sort of be able to get past the commercial and the politics and come up with, you know, a proper technical solution that's really the right thing to do.

But on the infrastructure, there's considerable obstacles. You can sort of see now, you know, Alstom -- I've been with the company for 15 years, so maybe I'm bias. But I think actually they're a good company. You know, the brand,

they're going to make sure that whatever Alstom does is looked after and handled and improved. So you can see quite a lot of investment and work is happening around vehicle-related stuff. And there's really good stuff happening there.

But on the infrastructure, it's a shame. We'd like to apply the same philosophy to all of that, but we're -- there's a lot of obstacles to try to get there.

KATE McGRANN: Just so I understand your evidence on RTM's motivation to not invite Alstom to meetings regarding the infrastructure issues that you've identified.

The concern there is that Alstom would become privy to information that it could then use to support a claim for damages or other kind of recovery against RTM, RTG or any of the subcontractors; is that it?

RICHARD FRANCE: That's my perception. I mean, I wouldn't have evidence, obviously, to say that's why we're excluded. But I mean, I would -- you know, my perception is that we're not involved, because of the potential commercial implications that there would be.

And that would be similar for various

topics, I think, to do with the infrastructure.

So there's discussions that happen in the background around the SCADA system, and then the signalling system, CBTC with Thales, and we're not really involved in those discussions. It's hard to say what discussions are taking place, but anecdotally I know they're happening.

If we come back to the SCADA, for example. It's apparent to everybody that that system needs a huge clean up exercise for the alarms and events that get recorded in it to be sort of value add. Because there's a lot of information that OC Transpo don't know what it means; Alstom, as a maintainer, don't know what it means; and RTM equally.

Because it was handled, in my view, design and implementation of SCADA was handled poorly in the sense that -- you know, my perception, again, and anecdotally, you know, from having meetings with Willowglen, or the designer of that system, that -- my perception is they were given the responsibility of creating it in a very piecemeal way where, you know, here is a package we need you to do; sort that out. And then later, you know, here's the next piece; and it was done like

that.

Again, I get the sense that it was done like that, but rather than there being some sort of overarching contract that says, you know, "you're going to be responsible for the full SCADA system, and we want you to do all these sort of things so that later when we actually have the final product, we'll be able to understand it".

To this day, we can't say, you know, there will be an event code that is in SCADA, but we don't have the logic that explains, when does that occur? What has triggered that, or fault? So there's missing information.

And, you know, Willowglen communicated to me that they had to sort of piece things together from the information that they had received as part of the build, and it was very patchy like this.

So now coming back to the original question which was, these discussions happening in the background. I know that RTM are having independent conversations with Willowglen to do a sort of a clean-up exercise around SCADA, for example.

Now we have not been involved in some

of those discussions and, you know, we'd like to. But I think there's probably a limit to what RTM is going to involve us in because of potential commercial implications later.

KATE McGRANN: Have requests been made by Alstom to attend these meetings between RTM and subcontractors who did work on the infrastructure?

RICHARD FRANCE: Anecdotally -- sorry, not anecdotally. Informally, certainly. But I'm just trying to think of something that we recorded in our correspondence.

No, I wouldn't say we explicitly requested to be part of a, you know, a technical review with OLRT-C and the original vendors around, you know, restoring the SCADA system, or resolving the issues around the SCADA system. But, you know, yeah, I wouldn't say formally we sent that in.

KATE McGRANN: Informally, what has the response been to requests that Alstom has made to attend these kinds of meetings around infrastructure issues that you've encountered in your maintenance work?

RICHARD FRANCE: Just sort of dialogues. Like, you know, I work closely with James Messel, who is involved in that piece, where

they're trying to clean up the SCADA system in the background.

So, you know, and I actually have a lot of respect for James, actually. He's a very, you know, logic-minded, pragmatic, objective-type person with, you know, an engineering background and wants to try and solve these problems. So he doesn't get too heavily weighed down with the commercial and political stuff. So I like that. I think that's the right way to go about things.

So we'll have informal conversations about things like, you know, the clean-up exercise with SCADA. And I would express I would be interested to do that to better the system, so...

KATE McGRANN: And what's his response?

RICHARD FRANCE: He's generally supportive, you know. Him and I agree on a lot of things on face value. But I don't know necessarily that he has -- you know, just because he agrees, doesn't necessarily give him permission or the authority to have that sort of thing, he still needs to check with, you know, his superiors about whether they involve us or not. Because it's a very, you know, unfortunately, the situation is very commercial.

KATE McGRANN: I'm just trying to understand the notion that there are these infrastructure issues that exist that you're encountering, Alstom is encountering in its maintenance work; there are meetings going on about these infrastructure issues that RTM is having with others and Alstom is not invited.

So how is it communicated to Alstom that they can't go to these meetings that they would like to go to?

RICHARD FRANCE: It's not that you can't. It's just that we're not invited. My perception, again, is there's discussions in the background where there's things like the track, and the SCADA system, and meetings with Thales about problems with their signalling system, and we're just not included in that.

KATE McGRANN: And before we walk away from the SCADA system, what does "SCADA" stand for?

RICHARD FRANCE: Oh, wow, I'm under pressure. I'm not going to be able to do it. I should be able to answer that really easily.

I mean, essentially, what your SCADA system is, you have all these inputs from across the network of, you know, you've got a switch; or

you've got a door status; or, you know, things like CCTV cameras; status of different pieces of equipment going across the infrastructure. And your SCADA system is like the system that shows you the state of these different things. So, yeah.

KATE McGRANN: And my understanding is that the SCADA system feeds into the IMIRS system which ultimately produces, amongst other things, work orders for the maintenance team; is that fair?

RICHARD FRANCE: It doesn't link into IMIRS, that's not true. Actually, the acronym of SCADA is "supervisory control and data acquisition", so that's what it is.

So essentially, you've got all these little peripherals, let's say, you know, it could be a switch, it could be something to do with the signalling. It could be in Confederation Line, the CCTV camera are not linked into SCADA but, you know, the same idea. Any sort of thing that could give information or status of how it's behaving, would link back into this SCADA system that then shows you what's going on.

So people can sit at a terminal and they'll see an alarm, or they'll see a status of those devices, and that would prompt -- so the

OC Transpo who are sitting in the TOCC, where they're controlling what's happening on the system, they would view the SCADA system, and then that would prompt them to request a work order to be raised to fix a problem, or they may actually take some sort of intervention themselves.

Like in the tunnels, there's these fans which are for this fire life safety system where in the event of a fire, these fans will run up and blow fumes out of the tunnel. So there's information from the status of those, leading back to SCADA. And depending on that information, OC Transpo might have to suspend service in the tunnel. So it's giving that kind of stuff, so it's a...

KATE McGRANN: Okay. So OC Transpo employees are monitoring the SCADA system. And in response to information they receive, they may, for example, enter a work order.

RICHARD FRANCE: Yeah.

KATE McGRANN: Does that work order get entered into IMIRS?

RICHARD FRANCE: Yeah, yeah, precisely, yeah. That's kind of the idea.

And then equally there would be

maintenance reasons that we would want to look at that SCADA system. So every day, actually, we do a check of the SCADA system to see what alarms and things there are that we might have to go and deal with. And that's in addition to the actual alarms getting reported into IMIRS directly.

KATE McGRANN: So OC Transpo monitors SCADA on a sort of ongoing basis, and Alstom takes a look at it once a day at least to also review any alarms that are reported by it?

RICHARD FRANCE: Yeah. So we have a daily check, take about 30 minutes to do a daily SCADA check of that system. Technicians, or our signal comms technicians go and have a look. And equally, OC Transpo are monitoring it probably almost 24-7. And if there's various alarms that need attention, they'll raise a -- well, they'll communicate to RTM to raise a work order precisely.

So in coming back to my earlier point, actually, there's lots of different alarms and events in SCADA. And between all parties, some of the information we don't know what it's telling us because of the way that SCADA system was designed and built, we don't have a good file that says, this alarm means this. And the logic of how it's

programmed, because this and this and this has happened, which triggers that event. So we're sort of missing pieces.

And then some of the alarms are like what you call nuisance alarms, where you don't need OC Transpo to see that, because it's not significant enough for them. And these alarms are prioritized, but they're maybe not prioritized in a very good way.

So there's a problem leftover from the original design-build and commissioning of that system that they were constantly having to deal with. So it's again, another distraction.

KATE McGRANN: I just want to understand the implications for Alstom's maintenance work flowing from the issues that you've identified about the SCADA system.

You said it's a nuisance. So I understand that to mean it takes work hours from Alstom staff in order to respond to this. Are there any other implications for the maintenance work as a result of the issues with the SCADA system?

RICHARD FRANCE: So when I say "nuisance", it's like a nuisance alarm. It sort of

means that alarm is telling you something but it's not significant enough that you need to do anything.

But, yeah, the impact of that system being like that, is that information will get reported into IMIRS and then that will prompt a KPM work order where there's a penalty associated with it.

So we'll have to be very, very proactive in responding and then rectifying the issue, otherwise, we'll start incurring penalties.

So the technicians might already be doing some preventative maintenance activity as part of the schedule, but then there's this distraction where they need to stop that and go and deal with this issue.

And if that system was commissioned properly, and all the bugs were addressed as part of the warranty activity, you know, we wouldn't be distracted. We would be focusing on the preventative, and when we're done with that, then we can do other types of initiatives that would help us build the -- well, it would help us improve performance, you know, and streamline and optimize different activities.

So I say it's a distraction, because there's other things that we want to do that are more value add for the end customer, and like this. Whereas those, because that system isn't set up right, and they haven't cleaned up the nuisance alarms, and people don't know what the information means that, you know, they're generating this volume of work that has to be dealt with, where otherwise, we wouldn't have had to deal with that. So that's the distraction.

KATE McGRANN: "KPM" stands for "key performance measure"; is that right?

RICHARD FRANCE: Yeah, key performance measure.

It's confusing, maybe it should be "indicator" or something for most people in the industry, but they've gone for "KPM".

KATE McGRANN: Let me make sure I understand this correctly.

If a KPM work order is triggered, that starts an obligation to respond within a certain period of time or in a certain fashion; is that correct?

RICHARD FRANCE: Yeah. So for example, you've got a safety and security-related KPM, you

have 30 minutes to respond to the issue and then four hours to fix it.

KATE McGRANN: And if the response is not accomplished within the required times, the KPM required times, then penalties are levied against RTM; is that right?

RICHARD FRANCE: Yeah, yeah. So if you don't respond in 30 minutes, you would incur a penalty and then you have another 30 minutes to respond. And if you don't respond in that time, you have the penalty again, and it keeps ticking over like this.

And then same idea for the rectifications, if you don't fix it in four hours -- so I don't know. That whole piece around KPM work orders, and, you know, let's call it the City behaviour, and then issues leftover from construction and like that. So that piece is a little different than to what I'm used to on other systems.

I think -- I suspect, actually, the City probably doesn't want to apply the penalties the way in which it's outlined in the contract. But they're sort of stuck with this contract now and it's very punitive. It's not -- you know,

because the end customer who's riding around on the trains, they wouldn't really be disrupted by most of things that are generating those KPM work orders. So it's their -- and I don't think that was the original intent when they set up these KPM work orders in the contract.

So if you were to look at the volume of penalties associated with those types of work orders, I mean, they far exceed the revenue that anybody is going to get from maintaining this system.

So it's probably a flaw in the contract. They were looking for something that was going to drive a response and quick rectification to these problems, and maybe would categorize different types of issues into different groups so you can do some analysis and trending of those different types of problems and see where you need to improve, you know. I think that's the intention, but it's not really having that effect.

And then the way the deductions are applied, it's not right. Not quite right, I don't think. So, you know, a lot of issues are being classed as a safety and security issue, where, you know, maybe they shouldn't be. It's not actually a

safety issue for people, and so I think something has become lost there.

And in the future, there's, you know, irrespective of how this public inquiry or how future claims go with different stakeholders -- and I'm sure there will be lots of stuff happening in the courts over legal pursuits and like that.

Irrespective of how all that stuff goes, there needs to be a resolution to that aspect of the contract. It's not going to work for the 30 years. I mean, a different sort of version of what they've got is needed.

KATE McGRANN: Just before we leave the SCADA piece. You've described nuisance alarms that are characterized as KPM.

At the end of the day, is it the case that the KPM work orders that Alstom is receiving are misprioritizing those orders relative to other work that needs to be done and pulling Alstom staff away from necessary work to make a quick response to unnecessary work; is that basically it?

RICHARD FRANCE: Yeah. So safety and security, I keep coming back to that one. Because a lot of deductions are landing in that bucket and so that has a very high priority associated with

it, 30-minute response, four-hour rectification.

When you look at some of the issues there, and yes, those are defects and problems that need to be fixed, but is it really a four-hour rectification that's required? I challenge that.

There's certainly other things that the organizations need to be focusing on to provide, let's say, the best value for the end customer. So, yeah.

KATE McGRANN: You mentioned there was infrastructure-related documentation that was received in May of 2019, but that there was information missing. Who was that information to be provided by?

RICHARD FRANCE: So as Alstom is the maintenance subcontractor to RTM, we obtain the information from RTM, clearly. In essence, they would get that information from OLRT-C themselves. Whether they get it through RTG or direct from OLRT-C, I don't know. I mean, that's really not my concern.

But, you know, the design and build information is going to come from OLRT-C.

KATE McGRANN: And you also said that some of that information is still missing, even

today; is that right?

RICHARD FRANCE: Yeah, yeah. And badly organized, for example.

So I question -- I can't possibly know, because I wasn't involved. But I question whether they had a, you know, a documentation manager that was onboard in their team that thought of things like, you know, the naming structure of the documents, and how the things would be organized and stuff like that.

You know, I suspect they probably didn't have the right kind of resource involved in a project of this scale to have someone there organizing things so that, you know, the final product of what you've got is like, you know, very organized by the different types of documents.

I only say that because having dealt with all the documentation on Dublin, you know, we've designed and built the trains, just like in Ottawa, and so there was that piece.

But the infrastructure was designed and built by Transport Infrastructure Ireland, sort of the equivalent of the City. They certainly hired a documentation manager, and they gave some thought to how those documents would be structured and

organized. And in the final pack of what we received was very good and very thorough. As my role as the engineering manager, and then less so as the project manager, but as the engineering manager, I spent a very large amount of time going through that stuff and organizing it and seeing what was there.

So in comparison of looking at that, and then with what we have in Ottawa is just, you know, there's clearly some gaps in terms of management organization structure about all that stuff, is very poor.

KATE McGRANN: You mentioned that your team began compiling tables of missing information.

Did those files -- how would I find those files if I were looking for them today? Would they all have a similar title, or what would I be looking for?

RICHARD FRANCE: Yes, similar title. So again, every single table we sent by a letter to RTM, probably the word "documentation" is in the title of the letter. "Missing documentation", or "information request", or "document" -- yeah, there would be a series of letters for each one. And then each letter title referred to the system. So

SCADA, CBTC, OCS, track, and like that. So there's probably at least a dozen.

KATE McGRANN: You described, I think I've got this right. You've used the word "messy" in discussing the relationship that Alstom has with RTM, and then the contractual partners behind that.

My notes reflect that that was -- that comment was made with respect to the idea of Alstom being able to pursue claims that it has arising from the infrastructure work that was done.

First of all, have I got your evidence right?

RICHARD FRANCE: Yeah, I'll talk more about it.

So all the defects, and through the infrastructure work passed down to Alstom in the for instance to respond, and rectify, and deal with the issue and like that.

And so the concept from RTM is that, "you're the maintainer, you're supposed to deal with everything". But that's not necessarily true, you know.

RTM are responsible for the help desk activity, where they get the information from the City about, you know, there's this type of issue,

and they're meant to record and categorize those defects and extract as much information as possible. And they have questions that they go through and they answer this stuff and then they assign that to Alstom, so it's immediately a pass down.

But I would argue that actually they have enough information at that stage, to be able to say, "well, wait a minute. That's clearly a warranty issue. And OLRT-C, they're the entity giving the warranty. We should give them the opportunity in the first instance to look at that defect".

But instead, the approach is, "no, I'll pass it down to Alstom, they can deal with it in the first instance, and then we'll leave them to struggle to make a claim back later over many, many years".

So that's -- and I think that's misrepresentation of the true process flow that was intended, I think. So it shouldn't have been passed down to Alstom immediately. There should have been a checkpoint of saying, "well, no, that should go to the construction entity during the warranty period. And if they're not interested,

well then we'll give Alstom the opportunity after that".

And the reason why I say it's "messy" is because -- so, historically, I'd say there's been less interest in trying to discuss the commercial topics on the project.

A lot of meetings with RTM were very operational, like what's the status of the trains today, and execution of maintenance and stuff. But as soon as it came to commercial topics, there was a bit of pushback to avoid discussions. Because that topic around CC defects is very complicated. And so there hasn't been a good level of motivation to discuss those. Instead, it was, "we'll leave it to Alstom sort out via claims".

And I kind of knew it was going to be difficult, just before we started revenue service, because I had a, I sort of had an informal -- we had some meetings with the City before, I think it was before trial running, where we were presenting, you know, how we were going to resource things and start in revenue service.

And so I think there was a presentation prepared by RTM, but it had some details about how warranty was going to be supported on the vehicles,

and then sort of warranties supported on the infrastructure. And it was clear that there wasn't going to be the same level of support on the infrastructure stuff as Alstom was going to provide on the vehicles.

And I, informally, I asked Matt Slade at one stage -- and unfortunately, terribly sorry, it's not recorded -- but informally I asked him, "is there a budget available with OLRT-C to actually fund warranty issues?"

Because that was my experience. We did an extension in Dublin to the infrastructure where we joined the red and the green line. And the builder most certainly had set aside some money to deal with warranty issues and they were proactive to deal with their problems.

But the consensus I got from Matt Slade was that, "well, no, not really".

And so discovering that, I realize, well, it's going to be very messy, because the builder of the system isn't going to honour their warranty, because they don't have the budget. And we won't even be able to have the discussion with them about, you know, "Are you interested in fixing this?"

"No."

"Okay, would you like Alstom to do it? Okay, here would be the price." And then we'd go and do it.

There was going be no sort of commercial exchange around that sort of thing. So, yeah, so that's why it's messy. Because it just wasn't set up to handle the warranty problems.

KATE McGRANN: When you said at this meeting with the City where there was a presentation with RTM made about maintenance resourcing, it was clear that there wasn't going to be the support for the infrastructure.

How is it clear from that meeting? What made it clear?

RICHARD FRANCE: Maybe not clear. So John Manconi was the chair of the meeting from OC Transpo, so it might not have been too clear to him. But there was preparation meetings before that -- where the presentation was being created, and there was discussions from Matt Slade who was, you know, he was preparing that slide.

And you can see that there wasn't going to be head count. There wasn't going to be lots of people that were going to support that. It would

be like, "oh, we'll have a vendor that was involved in the construction that will be there for a little while, and then they'll slip away".

So, you know, very poor in my opinion.

KATE McGRANN: When you joined in June of 2019, was Alstom's maintenance staff hired and on-site ready to go, or was there still hiring to be done?

RICHARD FRANCE: The core team was in place. So there was a couple of roles and stuff where they were recruiting and like that.

But I was asked at the time, you know, to have a review. And based on my experience, see what I thought and make changes if necessary.

So we hired some additional supervisors on the infrastructure team. Actually, immediately when we got to trial running and revenue service, the impact of this KPM work order thing, it became very apparent that we were going to need a resource looking at that 24-7, just to constantly monitor that. So we brought in an additional group of people, we call them "fleet support". And they would sort of monitor what was going on there.

It's kind of a -- it's a little upsetting, actually, for me. Because the help desk

entity managed by RTM should really be, you know, offering some of the things that we then had to go and resource.

I'd love to have a variation to take control of the help desk or the YCC activity, because it would create some, you know, efficiency improvements for our activities in Alstom.

So we had to hire these people that would constantly monitor when work orders were appearing, so that we could make sure the technicians were mobilizing and aware of the fact that there was a defect that had a 30-minute response, and the four-hour rectification time.

So I had to bring that in, because we didn't appreciate that those KPM work orders were going to be handled the way they were by the City.

Let's see, so...

Yeah, I mean, I wouldn't say we were hugely short on resources. But we did go and make adjustments to the organization as we went along and learned that things were a little different and like this. But that exercise is something actually that we do, you know, even today. So month by month we review, you know, head count, the organization structure and make changes, you know,

so...

KATE McGRANN: I understand that there's a document called the "Minor Deficiencies List".

RICHARD FRANCE: Yeah.

KATE McGRANN: Did you have access to that list as you were looking at your staffing needs and -- first of all, did you have access to it as you were looking at your staffing needs?

RICHARD FRANCE: No. Not really, no.

So I was aware of this list, and I think informally I obtained a copy of the -- an old version of the minor deficiencies list from an earlier stage. I think Murray Hill gave that to me. But it wasn't formalized, and I really didn't have any discussions with RTM about it.

And, yeah, and then obviously there was -- there would have been -- I can only assume there was work in the background where there would be meetings happening with OLRT-C, and maybe the City, RTM, where they're talking about that list and managing down the open topics. But we weren't party to those kinds of discussions.

You know, the minor deficiencies list includes two things. It would be the

infrastructure defects and the vehicles. So the other project for rolling stock, they would have the stuff related to the vehicles, but I wasn't involved in that. As a project manager, under the maintenance subcontractor, there was no meetings pertaining to that list.

So I suspect actually in the beginning, a lot of the issues that were on that list were probably again reported when we were starting revenue service. You know, I imagine there must have been quite an overlap between the issues that first got reported in September and October of 2019. And then, you know, then we'd have to go rush out and respond and rectify these issues, but even though they're on a minor deficiencies list.

So that's, in my view, that's noise. It was already a defined list that, in theory, you know, OLRT-C would be working through. Why would you go and create a KPM work order related to that stuff, and then have us distracted again from our other activities?

KATE McGRANN: Is there any information that you didn't have, when you were planning for the staff that would be in place at the beginning of passenger revenue service, that would have

assisted you in better anticipating the demands that were ultimately put upon Alstom in its maintenance work?

RICHARD FRANCE: Sorry. Can you explain that again? I'm just trying to make sure I understand.

KATE McGRANN: Yes. As you're planning what your staffing needs are going to be, I understand that you've got information from the Project Agreement and otherwise that would let you know what the system is supposed to look like, how it's anticipated to run, and that would help you anticipate your staffing needs; is that right?

RICHARD FRANCE: Uhm-hmm.

KATE McGRANN: I guess I'm wondering, is there any information that you wish you had that wasn't given to you, that would've help you to better anticipate what your needs would be once you went into passenger revenue service?

RICHARD FRANCE: How the warranty was going to be handled on the infrastructure is an obvious piece.

I mean, if I had of known that OLRT-C wasn't really going to honour their warranty, then we would need more people to deal with that

activity. But then the awkward piece is that we would have to agree to that commercially as well. I would have been happy to do more work in rectifying warranty issues, but you need a resource for it. So you need to plan ahead, and get the right skill set in so you can handle that.

So, you know, there should have been -- it's surprising, actually, that there was so little of the conversation about how that warranty effort would be handled as part of the start of revenue service.

It's actually, yeah, maybe not enough input at the City level as well. You would expect that the City would be interested as well at a higher level.

Other things, let's see. So, yeah, and had I known how the KPM work order type of stuff would have played out, you know, we would have had the fleet support in advance of revenue service.

KATE McGRANN: I don't want to cut you off with my next question. Anything else you wanted to add to that answer?

RICHARD FRANCE: No, that's probably okay.

KATE McGRANN: With respect to the

training of Alstom's maintenance staff in advance of opening up to passenger revenue service, were the staff sufficiently trained or were there obstacles to getting them to the level of training you would have wanted before passenger service started?

RICHARD FRANCE: You know, they had received basic training, induction training, understanding of how EHS works, you know, they have to go through their ELROR at the time, it's EROR now. There was a lot of the basic trainings that were conducted, you know, high level stuff.

But the next piece, as I've sort of alluded to in the beginning, was that, you know, you can sit around and do classroom-type trainings; and that's one part of it. But say that's -- if you look at a training profile of people, you know, maybe 20 percent of what they need to do is sitting around a classroom and covering basic safety training, induction to the quality system, or special processes, or whatever, you know. Where you sit around and someone gives a slide deck and there's a test at the end. But that's probably 20 percent of what you should do in training.

The rest is hands-on, on-the-job

learning, you know, with the equipment. So that's the piece that I would have liked to have improved. And we were at a disadvantage because of one, access to a maintenance facility where you could do work on trains; and two, access to the guideway.

Because that hands-on piece, that's significant, in my experience. That's where there's a lot to be learned. People learn more, I think, in a tactile capacity rather than sitting around a classroom flipping through a slide deck.

KATE McGRANN: And what were the implications of that limited hands-on experience before going into passenger service for the maintenance work that Alstom was doing?

RICHARD FRANCE: Just you're slower to execute maintenance intervals. You have a ramp up to get your takt time for most different tasks. Essentially, you're not achieving the takt time that you would when you're experienced. So it slows everything down, it takes longer to do work.

But it's not just the activities themselves. There's sort of, what would I call them? Maybe sort of logistics-type things. You have to move trains around to get them into positions where you can do maintenance. You've got

to put a plan in for the infrastructure maintenance and then go through the process of getting the permits, and getting, you know, mobilizing your people onto the main line to do the work.

So those are little things that you need to work through to understand the mechanics of how they happen. So there's learning that happened thereafter. And then so you have inefficiencies, because you didn't appreciate something as well as you would have, had you ironed out those problems before service. So that's what I would say.

KATE McGRANN: Were there any requests made, in whatever route that they would have gone to, directly through RTM or otherwise, from the City for information to assist their operators and control centre staff of troubleshooting or otherwise, that Alstom did not meet?

RICHARD FRANCE: Requests from the City to support with their operations? Have I understood the question right?

KATE McGRANN: Yes, I think that's a much clearer way of putting it.

RICHARD FRANCE: Let's see. So in the beginning, I seem to recall we had some discussions where we sat down to talk about how to deal with

certain types of faults. The City was involved in that, and Alstom. And, you know, because you have this sort of VMOS, and you have a list of fault codes on the trains, and then a description of what you're supposed to do when you have that code.

And so there's probably like a half a dozen faults where we worked with the City to come up with, you know, how they would intervene. And I think they essentially took that and created their -- I don't know what they call it -- but I would say like an operating manual or something that says, when you have this fault, follow that.

So there were some meetings where we worked together with them. But, it was only sort of high level stuff, only the top view. I would have thought there would be more detail in the -- in creating that sort of stuff.

So, you know, the fleet support team, after they were hired, they spent a lot of time creating like, you know, flow charts that show, for this type of fault event, here's how you want to have the warranty tech or technician intervene. And here's what the driver can do.

So there was a lot of work that that fleet support team did after they were hired and

settled in, and like that, to sort of give better information for how we could respond to events in service.

And that's a good piece of work that they've done, actually. So we don't really have a good connection to the City to really share what we've done, and then collaborate in terms of how we deal with those faults. We really only have that bit in the beginning on how to deal with the top 6 or 7 issues and then -- and that's it.

But there's -- Alstoms, you know, can offer a lot of value in terms of how to deal with faults in service. So there's a lot more we can do with working with the City, but we're disconnected there because it has to go through RTM and like that. But it's a shame.

KATE McGRANN: Has Alstom attempted to share the information? For example, put together by your fleet team with the City so that they can use it right away?

RICHARD FRANCE: So we haven't sent it in a letter. So, yeah, we have not formalized it in that way.

But RTM are aware that those things have been created and exist. Not in meeting

minutes, or formalized in any kind of way, like by correspondence. But they've been told that we have these things. And, you know, I have said in the past that we'd like to work more with the City to help them build their playbook.

But it's just, you know, it's not at the top of the list, let's say, for, you know, all stakeholders, I don't think. So we don't have that direct link to the City do that.

You would have thought you'd carve out a work stream where, you know, the City would have, you know, delegates from their side, and then delegates from RTM, and similarly ones from Alstom that would meet regularly to help build that. But that's not set up.

KATE McGRANN: Is RTM at least aware of Alstom's views that that would be a useful and helpful exercise to undertake?

RICHARD FRANCE: I would say, yes, anecdotally; not formalized, yeah.

KATE McGRANN: Is there any reason that Alstom hasn't formally advised RTM that this information is available, that that would be useful for the City to have, or that this sort of collaborative approach to troubleshooting, for

example, is something that Alstom thinks should happen?

RICHARD FRANCE: Well, we're somewhat preoccupied with the other aspects. Like the, you know, notification of warranty issues, or problems with facilities that are impacting us. We notify them about a lot of different things, so we have to pick and choose, I guess. We can't tell them about everything all at once. Yeah, no particular reason why we haven't formalized that in a letter.

I'll step back a sec. You know, that is a very collaborative topic, I would say. And, you know, contractual correspondence, just typically -- well, from what I've experienced here in Ottawa, contractual correspondence typically isn't reserved for collaborative exchanges.

So if you want to work collaboratively, you probably shouldn't be sending letters back and forth. You should put those aside, and then you have like working groups where people can share information without prejudice and talk through problems and, you know, some of that sort of stuff might even be commercial, but, you know, I'm saying that you want to work collaboratively around helping the City to develop their troubleshooting

or intervention guides, is sort of not the typical type of stuff that we exchange in letters.

KATE McGRANN: Getting into the trial running phase. What was your view of the maintenance team's readiness for trial running?

RICHARD FRANCE: I don't think anybody was really ready for it.

KATE McGRANN: And why do you say that?

RICHARD FRANCE: And all stakeholders, you know. So we didn't -- I guess we sort of spoke about what we'd be doing, but we sort of just jumped -- dropped in the deep end about how, you know, it's like as part of the trial running, we just flicked a switch and everything was up and running and live. And then you go from sort of 0 to 100 percent overnight, and then you're now trying to do everything exactly as you would three years in, when you're perfectly efficient.

So it was a bit of a shock to everybody. And like I said, so the KPM work order topic, so we were caught by surprise with how that was going to be handled, for sure. So there was regular reviews around how trial running was going on a daily basis. We weren't involved in that, so that again made it difficult to adapt and make

changes, because we didn't have a seat at the table where RTM and the City are sort of discussing the status of the previous day's performance. And then there would be issues that we did raise, and you'd sort of -- it would be communicated after the fact, you know, outside those meetings.

So we didn't have good visibility of actually what was going on in trial running. But at the same time, we had our maintenance plan, and the objective was to offer, you know, certain number of trains that are ready for service every morning as in they've had their daily inspections, the daily cleaning, and then the maintenance schedule is all up-to-date. So there's no outstanding defects that would make the train not serviceable.

So that was, for our point of view, that's what we were trying to achieve, was having trains for trial running or a service every day. So that objective is kind of unchanged.

And then on the infra side, it was because of the KPM work orders, we didn't know how things were trending, because it was suddenly just, you know, we were getting evaluated against response and rectification time, and then not

getting the feedback about how that was going. So, yeah. Yeah, so that was essentially trial running.

KATE MC GRANN: So Alstom's maintenance role during trial running was to have the trains ready at the start of every day, and try to keep them running all day; is that fair?

RICHARD FRANCE: Well, it's a test of normal revenue service. So we had to do the same things as if they're in revenue service. And so that ensures, or that involves making sure that the trains are serviceable.

So, you know, and meeting the quantity. And then equally if a train had a fault in service, it's going to affect your availability score. And just like as if it was -- as if it was revenue service. So the target is kind of -- or the objective is the same.

But it was -- you would have thought that the performance scheme would ramp up gradually over a number of months. You know, I think to go from 0 to 100 overnight and say, "okay, you're going to achieve this in two weeks, and that will be the test that you're ready for service." That's not a great way to do it. You'd be better off having a gradual ramp up on the performance scheme

in a more -- I'll call it trial running over a longer period, where you can take more time to see where things are going wrong, and then make the changes.

So in the rail industry, my experience is generally that you identify a problem and then want to make a fix, it doesn't happen overnight. It can take a bit of time to implement the improvement you need to see.

So a short two-week trial running type of thing, it's like, okay, well here's a list of problems, but you're not going to fix it by tomorrow, so...

KATE McGRANN: In terms of the efforts to have the required number of trains ready at the start of every day; how successful were those efforts?

RICHARD FRANCE: Hard to remember, actually. Because I'm sort of thinking what were the exact numbers each day. I'm sure we weren't perfect. I can't say how successful we were.

I mean, I know trial running ultimately was a fail. And then, you know, everybody knew we failed the trial running. We didn't score well enough in all areas to actually get through the

gate. And I don't -- I'm not privy to the decisions that were made, or discussions had about why we made it past trial running, but for whatever reason, we moved into service.

But if you were going at face value for what we needed to do to get past trial running, we didn't achieve that.

It's not just trains being available and the availability performance. You also come back to how you handle KPM work orders, and stuff that's not in Alstom's scope, you have station availability and cleanliness and stuff like that. So there were issues in a lot of areas that prevented from the appropriate scoring to be achieved.

KATE McGRANN: And you said that in your view, none of the stakeholders were ready for trial running.

Other than the KPM issue, what led to your belief that none of the stakeholders were ready for trial running?

RICHARD FRANCE: Well, you know, people weren't ready to go to a -- from a state where we weren't running trains every day, to suddenly requiring the maximum amount of trains and then

like, you know, very efficiently dealing with the KPM work orders.

It would have been more appropriate to see a gradual increase of the availability. You know, instead of having 15 trains in the initial peak, you'd have maybe 11. Or maybe even start lower, like 7 and then up to 11 and then up to 13. You'd have a gradual ramp up instead of just flicking it on to 15 right at the start.

So nobody was ready to go up to 15 for morning peak in terms of the trains. You know, and that's cascaded by, you know, the backlog of maintenance, the -- before we had access to MSF, and the, you know, limited time and access to get familiar with the activities, you know.

So like I said, we were slow, the takt times around different activities was longer than you'd expect because we were less familiar with it, because we didn't have enough time to go through that learning curve. So it's no surprise, really, that we struggled to achieve the trial running targets.

KATE McGRANN: With respect to the City as operator of the system, why was it your view that the City wasn't ready for trial running?

RICHARD FRANCE: Well, okay. So if I think -- so the City's role is the operator, right? So similar sort of thing, they're learning to operate the trains.

So I guess my statement earlier where I said nobody was ready, I probably can't speak on behalf of the City. So I retract that.

But the City had to go through things as the operator, and there was a learning curve for them as well. They had little issues with how to handle faults in service, and how to report things, how to deal with -- how to intervene and deal with faults in service, for sure.

So it's such a long time ago, it's hard for me to say, you know, what portion of the problem was attributed to that, and what was more to the maintenance. I mean, certainly as part of trial running, they would have looked to exclude operator-related impacts.

So I don't think that would have affected the score for trial running, because, you know, anything that was caught --

[Virtual connection difficulties].

-- REPORTER'S NOTE: (Whereupon a portion of the record was read as recorded above.)

RICHARD FRANCE: Yeah, so operator-related impacts would have been classed as non-Project Co cause. So they would have filtered out those events from the data set, let's say, that's used to determine the scoring against trial running.

So I think it probably -- yeah, the impacts of the operator, the City let's say, wouldn't have, you know, affected necessarily, or directly affected our ability to get through trial running.

But what I mean by when I say "all", because I said, "all stakeholders weren't ready". What I meant by that was really, you know, there was -- in all areas, there was lots of things that still needed to be done. I mean, it was, you know, lots of mobilization activities from everybody. It was -- everybody was rushing to get ready for this revenue service start, so...

KATE McGRANN: You said earlier that there was a general belief that while the message was prepared for trial running, the trial running would not proceed as scheduled; do I have that right?

RICHARD FRANCE: Message was -- say

again.

KATE McGRANN: That while trial running dates had been set, that there was a general belief that they wouldn't proceed as scheduled; do I have that right?

RICHARD FRANCE: Well, I mean, much earlier I was mentioning that people didn't think we'd be going into service in September of 2019. There was sort of a general consensus amongst people that had been there for longer that, you know, the date would probably get extended again.

But then sure enough, actually that was the date and we were going to go into revenue service. And it was kind of like a "ready or not" sort of thing. And so some dates were set in the calendar, and I -- you know, it wasn't necessarily whether you're genuinely ready. It was more about, you know, let's say, we've got to go into service and that's that.

So, you know, because in Alstoms, we follow a development-for-quality type process, you know, for all of our different activities. So in the case of maintenance, we'd have a series of gate reviews that you go through to get ready for a maintenance project. And prior to service, you'd

have, I think a readiness gate review. And in that there's a lot of deliverables that we would look to see if, you know, you have to achieve this, or have this information or whatever, in order to get through that gate and start revenue service.

So that kind of approach was certainly not a -- you know, it was not done to determine whether people were ready. You know, that's sort of a -- well, let's call it maybe a risk assessment to say whether we're good and safe and ready to go into service.

So like an Alstom style development for quality checklist where we say, have you got, you know, everything from -- like everything engineering-wise that you need. Your maintenance system is set up; instructions are available; the organization is set; you have like commercial things set up and defined; and people with all the training and all this. And, do you have the spare parts, and tools, and software, you know.

So this checklist that we follow, for a maintenance project, we have a readiness gate review. It's clear that at a higher level, let's call it at the City level, which you'd pass on to the Project Co, or RTM, OLRT-C and RTG, that kind

of assessment, you know, that sort of detailed assessment about whether everybody was ready. That wasn't done in any kind of detail that I would have expected.

So, you know, because if someone was independently going through and meeting with all the key stakeholders, RTM, OLRT-C, Alstom, if they had a direct access to Alstom, they'd say, "have you got this? Have you got that?" You know, to assess whether they were ready to start.

And I was sort of saying like "risk assessment", because it's sort of the assessment that you do to determine if you are in a good state to start performing in revenue service. That wasn't done in a way that I would have expected.

When I worked in, you know, Dublin, the safety authority there, you know, they were a bit -- they would scrutinize that kind of stuff in a greater level of detail to ensure that everything you need would be in place and ready for revenue service.

So it was a lot of the things I've already discussed that, you know, highlight, you know, the issues. Like, we don't have the information; don't have the software; you know, all

the documentation; no access to the system to be able to learn. Like those would have been blocking points as part of that process in my prior experience.

And when we did our review, you know, like that was, you know, the handover of the information was certainly a gap that concerned us as a key blocking point. And spare parts on the infrastructure I mentioned, so...

So I question a little bit how the City had determined themselves that everything was good to start, you know, like I know that they had some consultants onboard to help with the safety assessment like this, but where is the evidence and the backup and all that, to show that the due diligence has been done by both the City and the independent safety assessor.

And then, you know, and then even who's doing the regulation piece to say, you know, "all the pieces are good and this system is going to run effectively".

It was kind of done -- and it's difficult for me to speak to it, because I know I'll have less visibility than other stakeholders, but my perception is that it is not done in the

same way that you'd experience on a different system.

KATE McGRANN: When you said that -- sorry, go ahead.

RICHARD FRANCE: So I think in part, I think the City was probably going through a lot of learning themselves.

They had involved the consultants that they did, maybe they should have looked further afield to other entities that could have supported, you know. You look at -- the City is -- they're the operator of this system, but they never operated -- well, I almost said something wrong -- they operated the Trillium Line.

But generally, their experience in railway operations is not what you'd get from some of these other world class operators around the world like Keolis, Transdev, Deutsche Bahn, and stuff like that. There's other operators out there where they could have really, you know, brought on board the experience or support to sort of help them in the beginning. So there's a lot of learning on the City side.

KATE McGRANN: When you said that, for example, the missing information that you had

identified earlier would have served as a blocking point in your experience from the Dublin line, for example. Is a blocking point -- what does it mean that something is a blocking point? Does that mean that you cannot proceed towards revenue service without first rectifying the issue?

RICHARD FRANCE: Yeah. In our process for any kind of gate review, like I said, readiness gate review, you have we call them KO, and not KO. So KO is knock out.

So there would be a question in the pack that says, "if you haven't fulfilled the requirements of this question, then that's a knockout." That's a no-go. You won't be able to proceed and you'll have to do some -- you'll have to create an action plan, essentially. So to quickly address those concerns before you really can proceed forward.

So some of the questions would be knockout questions where you can't go ahead. And others are not knockout questions where, okay, those are issues, but you can define some actions and with time scales, and address them accordingly.

So like I said, there was some gaps for us because, you know, missing key pieces of

information, warranty protocol wasn't really well understood, in how that was going to be handled and like this.

But we were sort of led to believe that, "okay, no, we're going to give you whatever you need. And if you don't have something, you request it and you'll get it".

And then, "okay, the warranty will be handled like this, you'll go and respond to it and then make a claim later".

Well, okay, that's not -- it's not necessarily the right way.

KATE McGRANN: On the eve of passenger revenue service, were there any outstanding issues that you believe would have been knockout type issues based on your prior experience?

RICHARD FRANCE: Yeah, probably not really. So I'm leaning towards, no.

But I think there was a significant portion of stuff that wouldn't have been a knockout that would be very concerning for starting up.

KATE McGRANN: With respect to trial running, was there -- what kind of information did you get about the performance of the system, that you could use to sort of help respond -- you know,

to better prepare for the next day or better prepare for revenue service?

RICHARD FRANCE: So as I said, we weren't really involved in the meetings. So, you know, they had like a scoreboard set up where there was how they're performing in each of the different areas: Work orders, station availability, train availability, stuff like that.

So there was a scoreboard, and it was set up in one of the meeting rooms, but we weren't invited. You can kind of go into the meeting room afterward and you can see the scoreboard, which would give you some idea, but you missed the discussion.

So the only thing we would learn is what would be told to us from RTM after the fact. So there were problems around the work orders, for sure, because they mentioned that. But, you know, there's a lot missed by not being there front and centre with everybody.

I think towards the end of the trial, because it's a long time ago now, so I'm not sure if we were invited at the very end or not, but it was certainly after the fact, so...

KATE McGRANN: The issues with the work

orders, what specifically was the issue that was encountered?

RICHARD FRANCE: Well, you know, if you haven't responded or rectified the issues, you know, in the time scales, well then you're not going to achieve the requirement under trial runnings. So you'd fail in those areas.

It's going back a long time, but those work orders have failure points attributed. So I suspect -- and it's so long ago, but I suspect they're probably looking at quantity of failure points as part of trial running to decide whether things were okay or not. But I don't know, so this is going back a long time.

KATE McGRANN: If you can recall, with respect to the work orders, was it the case that there was an unexpected volume of work orders?

Was it the case that they were being entered in a fashion that made it difficult for them to respond to? Was there something unexpected about the way they played out that made things difficult for --

RICHARD FRANCE: The volume in August and September of those work orders was enormous. And part of that is, I think, the City took the

responsibility for coding those work orders in the beginning. And I think later RTM realized that that activity was meant to be done by them as part of the help desk. So they took control over the work order creation, and they set up a process for OC Transpo to communicate the issues to them. So then that helped to filter things out and slow them down.

But the other part is, I'm pretty sure the City were going around, and you call it "shaking the tree". And they're going around and like touching buttons and inspecting everything, and pointing out all the problems that were there. So that meant there was like lots and lots of work orders generated in the beginning.

Because I think their view was that, "look, we should be ready to start. These defects shouldn't be present". But then, you know, if I were to have the MDL and to crosscheck against it, you'd probably find that some of those issues were already on that list. So, yeah.

KATE McGRANN: And the "MDL" is the "Minor Deficiencies List"?

RICHARD FRANCE: Yes.

KATE McGRANN: When you said that it

started out with the City coding work orders, and then that changed to RTM; do you remember when that change took place?

RICHARD FRANCE: I feel like around maybe November or December. And then certainly by January, it was under RTM's control.

KATE McGRANN: So November-December 2019?

RICHARD FRANCE: Yes, of course. November-December 2019, and then under their control by January for sure.

KATE McGRANN: And are we talking about who's operating the help desk; is that what it was?

RICHARD FRANCE: Well, it was always RTM operating the help desk via YCC. But from the TOCC, the City were going into IMIRS themselves and creating the work orders. And then instead, that was passed over to RTM.

You probably think, well, what's the difference? But there's a question set you have to go through where you sort of, you go through the defects to get the right KPM and like that.

So there's fewer people that work in RTM's YCC. And so you're able to better train those people in isolation. Whereas at the City level, there's probably more people that are doing

the work order entry, so maybe that's an aspect to it. But, yeah...

KATE McGRANN: What changes did you see once RTM took over entering the information into IMIRS?

RICHARD FRANCE: Well, the number of work orders dropped enormously. It's easy to plot the number of work orders generated in, you know, August, September, October, November, and then into 2020. You know, 2019 into 2020. You can see like a significant shift in the quantity of work orders. So there was a -- so there was that kind of a change.

KATE McGRANN: And did you attribute that drop in the number of work orders to RTM's approach to entering them? Or could it also have been affected by the number of work orders that had already been responded to since the inception of passenger service?

RICHARD FRANCE: I would say in part it's to the data entry, probably in the background there's some discussions between RTM and the City about how to handle this sort of stuff. Because for sure, it would have been escalated to the City from RTM that, look, this approach is not quite

right. And I think people probably would have changed their approach as well.

So it's not necessarily just people entering them into the system. There would have been discussions had, and then a change in people as well, a few factors there. It's a bit behavioral type of stuff, you know, yeah.

KATE McGRANN: Other than a decrease in the number of work orders, did you see any other changes when RTM took over?

So for example, did you see different categorizations of the same kinds of requests that had an impact on how you approached maintenance or anything like that?

RICHARD FRANCE: Well, so you would have filtered out -- like by RTM taking control of the coding, it was more likely that the correct KPM would be assigned to the work order.

I refer back to safety and security before. So there would have been tons and tons of safety and security events that we would have had to have responded and rectified in 2019 when OC Transpo was doing it. But then when RTM took control, and they were applying the question set that was in IMIRS, you know, they were guessing the

right KPM on there. So there were fewer things like safety and security and stuff like that, that we'd have to go out and deal with really quickly. So it helped for sure.

KATE McGRANN: Does the KPM issue persist to this day, to some extent?

RICHARD FRANCE: Yeah. There are still issues that haven't been, like, you know, the handling of those work orders. There's lots of things that need to be addressed to this day.

You know, I'll break them into categories. There's underlying issues that still exist from construction that need to have a proper solution.

And then there's, you know, still the handling of those work orders, how they're -- you know, when you come to discuss whether that deduction should apply or not, you know, there's discussions still to be had about what the correct protocol is to whether you apply the penalty or not. And so there's still lots of commercial-type things that need to be bottomed out, and equally technical issues that still need to be resolved.

So there was something else I wanted to say there. Sorry, can we take a five-minute?

KATE McGRANN: We can take five minutes, it's 11:20.

RICHARD FRANCE: Or shorter than that.

KATE McGRANN: Yeah, we can take a two-minute break.

RICHARD FRANCE: Okay.

-- RECESS TAKEN AT 11:19 --

-- UPON RESUMING AT 11:21 --

KATE MC GRANN: Back on the record.

RICHARD FRANCE: Okay. So on the KPM work orders, there's sort of three areas.

One is, you know, there's underlying technical issues that still need to be resolved. Some of those are from construction, some of those have arised maybe after the warranty period; so there's that sort of thing.

There's the commercial behaviour around how to apply those KPM work orders that still needs to be discussed and resolved and like that.

And the other side is just some internal performance improvement type stuff around how both RTM and Alstom handle those work orders, like optimization type stuff.

So those are what I sort of consider the areas where, you know, where we are with those

work orders.

KATE McGRANN: We know the City has not been making maintenance payments to RTM.

Has that non-payment had any impact on Alstom's ability to comply with its maintenance obligations?

RICHARD FRANCE: Okay. So, you know, despite the commercial issues around non-payment, Alstom has -- that is not a barrier for Alstom to continue to fulfill its obligations under the contract. Irrespective of the commercial situation, we're actively engaged to try to improve the situation.

You can almost separate out the operational side of Alstom that's trying to deliver what we've got to do as part of maintenance, and the commercial side.

So I work heavily on the commercial side, and another individual historically has been covering the operations side in greater detail.

So I wouldn't say the fact that they have not paid us is -- or that we have not received payment is something that's currently affecting performance from a quality, safety or execution type of perspective. That's not a blocker there.

But, but what I would say is that the commercial issues that are amounting, probably for RTM, and Alstom, and maybe OLRT-C, and then equally the City is part of this topic, those commercial issues are causing a big problem for everybody.

And, you know, senior people in Alstom are very aware of the situation, and there's no way that this is going to work for the full duration of the contract in this kind of way. There has to be something done to fix some of the commercial problems around the whole thing.

So there's probably problems on all sides, you know, I've talked enormously about, you know, handling of CC defects under the warranty for the infrastructure. I've talked lots about roadblocks we've had around documentation.

And I haven't talked about facilities, actually, but that's another factor that disrupts us and then causes us problems that eventually leads to commercial things and affects our revenue.

So there's going to need to be a big discussion about how they fix this so that everybody is able to work together in a very collaborative and efficient way.

So I'm certain that in the next little

while, there will be lots of -- following this public inquiry, there will be lots of legal battles where people are dragging things out in court to argue about historical stuff. But, you know, when all that is done, some of the problems that we have basically are -- we're still going to be faced with those problems.

We have to actually resolve these commercial issues, otherwise, yeah, it can't possibly go on like this long-term.

KATE McGRANN: I'd like to speak to some of the operational issues that were captured after the line went into passenger revenue service.

The door faults that were encountered; what kind of -- did that pose a challenge from the maintenance perspective, and how did you go about addressing this?

RICHARD FRANCE: Maintenance perspective, less so. We're essentially two projects on the same site. So there's the rolling stock project with Alstom where the client is OLRT-C, and then there's the maintenance one where the client is RTM.

So that particular issue fell under the, you know, for the rolling stock team to

address. But that was sort of normal in some respects when you have a new rolling stock, or new system, you find these little teething problems.

So it wasn't a major disruption to the passengers. The technical problem arose, and then we had to come up with a solution, and then you go through the process of engineering it, getting supply chain mobilized, and then, you know, then you actually go about fixing it on-site.

So I wouldn't say that's a major thing. It's just sort of, you know, issues that arise as any part of new system, and that was one of them.

KATE McGRANN: And when you say it wasn't a major thing; what perspective are you saying that from?

RICHARD FRANCE: I mean, we were able to continue to offer trains and service, you know, safely. And then in parallel work through the solution to that problem.

KATE McGRANN: With respect to the cracked wheels that came up. Can you speak to the impact that that issue had on service, and how it was dealt with from a maintenance perspective?

RICHARD FRANCE: Yes. Cracked wheels was more disruptive, certainly. So I think it was

in July 2020, is when we first discovered the problem. And then, you know, you can clearly see it in the stats, where the availability was much lower as a result of that problem.

So we had to implement a daily inspection of the wheels to check for cracks. When I say "we", so I'm sort of talking, I mean, the people that were implemented to do this were on the rolling stock project.

Anyway, so there's this daily inspection of these wheel cracks. And the train reduction schedule at night -- so there's a schedule from the City about times the trains go into service, and the times that they come back. So that reduction schedule had to be changed a little bit. We needed trains earlier on, so that we could actually get through the inspections of the wheels before the next day's service.

So that was a challenge because too many trains would come back say at 11:00 p.m. or 1 in the morning, and there's no way you can turn around that kind of inspection in that short period of time.

So, yeah, that led to some changes in the service availability.

KATE McGRANN: Any obstacles in resolving that issue?

RICHARD FRANCE: In terms of investigating that, it was pretty clear-cut, pretty easy to understand what was wrong.

So I know TSB was involved, and they produced their report and stuff like this, but there was people supporting, in Alstom, from afar. You know, we have a specialist centre for bogies in France, Le Creusot, where there's engineers for that, that were investigating and figuring things out, the local team. It was a pretty easy one to solve.

And then actually, the solution, though, to fully remove the cracks from the fleet, that's a bit more cumbersome, because the activity requires, you know, removal of wheels and replacement with ones that don't have cracks and stuff like that, and so that can take time. And you end up getting into a program that passes over a much longer period to get there. But while all this is going on, you have that daily mitigation of the inspection of the wheels for cracks.

Eventually -- we haven't spoken about the derailments or anything -- but following the

second derailment, they no longer allowed trains with cracked wheels in service. So that's kind of -- I don't think they needed to go to that length, actually. That mitigation was perfectly fine for detecting those cracks. So they could have allowed for, you know, trains that were mitigated to be used in service.

So again, that adds challenges in terms of meeting the availability requirements and like that. And there was a perfectly accepted mitigation prior, so...

KATE McGRANN: With respect to the wheel flats that presented on the system, do you have a sense of what led to those, and how was that addressed?

RICHARD FRANCE: So there was lots of things. So I feel like it was 2020 again, probably end of winter, early spring in 2020, there was lots of trains ended up having wheel flats.

And, you know, lots of factors that contribute to a problem like that. You know, you have how your signalling system behaves with applying the brakes, and how the -- within the signalling system, there's -- it's sort of telling the trains to achieve maximum traction, and then

when it needs to brake, it applies a maximum level of braking. And there's different kind of profiles you can have for the operations. So in sort of cold, wet conditions, they were really pushing the trains to the performance. But actually, you know, there's different type of braking that can be applied to reduce the occurrence of those flats.

So in the beginning, the City, I think I would say, was a little stubborn and they were really driving the trains to their maximum performance under that signalling system. And then later, they sort of realized, okay, we can actually implement a reduced braking.

You have Type 1 and Type 2 braking, and which have reduced levels of braking being applied. So that helped to reduce the number of flats that were occurring. So we didn't have that problem in future years.

And to deal with the issue, they called them "Tiger Teams" at the time, but there were lots of people to investigate, so there was RTM was involved. JBA Consultancy that the City had brought in were involved somewhat in the investigation with Alstom. And so we had these like recurring meetings where we talked through

that problem. And there was sort of a report that was created at the end that explained all the different factors related to that.

But, really, the implementation of Type 1 braking in poorer weather conditions significantly helped alleviate that problem. And that's very much an operation piece, so...

And we come back to the part earlier about how, you know, handling of stuff in revenue service. I'd say there's a bit of a miss there where Alstom has lots of experience to show how we can better deal with faults in service, or how we can better operate the train, so that it prolongs the asset life and like this.

So that would fit in that category very well. Like if we could work more closely with the City to improve the operations, then aspects related to maintenance would go much smoother and, you know, we'd have a better system overall.

KATE McGRANN: The report with respect to the wheel flats; who authored that report?

RICHARD FRANCE: Who authored the report? So the exact name of the person that authored it, I'm not 100 percent. I know Lowell Goudge certainly reviewed it, and was part of that

Tiger Team.

The individual who actually authored it was at JBA, his name is alluding me now. Actually, I think he was an ex-Alstom employee at one stage, many, many years ago. So I believe that the individual at JBA wrote it, and then Lowell sort of peer-reviewed it with him, like that.

KATE McGRANN: With respect to the City's stubbornness to apply a different operation or braking profile, do you know how long did that stubbornness persist after the issue was brought to their attention?

RICHARD FRANCE: Yeah, I don't. Definitely in 2020, it was still there. By 2021 we were applying the different braking in that sort of season to address the issue, and the volume of flats was certainly lower.

But it's hard to say exactly when. But, you know, they sort of realized that it was the better thing to do. Because from the City perspective, they've got to offer trains every day. If all your trains end up with flats, well then tomorrow you won't have any trains. So it's in everybody's interest to lighten the braking -- or lightening the profile for braking a little bit.

KATE McGRANN: Are wheel flats still occurring at a rate that would be beyond what you would expect from normal use of the system?

RICHARD FRANCE: Now it's not unreasonable. You get wheel flats on any rail system, so you're going to experience some of that.

Like I said, it can be caused by lots of different factors. So, you know, it's not a problem that's crippling us at the moment.

KATE McGRANN: I think there were issues with the roof inductors shorting out; does that make sense to you?

RICHARD FRANCE: Yeah, line inductors and line contactors, yeah.

KATE McGRANN: Was there a cause or causes determined for those issues?

RICHARD FRANCE: Yeah. Again, so that was largely picked up by the rolling stock project that there was various modifications done to address those issues, yeah. So, yeah, modifications done on the line inductor, and then line contactors as well.

So I can't really speak to exactly what was done, because I wasn't really involved in that. But they put a new cover on the roof of the

inductor to help, you know, air, humidity kind of ventilate out of the box. And then there was probably something done around the mounting of the thing.

I can't speak to it perfectly, so Lowell is definitely a better individual for that discussion. But there were solutions implemented for sure.

And again, like I said, normal teething problems at the start of any new system.

KATE McGRANN: With respect to the first derailment that happened on August 8th, 2019, other than the mitigation plan that was put in place, were any changes made to the maintenance approach that Alstom took to the system after that first derailment?

RICHARD FRANCE: Well, same idea to the wheel cracks. When an issue like that arises, you know, we would follow an 8D Problem-Solving Methodology where, you know, you identify the problem, evaluate the risk, decide what actions you need to take to mitigate the issue. And then you have other actions to figure out what the root cause is, and then finally once you figure out what the root cause is, you come up with a curative

solution that's permanent.

For that one, again, we had to implement a mitigation which consisted of an inspection of the axle hubs at every 7,500 kilometres.

So this was done with sort of like a pry bar to evaluate the clearance between the wheel and the axle hub.

So, I mean, not necessarily a change to the maintenance plan, but that was an extra activity that we had to do on a recurring basis. And that mitigation will remain in place until we've established what the root cause of that problem is, and come up with a curative solution.

Or alternatively, if we gather sufficient data to justify an alternative mitigation that equally provides the same level of safety then, you know, then we move to that. But until that such time, we'll stick with that level of inspection.

KATE McGRANN: Any changes to Alstom's staffing levels or compliment made following that derailment?

RICHARD FRANCE: Well, yes. So, I mean, extra people had to be brought in to carry

out that inspection for sure. So, you know, which -- I mean, it would probably be quite normal for an activity like that where you need to change your resourcing requirements accordingly.

KATE McGRANN: Other than bringing in extra people to perform that new inspection routine, any other changes made to the staffing complement?

RICHARD FRANCE: For the first derailment of LRV19, I think it mostly extra technicians that were brought in to help with that activity. Later for the second derailment, it was a little different.

KATE McGRANN: And we will talk about that one in a second.

Any changes made to the approach to oversight either by Alstom, or by RTM, or the City that you could see after the first derailment?

RICHARD FRANCE: You know, so the only thing to bear in mind as well, is that Alstom acquired Bombardier. So our footprint changed considerably around the start of 2021. So we suddenly went from 600 to maybe, you know, a few thousand people.

So things were just kind of naturally

evolving in the organization anyway. Suddenly we had a lot more other projects in the area where we could draw on resources. And there was other senior people that had some skill and backgrounds and stuff like this, in addition, just in comparison to what we had.

So I wouldn't say following the derailment of LRV19, the first derailment, I wouldn't say that there was sort of specific changes to the actual organization in Ottawa in a significant way. But, then the level of people involved in the project was kind of quite different, just because we were also going through a huge organizational change.

So, you know, like the head of quality was regularly on-site. There was a lot of, you know, senior management that were involved in lots of different projects. And, you know, other people that were flying over from UK or other areas to support.

So we were -- it's not like we locally changed our actual organization. It's just that because of that, I think there was a lot more visibility and support through the organizational change.

KATE McGRANN: And has that increased visibility and support continued? Like does it continue to this day, or did it die down after the Bombardier transaction closed?

RICHARD FRANCE: No. I mean, if anything with the acquisition of Bombardier, there's a lot more resource available to focus on Ottawa. So it's quite a positive thing, I think, for the system here in Ottawa, now that the organization is larger.

It's not to say that we didn't have what we needed before. It's just that, you know, naturally you're going to notice the difference when you multiply your organization by a factor of somewhere between five and ten.

So, no, Ottawa is a very well-known project in Alstom in Ontario, and Canada, and North America. And it's very well known in Paris, as well. Senior people in Paris that are very keen and interested to know what happens in Ottawa and getting quite a lot of attention, so yeah.

As I said earlier, Alstom is a good company in many respects. They're going to look after its product, the best it can. So we don't -- we don't leave it behind. We do whatever it takes

to make sure it's working well.

KATE McGRANN: Can you speak to the level of cooperation between the different stakeholders in responding to derailment one?

RICHARD FRANCE: Cooperation between stakeholders. Well, obviously, we had to give the information to RTM. But actually, I feel like they more -- so they had to do the piece where they interfaced with the City, and we had to feed information to them, and obviously give them regular updates.

But I wouldn't -- it's funny, because prior to that, I seem to recall they sort of said, "no, look, we want to deal with TSB and the City. And we don't want Alstom to handle everything."

Then the derailment happened and they're like, "okay, over to you, Alstom. Do what you've got to do to sort it out."

So I don't -- I mean, was RTM value add? I don't know. I don't -- they're just sort of the entity in between us and the City.

So cooperations, I mean, there was things like, we needed extra -- you take for example, the facilities are managed by RTM. So we needed help with them on some of their facilities.

Because we've been inundated with performance problems related to the facilities which they're looking after.

So to deal with, you know, to deal with trains that did not pass the criteria from this check that we implemented, you know, we'd have to go in and lift trains up in the air on lifting jacks, and then remove bogies, and then exchange parts and stuff like that. But we're limited with the facilities, so there was only one really set of lifting jacks. But you need the lifting jacks to do the inspection, and also to replace parts when they failed that inspection. So you can't do the two in the same space, so we needed a second set of lifting jacks.

So RTM, with OLRT-C, they're working to get a second set of jacks. And they had been working to get this set of jacks working for months and months, and they hadn't managed to achieve that.

But we had another site in Kingston, I believe it was, that had lifting jacks. And within three days, we got them shipped over from Kingston and set up, ready to lift trains and help with the mitigation and stuff, so that we could try to

achieve the service requirements.

So I wouldn't be satisfied with the level of support from RTM, as far as that instant. Or, really, in other issues like many capacities over the last couple of years when they've been trying to get in service.

KATE McGRANN: Can you speak to derailment two, and what Alstom knows about the cause of that derailment?

RICHARD FRANCE: So the second derailment was really an offshoot of the first, in the sense that we were replacing an axle hub from LRV21 that had failed this pry bar inspection criteria that we had set for ourselves, so it failed.

So we were replacing that axle hub, and as part of that activity, there was some mistakes made around the tightening of the bolts. So, essentially, there was a change in shifts between one crew of people and another, and the status of the tightening of those bolts wasn't communicated well, and then so that was missed. And essentially that led to the parts coming loose in service and the derailment of 21.

So that's, yeah, so it's sort of a

human error type of issue. People immediately when you say "human error", they point the figure at the human. But there's lots of factors that you have to consider for what had contributed to that type of issue.

So, yeah, so it was a human factors type of thing.

KATE McGRANN: And what factors do you think need to be considered in terms of the second derailment?

RICHARD FRANCE: So as far as the return to service, actually, we outlined -- I worked jointly with James Messel at RTM to visage that return to service document.

And in that, it outlines quite well the sort of things that were identified to change, to address the shortcomings there.

So there's quite a lot of stuff there, actually. So again, like I say, human factors there's lots of things that need to be considered, so you can really look everywhere.

So we, again, we brought in extra resource. This time, you know, there is extra people providing a sort of quality assurance type role. So like really peer checking every little

thing that was being done by the technicians carrying out the work.

And then, yeah, we made some enhancements to the organization for short term. And by "short term" I mean, you know, next couple of years where we'll have some extra senior people to provide additional support and oversight. And as I said earlier, we're always evolving the organization and adapting as-needed.

You know, we're obviously very motivated to make sure we have what we need to achieve the service requirements, because that's a significant driver for our revenue. It's a very key driver. So if we don't have it right, then we will have service disruptions, and we won't get any money.

So we're motivated to put what we need in place and create the efficiencies and optimizations.

KATE McGRANN: In terms of how LRV1121 entered back into service, it's my understanding that there was another work order for a different train was used as part of the final work done on that vehicle; have I got that right?

RICHARD FRANCE: I'm not sure what you

mean, actually.

KATE McGRANN: So I'm referring to a rail safety letter from the TSB, that talks about staff scanning values off a work order in order to record the work that was done on that particular train.

And there's a suggestion here that a different work order was used in order to finalize the information input about the work done on LRV1121; have I got that right?

RICHARD FRANCE: I'm not entirely 100 percent sure, but I'll talk around what I believe you're leading to.

So again, the team that was doing the replacement of these axles, that was under the sort of the rolling stock organization. It's still, I mean, it's Alstom. But they have -- you know, Alstom is divided into different profit centres, and different organizational structures.

And so you have the services piece, which covers maintenance. And then you have new build, rolling stock, which covers, you know, sort of the other side.

So the goals are sort of different, and so there was different people that were working on

that activity. So things are not necessarily done exactly the same way in one organization or another. You have, you know, like they would use microprocesses instead of WMS's, and WMS is like a "Work Method Statement". So the information explaining what you've got to do is laid out in a different way.

And then they were working on a different system for recording their activities. And on maintenance we use SAP, which feeds directly into IMIRS. So you sort of have this disconnect where there's two different ways of working.

So, actually, there's probably, you know, there's probably a gap there. Because if I want to be really stubborn, I would say that, well, all the work that was under that rolling stock entity, should be overarching, you know, there should be OLRT-C over top of it, looking at what's going on. And then somehow they communicate that back to RTM to say, we've done our piece of work. And that train is handed back over to you, as the maintainer, and then they'd probably say to Alstom as the maintainer, look, you now need to carry out, whatever you need to do to make sure that train is serviceable; stuff like this.

So if you want to be really stubborn about the organizational structure that should be controlling these things, you'd say that there's sort of two separate entities, and it feeds up to OLRT-C, and the other one doesn't.

But, you know, people just go, "well Alstom is dealing with both. So, well you guys just sort out this stuff together".

So which we kind of do, you know, it's all from an operational point of view, everybody is working really closely together with Alstom, it doesn't matter if it's one contractor or another in that sense.

But it does mean that there's two different ways of working, and then how they're handling things on the construction contractor side is not necessarily aligned with what is in the Project Agreement about how the information is to flow in IMIRS.

So I think that's probably a piece that was not thought well enough through when they were coming up with a structure of the different stakeholders and stuff.

Because at a contractual level, it's kind of wrong to say that, "well, Alstom, you're

involved in both contracts. So just sort it out." But, you know, we have different clients.

I mean, it doesn't really excuse what happened in the sense of the outcomes, I'm just sort of highlighting that as a piece that wasn't given enough consideration.

So when you say "work order was being filled out", likely what we did was, we had a work order to track that that activity was done, in our system. And then separately, those retrofit staff that were doing that work would have their own paperwork that they'd fill out, and then they would indicate, "okay, we've done that". And someone on the maintenance team would've closed that work order, and it would have been done for traceability in the system. So that's probably what that's alluding to. So they would have their separate set of paperwork and it's not really the same.

KATE McGRANN: With respect to staffing changes that were made in response to derailment two, you mentioned that a quality assurance role has been -- there's quality assurance personnel that were not there before; is that right?

RICHARD FRANCE: So we've added in the sort of quality inspectors that sort of peer check

a lot of the -- well, all the work that they were doing -- that they're doing since that derailment. So, yes, that's an addition that wasn't there before.

It wouldn't be normal, actually. That wouldn't be normal to have that level of quality assurance in a maintenance organization typically. In Alstom, we'd normally have a one or two quality personnel in the maintenance project that actually look after that function, and then a greater level of quality is built into the technicians and the operations and, you know, through the structures, the paperwork and peer checks that you defined in your maintenance instruction.

So those extra personnel providing that quality assurance, that's a temporary thing. And eventually we'll scale back on that, when they're no longer needed. But, yeah, so it's a temporary thing to really bolster the extra checking and upscaling the technicians and like that. So, yeah, so some additions were made there.

There was another strong individual in the quality area to come in as a head of quality, in addition. Sort of like as a senior management personnel.

KATE McGRANN: And is the intention for that person to stay long-term?

RICHARD FRANCE: No. I mean, it's not forecasted to stay -- it will be, like when I say maybe we don't have the same agreement with what "long-term" is. It's a few years anyway.

And then it will continue to roll on, if it's still needed. And if it's no longer needed, because there's the right level of quality built into the rest of the organization that it can scale back. We'll always have sort of a quality manager as part of the management team. But this more senior role will eventually move on.

KATE McGRANN: Any more staffing changes made in response to the second derailment?

RICHARD FRANCE: Yeah, so a few things. We brought in -- so we're in the process of reorganizing sort of operations support a little bit so there's a role that will be filled to try to pull engineering and sourcing and supply chain and performance and stuff together a bit better to support operations. But I don't know if that's necessarily directly related to the derailment. That's kind of more in line with Alstom as a model for maintenance organizations, and that would be in

line with that, just an improvement.

So I said the head of quality, I mean we brought in, there's a new GM. So general manager who's come over from the UK who has prior experience working on London Overground. So it's the same as London Underground, if you're not familiar. So he's come over to lead the organization that way.

What else? And so I mentioned extra technicians, so I think I've got it.

KATE McGRANN: What specifically is being done to address the use of different approaches to the maintenance, or to the work being done on the vehicles that you described?

Operations taking one approach, and the maintenance team taking a different approach?

RICHARD FRANCE: So, yeah, we're looking to move towards the same system. Because we -- it's a bit complicated for this discussion, but there's, you know, there's two different maintenance plants set up and then, you know, we call it "SES" and "MES".

So we're looking to move everybody into the same system, so that all the work orders are tracked up into IMIRS and everybody is working in

the same kind of way. So that's a piece that's kind of hard to explain without really going into a long IT technical kind of discussion. But we're looking to merge those together a bit better.

You know, and operationally speaking, though, everybody meets regularly to talk through the work that has to be done. It's not like these two different organizations are not talking to each other or working off the middle of nowhere. At an operational level, they're interfacing with each other very regularly, you know.

KATE McGRANN: I understand there were derailments in the maintenance and storage facility. Are you in a position to speak to those?

RICHARD FRANCE: Derailments in the maintenance and storage facilities, sure, yeah.

Is there a particular one?

KATE McGRANN: I believe there were two, have I got that right?

RICHARD FRANCE: Probably more, actually, if you go back far enough so...

KATE McGRANN: Since entering passenger service.

RICHARD FRANCE: Yeah, so we had -- it's going to be hard to remember. We had -- yeah,

so we had one near the connector tunnel, it was not really -- so there were various factors, but there was lubrication issues around the yard.

So there's no rail lubricators in the yard to grease the tracks. The trains have a flange lubrication system, so it squirts a bit of oil or grease onto the wheels, and then that, you know, provides lubrication to the rail. So that wasn't working in the yard because, you know, it's prompted by the signalling system.

So there was one -- I'll say one or two derailments, actually, with LRV16 where, you know, the wheels climbed up the rail and led to a derailment. So since then, we've done a software mod to the trains to apply lubrication to the rail.

And prior to that, we actually went and started manually greasing the rails regularly again, probably every couple of days to ensure there was appropriate lubrication there. So those sort of things. I think there's probably a miss in the sense that you'd expect at the OLRT-C's level, you'd expect there would be some discussion about what the signalling system is going to give you versus the trains, and how the tracks are set up, whether there's manual greasing required or not.

So there's probably a miss there in terms of organizing the different interfaces.

So LRV16, we had a different -- I can't remember the train now. We had a different train that derailed, because YCC threw the switch as the train was on top of it, so that we drove over a switch that was in the wrong position. So that was kind of like an operator error type of derailment that happened.

But, you know, these things do occur and you do get derailments in yards, probably more frequent in the yard than on the main line. We used to have them in the Stratford depot on the Jubilee Line. And then equally in Dublin we had derailments in the yard. So that's a --

KATE McGRANN: Sorry, I didn't mean to cut you off.

RICHARD FRANCE: No, go ahead.

KATE McGRANN: Any derailments since the fix was implemented for the lubrication issue in the yard?

RICHARD FRANCE: I don't think so. Not related to that anyway.

KATE McGRANN: Are you recalling something that was related to something else?

RICHARD FRANCE: I'm just having a hard time remembering. That derailment happened maybe -- I feel like it was almost a year ago. But, you know, in my role, I'm actually less -- I'm much more commercial and less focused on the operation side of things. So if I can't remember whether there was a derailment since, that's probably why.

KATE McGRANN: Who's focused on the operation side of things?

RICHARD FRANCE: Alexander L'Homme was the operations director at one stage. And then now, very considerably that's shifting towards Peter Keighron, who is the new GM I mentioned that's come over. So Peter is -- well, Alex is phasing out and Peter is phasing in.

KATE McGRANN: The YCC, which you've mentioned a couple of times, and I haven't followed up on. What is that?

RICHARD FRANCE: YCC is the "Yard Control Centre". So that's effectively where the help desk is from RTM, and they also control the moves of the trains through yards. They've got to like, you know, put the switches in the right positions and like that.

So they control that piece. So there's

kind of an interaction between them and Alstom, because we have a hostlers that move the trains around. Because the signalling system is not really commissioned for the yard, there's a variation that we have to provide train drivers that shunt the trains around where we need them. And they have to communicate regularly with the yard control centre to execute those moves.

That again is another disruption that causes us problems. Because in theory, if the yard was set up so that the moves can be done in an automated fashion with the signalling system, you'd think there would be some efficiencies there that we can take advantage of.

Then there's been problems with communication between hostlers and YCC. They talk over a radio system, and that creates incidents and stuff like this that have the potential to be, you know, of considerable concern from the safety point of view, because there's technical people dealing with those moves.

So RTM takes those issues -- well, RTM and Alstom are taking those issues very seriously in trying to improve the moves that happen in the yard. So again, like I said, around human factors,

there's lots of little things that can contribute to incidents happening.

But when the CBTC system is set up, it should help in many ways to reduce the level of human error, I would hope, we'll see when it's up and running.

KATE McGRANN: What's the communication radio issue? And if I'm conflating two things, let me know, but what's the concern there?

RICHARD FRANCE: How you communicate, you know, there's -- when people get trained to use the radio, there's sort of a set protocol in terms of how you're meant to speak, and what you're supposed to say; and so stuff like that.

If things aren't communicated well, then it can lead to misunderstanding of stuff, so that could be one factor.

And then, you know, someone equally in YCC could make a mistake over where the train is actually positioned, and they're trying to execute a move from A to B, and they've made a mistake, like that. There's lots of things, but just one of the interfaces that we have to work with.

I said it earlier, it's a shame that Alstom is not in control of the yard control centre

because we can have a -- it would probably help to optimize that activity a bit more.

KATE McGRANN: Why do you think that is? One less interface between two different organizations, or what is it?

RICHARD FRANCE: So, for example, if we're trying to launch trains for service in the morning, and at the same time, though, we're also trying to position trains so they're ready for maintenance.

So YCC, who is an RTM entity, is really focused about getting the trains into service. So they're nervous about trying to do two things at once. So that means that priority is going to getting the trains into service, rather than making sure the trains are also positioned for where they need to be for maintenance after launch.

So where it should be possible to carry out, you know, multiple moves at the same time, and then you have this, you know, things are ready. Because it's sort of the maintenance is our activity, I feel like it's left more -- we're left more to support after the launch and services secured.

KATE McGRANN: The Commission has been

asked to look into the commercial and technical circumstances that led to the breakdowns and derailments on Stage 1.

Are there any areas or topics that we haven't talked about this morning that you think the Commission should be looking at in pursuit of that mandate?

RICHARD FRANCE: We didn't discuss very much about facilities, I think, in the maintenance facilities.

So things like the wheel lathe, and the lifting jacks, and the cranes, and paint booth, and railcar movers that help to move trains around, so all these things are sort of critical pieces of equipment that also needs to execute the maintenance. But those facilities are maintained and essentially sort of under control of RTM. So if they breakdown, we have to get RTM to fix those things and like that.

So I'd say it's a shame equally that Alstom is not maintaining those facilities, because then we'd have greater control of our destiny, let's say. We would like to think that if something broke down, we would be more proactive to try and fix it, because it's critical to us. But

instead, this situation is, we have to report it to RTM and maybe they're not as keen as we would be to rectify it.

They have asked us to sort of price up a variation to take control of those facilities. But I don't know that there's any seriousness to their request, because they haven't formalized their request in a letter or anything. And if they really wanted to know what the price was, I'm pretty sure that we submitted some details as part of the tender that outlined what our price would be if we controlled the YCC, and the facilities, and then what it would be if we didn't.

So, you know, by them asking for our price is just a way to buy more time and create a bit of noise around the topic. But those facilities cause us a big headache.

KATE McGRANN: The facilities and delays in getting you what you need, I could see how that would contribute to longer times than necessary to repair things.

In your view, could that also be a contributing factor to what caused the derailments or breakdowns in the first place?

RICHARD FRANCE: I mean indirectly,

yes. So things like the facilities -- and it's tricky, because it's one of those topics where you think, "well, it's caused me some disruption. I would like to make a claim for that disruption and pursue it that way to recover".

But because it's sort of indirectly linked to a lot of things, it's really hard to quantify the impact. So I wouldn't say it's directly a factor that led to the derailments, but it's a problem in the background that's made us less efficient and causes a lot of stress for the operations team that's executing the maintenance and also executing these retrofits and stuff like that.

And, unfortunately, those individuals have been under a lot of stress over the last couple of years with the system and, you know, the facilities is one of those. It seems like it's one of those simple topics that shouldn't be so difficult if the right kind of supplier and agreements were in place with the key entities, you know, where you had a contract in place that says, "okay, if it breaks down, you'll be here in such a period of time".

You know, if that was better managed,

then it would be one of the things that would reduce the level of stress of the operations team. So, yeah, indirectly, yes.

KATE McGRANN: And other than facilities, any other areas that we haven't discussed today that you think the Commission should be concerned?

RICHARD FRANCE: And again, there's probably tons we could talk about on just the contract structure. But less so in terms of how that impacts the operation, you know, for people executing the maintenance.

But the contract structure is -- you know, I feel like RTM are not motivated as significantly as Alstom would be to improve performance. Because when you look at the payment -- so, yes, they would receive failure points for these problems. And those failure points could eventually lead to their termination, and equally Alstom's termination by virtue of us being a subcontractor.

But when it comes to the financial impact, I mean, for the stuff that's Alstom's scope, they really flow down 100 percent of any penalties to us.

So they're not -- they're considerably less motivated by the financial side, because they can sit back and realize that now eventually when all this is settled, we'll pass all the monetary stuff down to Alstom.

Like, maybe I don't know if it's too much information. But, you know, following the derailments, we agreed a term sheet to, you know, "without prejudice" agree a mechanism for getting payment to the different entities.

So the City initiated this with RTM, and then they had their term sheet with RTG, RTM, and then a term sheet on to Alstom eventually. But it's apparent from that term sheet, that actually even though these derailments happened, you know, RTM would still retain 100 percent of its money, because they just flow it all down to Alstom.

And I said earlier it's without prejudice, because certainly there will be more to discuss about that with RTM later. But, yeah, so it's part of the commercial mess that I was alluding to before. The structure of the contracts is really not good.

And, you know, again, the City -- I don't have a direct link to the City, but

nonetheless, I do exchange with them sometimes when I see them in the hallway and whatever, you know. And the City has this attitude that, well, I don't care about how the different entities are made up. I have a contract with RTG. And so, you know, that's all I really care about.

But, you know, I'm a citizen of Ottawa, I pay a lot of taxes. I think the overarching entity actually should care. They should really understand how the contractual structure is made up. And then if you don't have a mechanism of directly communicating with the entity that covers 70 percent, or around there, of the scope, then, you know, why have you allowed that?

Your maintainer should not be allowed to subcontract such a large portion without having the communication link to that entity. I mean, you're just asking for failure, I think.

So the fact that the City either doesn't have visibility, or maybe doesn't care about the inner workings of the, essentially, the system that they bought, that doesn't seem right.

KATE McGRANN: Any other areas?

RICHARD FRANCE: Yeah, it's probably okay. I think I could probably go on for a long

time about various things but...

Yeah, I mean, we were talking about the derailment of LRV21, you know, we've stopped service for such a long time, actually. And, you know, when the derailment of LRV19 happened, the first derailment, we stopped service for a few days. And that's not really a lot, actually.

And the second derailment clearly -- the second derailment happened, and clearly I think there was a lot of nervousness from people around the system. But it was a very long time for the system to be shut down, and it's, you know, as part of that derailment, there was a lot of damage to the infrastructure. And it took a considerable amount of time to fix which, you know, the -- it seems like there's some level of miss there as in, maybe if it had been earlier, detected a little bit earlier, we could have helped to reduce the level of damage. So I don't know, I mean, it's just a statement. There's nothing that we can do differently now. But it's a shame.

So it probably comes back to what I was talking about, how if we can work more closely with the City to handle events and provide, you know, build the operating book on that, how you deal with

issues in service, that maybe hopefully we could have reduced the level of damage that was caused to the infrastructure, and then been able to recover from, from service -- recover back to service more quickly.

Because we had a bit of an opportunity with the fact that there was so much damage to the infrastructure, that we could actually do a lot of work in that downtime to the train, so that was kind of -- we made really good use of that opportunity to catch up on a lot of different things, which gave us sort of a clean slate going back into service.

So that was good to make use of the time. I guess it was unfortunate that service was stopped for such a long period of time. In my experience, I've never actually worked on a fleet where we've had such a long period where the trains were out of service.

KATE McGRANN: Any other areas you think the Commission should be looking at?

RICHARD FRANCE: That's okay, I think.

KATE McGRANN: The Commissioner has been asked to make recommendations to try to avoid these issues happening in the future.

Are there any specific recommendations or areas that you would suggest he consider in that work?

RICHARD FRANCE: Well, lots of things. I definitely touched on them in the testimony. So anybody who's going through it, can pick them out. But there are a lot of things, actually. So we would really be going over everything I've said already.

KATE McGRANN: Anything that you haven't already mentioned?

RICHARD FRANCE: No, no, it's okay.

KATE McGRANN: I appreciate your patience. We've gone over the time we had scheduled.

I'll turn to your counsel to ask if there are any follow-up questions they wanted to ask you.

MICHAEL VALO: None from us. Thanks.

-- Concluded at 12:20 p.m.

REPORTER'S CERTIFICATE

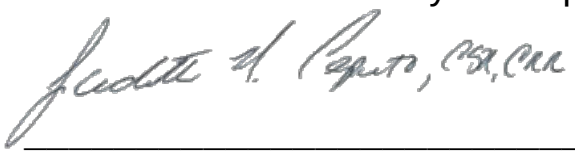
I, JUDITH M. CAPUTO, RPR, CSR, CRR, Certified Shorthand Reporter, certify;

That the foregoing proceedings were taken before me at the time and place therein set forth; at which time the interviewee was put under oath by me;

That the statements of the presenters and all comments made at the time of the meeting were recorded stenographically by me;

That the foregoing is a Certified Transcript of my shorthand notes so taken.

Dated this 28th day of April, 2022.



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