

Ottawa Light Rail Commission

Allan Hubley
on Tuesday, April 5, 2022



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OTTAWA LIGHT RAIL COMMISSION
CITY OF OTTAWA - ALLAN HUBLEY
APRIL 5, 2022

--- Held via Zoom Videoconferencing, with all
participants attending remotely, on the 5th day
of April, 2022, 9:00 a.m. to 11:47 a.m.

1 COMMISSION COUNSEL:

2 Kate McGrann, Co-Lead Counsel Member

3 Liz McLellan, Litigation Counsel Member

4

5 PARTICIPANTS:

6 Allan Hubley: City of Ottawa

7 Peter Wardle and Lauren Gruenberger: Singleton

8 Urquhart Reynolds Vogel LLP

9

10 ALSO PRESENT:

11 Helen Martineau, Stenographer/Transcriptionist,

12 Laila Butt, Virtual Technician

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INDEX OF EXHIBITS

NO. /	DESCRIPTION	PAGE
1	Printout of a biography of Ottawa City Councillor Allan Hubley.	7

* * The following is a list of documents undertaken to be produced, items to be followed up, or questions refused. * *

INDEX OF UNDERTAKINGS

The documents to be produced are noted by U/T and appear on the following page/line:
105/21.

1 --- Upon commencing at 9:00 a.m.

2 ALLAN HUBLEY: AFFIRMED.

3 KATE McGRANN: Before we start with
4 our questions today, Councillor Hubley, some
5 information about the interview.

6 So the purpose of today's interview is
7 to obtain your evidence, under oath or solemn
8 declaration, for use at the Commission's public
9 hearings.

10 This will be a collaborative interview
11 such that my co-counsel, Ms. McLellan, may
12 intervene to ask certain questions. If the time
13 permits, your counsel may ask you follow-up
14 questions at the end of this interview.

15 This interview is being transcribed
16 and the Commission intends to enter this
17 transcript into evidence at the Commission's
18 public hearings, either at the hearings or by
19 way of procedural order before the hearings
20 commence.

21 The transcript will be posted to the
22 Commission's public website, along with any
23 corrections made to it, after it has been
24 entered into evidence. The transcript, along
25 with any corrections later made to it, will be

1 shared with the Commission's participants, and
2 their counsel, on a confidential basis before
3 being entered into evidence.

4 You will be given an opportunity to
5 review your transcript and correct any typos, or
6 any other errors, before the transcript is
7 shared with the participants or entered into
8 evidence. Any nontypographical corrections that
9 you make will be appended to end of the
10 transcript.

11 Pursuant to section 33(6) of the
12 Public Inquiries Act 2009, that section provides
13 that a witness at an inquiry shall be deemed to
14 have objected to answer any question asked him
15 or her upon the grounds that his or her answer
16 may tend to incriminate the witness or may tend
17 to establish his or her liability to civil
18 proceedings at the instance of the Crown, or of
19 any person. And no answer given by a witness at
20 an inquiry shall be used or be receivable in
21 evidence against him or her in any trial or
22 other proceeding against him or her thereafter
23 taking place, other than a prosecution for
24 perjury in giving such evidence.

25 As required by section 33(7) of the

1 Public Inquiries Act, 2009 you are hereby
2 advised that you have the right to object to
3 answer any question under section 5 of the
4 Canada Evidence Act.

5 Do you have any questions about any of
6 that?

7 ALLAN HUBLEY: No.

8 KATE McGRANN: And your counsel will
9 already have likely said this to you, but if at
10 any point during the interview this morning you
11 would like to take a break just let us know and
12 we will go off the record and do that.

13 ALLAN HUBLEY: Very much appreciated.

14 KATE McGRANN: For starters, I'm going
15 to share my screen and show you a document that
16 your counsel shared with us in response to our
17 request that they provide a copy of your CV. So
18 this is the document that we received.

19 Are you able to see the document that
20 I'm sharing with you?

21 ALLAN HUBLEY: I am.

22 KATE McGRANN: And are you familiar
23 with this document?

24 ALLAN HUBLEY: I am.

25 KATE McGRANN: Would you please

1 explain to me briefly what it is?

2 ALLAN HUBLEY: It's a biography that
3 we post on our website that just highlights some
4 of my background.

5 KATE McGRANN: Okay. LRT. So we'll
6 have that entered as Exhibit 1 to your
7 examination and that gives us some background
8 information about the work that you've done in
9 the City.

10 EXHIBIT NO. 1: Printout of a
11 biography of Ottawa City Councillor
12 Allan Hubley.

13 KATE McGRANN: I'm going to stop
14 sharing my screen now.

15 So Councillor Hubley, I understand
16 that you have been a Councillor for three terms
17 now starting in 2010, is that correct?

18 ALLAN HUBLEY: Correct.

19 KATE McGRANN: And I also understand
20 that during your time as a Councillor, for at
21 least part of time, you were a member of FEDCO,
22 is that right?

23 ALLAN HUBLEY: Yes, for all twelve
24 years, yes.

25 KATE McGRANN: All 12 years, okay.

1 Would you please describe for us what
2 your involvement in Stage 1 of the LRT has been
3 as a Councillor?

4 ALLAN HUBLEY: Well, as part of FEDCO
5 and as part of Council, we would have received
6 reports from time to time from staff on the
7 lead-up to the build, the -- and from the time
8 they started building to when it was launched.

9 KATE McGRANN: Okay. Can you help me
10 understand what FEDCO's role is with respect to
11 Stage 1 of the LRT?

12 ALLAN HUBLEY: FEDCO is the Finance
13 and Economic Development Committee, and under
14 the City's governance rules anything that
15 overlaps multiple committees, by default, goes
16 to FEDCO. Anything that involves large amounts
17 of money would also pass through FEDCO as well.

18 So LRT ended up there just by the size
19 of it. And the decision was made that the LRT,
20 until it was actually operational, would remain
21 under the FEDCO domain, and then once it became
22 operational it would fall under the Transit
23 Commission.

24 KATE McGRANN: And so when you say
25 that the LRT up until operations was under the

1 FEDCO domain, what does that mean? What kind of
2 decisions would FEDCO make about the LRT
3 project?

4 ALLAN HUBLEY: Well, basically any
5 decisions that were needed from the political
6 level they would go through FEDCO before they go
7 to Council, you know, budgetwise to approve the
8 budget, not to build the budget but to approve
9 the budget, and it would depend on the
10 decisions, the different piece at the time.
11 Because it was what we call delegated authority
12 to the City Manager that makes the day-to-day
13 decisions, and the General Manager of
14 Transportation Services and Transit, they had
15 delegated authority to make a lot of decisions,
16 but there were some that they needed political
17 involvement and so it would rise to FEDCO and
18 then to Council.

19 KATE McGRANN: Were there ever any
20 instances in which FEDCO could make the
21 decisions and the matter did not need to rise to
22 Council for decision making purposes?

23 ALLAN HUBLEY: That can happen. I
24 can't off-hand give you any examples of that,
25 but there are, from time-to-time, decisions that

1 can be made at the committee level that don't
2 need to rise.

3 KATE McGRANN: With respect to the
4 delegation of authority to the City Manager and
5 other members of staff, do you recall about when
6 that delegation was first implemented?

7 ALLAN HUBLEY: Oh, it would have been
8 early, early on in the process because of the
9 amount of -- the amount of decisions needing to
10 be made, you know, in the lead-up with the
11 contract and the whole evaluating the contracts,
12 all that. You know, that's -- you don't
13 necessarily want the political level involved in
14 evaluating the different companies so you need
15 staff to do all that.

16 KATE McGRANN: So could you be a bit
17 more specific than "early on in the process"?
18 For example, was it during your first term as
19 Councillor?

20 ALLAN HUBLEY: Oh yes, absolutely.
21 Delegated authority would have taken place --
22 I'm sorry, it's long ago so I can't give you a
23 specific date that delegated authority would
24 have been put in place but it would have been
25 very early in the process, therefore, I would

1 make an assumption here that it was definitely
2 in the first term, early in the first term.

3 KATE McGRANN: With respect to the
4 budget for the LRT, Stage 1, you said that FEDCO
5 is not involved in building the budget but was
6 involved in approving the budget.

7 ALLAN HUBLEY: Right.

8 KATE McGRANN: What can you tell us
9 about how the budget was built? Who was
10 involved in that work?

11 ALLAN HUBLEY: Well, that would have
12 been our treasurer and staff from the Finance --
13 I think at the time it was Marian Simulic and
14 her staff. There would be a number of people
15 from her staff that would be involved in that
16 because of the involvement of numbers and cash.

17 There would have also been the City
18 Manager. The Manager of Transportation and
19 Transit Services was John Manconi, he would have
20 been involved in that. That's all I can think
21 of right now.

22 Well, of course legal services would
23 have probably been involved as well because
24 you're talking about when the contract was
25 negotiated, correct?

1 KATE McGRANN: I think the budget was
2 set before the contract was negotiated. My
3 understanding is that the procurement process
4 involved asking different consortia to propose
5 how they would construct the system in
6 accordance with a budget that had already been
7 set. Is that consistent with what you remember?

8 ALLAN HUBLEY: Yes, yeah. We had
9 landed early on -- it was part of the 2010
10 election campaign that we wanted this done for
11 2.1 billion and no more. Like, we were looking
12 for a fixed price, fixed contract.

13 KATE McGRANN: When you say it was
14 part of the 2010 election campaign, does that
15 mean that the budget had been set before the
16 2010 election campaign?

17 ALLAN HUBLEY: No, no. Just a number
18 for everybody to work towards, the 2.1. Because
19 in the 2006 campaign they cancelled the initial
20 LRT plan. And so the election campaign was a
21 mass consultation with the public to see if
22 there was support for LRT.

23 The different candidates in 2010 would
24 say whether or not they supported LRT. In my
25 own case I said that I would agree to it if it

1 was locked in at 2.1.

2 KATE McGRANN: And where did that
3 number come from?

4 ALLAN HUBLEY: It was what was being
5 proposed. And having been -- working in
6 government for years I know that the initial
7 budget can be 2.1 but then you have scope creep,
8 and all kind of other things, that would take
9 that budget to 3 or 4 billion. And I wasn't
10 supportive of that and nor were others. I think
11 the Mayor himself also said that he wanted to
12 try to set that envelope of money that would be
13 set aside so that we could do the proper
14 financial planning.

15 KATE McGRANN: When you say the
16 2.1 billion is what was being proposed, who was
17 it being proposed by?

18 ALLAN HUBLEY: Well, during the
19 campaign it would have been the Mayor. It would
20 have been Jim -- like the candidate for Mayor at
21 the time, Jim Watson, and then others would have
22 agreed or disagreed with him.

23 KATE McGRANN: Did you have the
24 opportunity to look at any work that had been
25 done to achieve that 2.1 billion figure? Like,

1 to put it colloquially, to kick the tires and
2 see whether that was a budget that made sense
3 for the project?

4 ALLAN HUBLEY: Just everything that
5 was out in the public with the documents that
6 had been released to the public, media stories
7 from CTV or Ottawa Citizen, or Ottawa Sun at
8 that time too.

9 KATE McGRANN: And can you give me a
10 sense of what information was available in the
11 media that helped you get comfortable that
12 2.1 billion was the right number for the
13 project?

14 ALLAN HUBLEY: Well, they talked about
15 the distance, you know, the length of the
16 system, roughly what could be done. They were
17 talking about building across the downtown first
18 and then expanding out in future phases further
19 into the east and west and south.

20 And I took -- my opinion at the time,
21 and I think it was commonly held, was that the
22 status quo wasn't sustainable in the downtown
23 core. Like the buses were back-to-back across
24 two city streets across town, and you just
25 didn't have room to add any more capacity to

1 that.

2 Yet you had areas like Kanata that
3 people wanted to get on that bus but there was
4 no bus that you could put them on that could get
5 into the downtown core.

6 So we had to -- the LRT promised more
7 capacity and capacity for the future. Because
8 we were doing it scalable that we could add
9 Phase 2, Phase 3, and so on. You would always
10 be able to add capacity to the system, where we
11 couldn't do that any more with the buses.

12 KATE McGRANN: So that information
13 helps me understand why you were comfortable
14 with the need for an LRT system.

15 ALLAN HUBLEY: Yeah.

16 KATE McGRANN: Based on capacity and
17 what people were saying about the needs of the
18 City. What about the \$2.1 billion? How did you
19 get comfortable with the idea that you couldn't
20 do it for cheaper than that? And also that you
21 would be able to do it for that and not be stuck
22 with the kind of scope creep that you just
23 described to us?

24 ALLAN HUBLEY: Because of it being put
25 together as a P3, that was going to be a

1 contract that everybody was locked into. So
2 that gave me that level of comfort that that was
3 the price we were going to pay and it would stay
4 relatively close to that price for sure.

5 The -- can I get you to restate that
6 again please?

7 KATE McGRANN: Yeah, sure. What I'm
8 trying to understand is, you've been in
9 government, it sounded like you've seen
10 efficient budgets, you've also seen budgets that
11 ultimately didn't turn out to be the case when
12 the project hit the ground. You talked about
13 scope creep and things like that.

14 And you said it was important to you
15 that this project be done for the budget and
16 there not be scope creep. So what I'm trying to
17 understand is, what information was available to
18 you that let you get comfortable with the idea
19 that this project could actually be done for
20 \$2.1 billion and that scope creep wouldn't be a
21 factor, this could stick to that number?

22 ALLAN HUBLEY: And are we now talking
23 about after the election or pre-election?

24 KATE McGRANN: Maybe we can break it
25 into two. If you can help me understand how you

1 got comfortable with that number such that you
2 could rely on it in your campaigning?

3 And then if you receive additional
4 information after you become a member of Council
5 that bolstered that belief then I would like to
6 hear about that as well.

7 ALLAN HUBLEY: Sure. So the
8 pre-election I wouldn't have had any access to
9 any kind of confidential documents or anything,
10 it was more based on that once elected the
11 understanding would be that we would be fully
12 briefed and have all those details before we
13 vote on it. Because we didn't vote right away,
14 it was later in the start of the term that we
15 voted on it.

16 But I knew there would be time to ask
17 more questions, get more information to build
18 that level of comfort. So I was comfortable
19 with that process knowing that I would get more
20 answers once we got into it.

21 Because what we were being asked at
22 the door was would we support LRT or not? It
23 was a City building exercise. So people wanted
24 it. Some people didn't want it.

25 KATE McGRANN: And as part of the

1 campaign, your being asked whether you would
2 support LRT, are you also being asked about the
3 budget number? I want to make sure I understood
4 your evidence properly.

5 ALLAN HUBLEY: Yeah, that's where I
6 think myself and others said, you know, that's
7 the number we're going to agree to. We're not
8 going to agree to that number creeping any
9 higher.

10 KATE McGRANN: Before we turn to the
11 information that you got once you became a
12 member of Council and got to go through the
13 exercise that you described to us, before the
14 vote, before you get there did you have any
15 concerns in your campaigning that by running on
16 the notion that you would approve the LRT at a
17 \$2.1 billion number that you were hampering your
18 ability to later say, once you got a look at the
19 information, we actually need this budget to be
20 different?

21 ALLAN HUBLEY: No, I didn't. I'm
22 hesitating more now when you say that. But, no,
23 at the time I was comfortable that the
24 information they were providing us that we had
25 very good people -- look, I'm not an

1 engineering. I couldn't look at the plans for
2 the tracks and say, Yeah, that's the right place
3 to put tracks. You have to rely on the
4 expertise that's available to you. And I
5 quickly came to trust a lot of the people that
6 were involved in this that they knew what they
7 were doing, and so that gave me my level of
8 comfort.

9 KATE McGRANN: And we had talked about
10 the information that was available to you during
11 your campaigning about the needs from the City,
12 and that was information from the media. What
13 information did you have about the budget
14 number? You say you came to trust the people
15 who provided it and the information you were
16 given, so what information did you have during
17 your campaign about the budget number?

18 ALLAN HUBLEY: Just what was in the
19 public. That, you know, this is what was being
20 discussed. I don't think -- it's twelve years
21 ago so I'm struggling to remember exactly when
22 things happened. But there was an exercise,
23 after we got elected, to bring the price of the
24 contract down because I believe it had gone up.
25 If memory serves me right it had gone up to 2.5

1 and there was consultants brought in to look at,
2 how can we do that cheaper?

3 One of the steps they did was adjust
4 where the tunnel was going to be, like how deep
5 the tunnel would be, that kind of thing. And
6 there was significant savings through that
7 exercise.

8 KATE McGRANN: Do you remember what it
9 was that caused the budget to creep up to 2.5?

10 ALLAN HUBLEY: No, no, I'm sorry, I
11 don't.

12 KATE McGRANN: That's okay.

13 ALLAN HUBLEY: What was more important
14 to me was to get it back down.

15 KATE McGRANN: Could you tell me who
16 was involved in the exercise to bring the budget
17 back down to the 2.1 million level?

18 ALLAN HUBLEY: I think the lead
19 consultant on that was Brian Guest, and the City
20 Manager Steve Kanellakos would have been
21 involved in that and John Manconi.

22 PETER WARDLE: So you can tell me,
23 Ms. McGrann, we're dealing with things that are
24 a long time ago, and I don't want to interfere
25 with the examination, but Mr. Kanellakos, for

1 example, wasn't the City Manager at this time.
2 I think you're thinking of Kent Kirkpatrick.

3 ALLAN HUBLEY: Thank you, Peter, yes.
4 My error, Kent Kirkpatrick was the City Manager
5 at the time, thank you for that.

6 He would have been the Deputy City
7 Manager for part of that and then he left for
8 two years and then came back.

9 KATE McGRANN: And for items like that
10 if you -- if when you're reviewing your
11 transcript you recognize that, oh, this was a
12 long time ago, I made a mistake here. You can
13 advise us of that and those are the kind of
14 corrections that will be appended to the end of
15 your transcript when it's circulated to the
16 participants confidentially and ultimately
17 entered into evidence.

18 What did you understand Brian Guest's
19 role was with respect to the budget reduction
20 exercise?

21 ALLAN HUBLEY: All I would have been
22 aware of at that time was that they were taking
23 a look at what the proposed plan was and trying
24 to reduce the cost of it.

25 What the specific roles were and that

1 I did not know.

2 KATE McGRANN: Do you recall how the
3 product of that budget reduction exercise was
4 presented to you as a member of Council?

5 ALLAN HUBLEY: It would have been at a
6 FEDCO meeting.

7 KATE McGRANN: Do you remember whether
8 anyone expressed any concerns that the budget
9 was not -- the \$2.1 billion budget was not
10 sufficient for the project?

11 ALLAN HUBLEY: No, I don't recall
12 that, no.

13 KATE McGRANN: During your first term
14 as Councillor was Council involved in making a
15 decision about which mode or model the project
16 would proceed by? And by that I mean, were you
17 involved in selecting the P3 model as the model
18 that would be used for this project?

19 ALLAN HUBLEY: Are you talking about
20 deciding between the different consortiums that
21 applied or the decision to go with the P3 up
22 front?

23 KATE McGRANN: The decision to go with
24 the P3 up front.

25 ALLAN HUBLEY: No, I don't think -- I

1 certainly wasn't involved in any discussions on
2 that. I may have been involved with the vote at
3 the time with FEDCO.

4 But to give you some context, in my
5 first term on Council I was not on transit so my
6 role was strictly with FEDCO was to really focus
7 on numbers not who is going to build and what
8 they're going to -- what the train car is going
9 to look like or any of that, that wasn't for us
10 to decide at FEDCO, it was strictly the numbers.

11 KATE McGRANN: And coming at this from
12 the numbers perspective, do you recall any
13 discussion at FEDCO, or otherwise, about the
14 implications for the budget if, for example, the
15 City proceeded by way of a design, bid, build
16 as opposed to a P3 model?

17 ALLAN HUBLEY: Yes.

18 KATE McGRANN: Can you tell me a bit
19 about that?

20 ALLAN HUBLEY: Well, we wouldn't have
21 a guarantee over the price so I was not
22 interested in that. I really liked the P3 model
23 because it gave us that price guarantee that the
24 public wanted.

25 KATE McGRANN: Do you recall if there

1 was any discussion, at the time that you were
2 looking at the \$2.1 billion budget, the benefit
3 of P3 being that the private partner is
4 obligated to deliver on budget, about what would
5 happen if there was a failure on the part of the
6 private partner? What the implications of a
7 failure like that would be for the City?

8 ALLAN HUBLEY: Well, there was
9 certainly language in the contract as to what
10 that would look like, but, you know, a dispute
11 mechanism, independent certifier for the launch.
12 But there's an independent person, I'm
13 forgetting the title here right now, that was in
14 the contract that would help resolve any
15 differences.

16 KATE McGRANN: Any other discussion
17 about the potential implications for the City if
18 the private partner failed to live up to their
19 obligations under the P3 contract?

20 ALLAN HUBLEY: Not that I recall, no.

21 KATE McGRANN: So during your first
22 term on Council you were not focused on transit,
23 you were working on FEDCO, you were focused on
24 the numbers. Did you sit on any other
25 committees during your first term that did any

1 work related to Stage 1 of the LRT?

2 ALLAN HUBLEY: No, no.

3 KATE McGRANN: And what about your
4 second term --

5 ALLAN HUBLEY: Sorry, if I may, I
6 should maybe -- I can't remember an instance
7 that we dealt with LRT, but I was on the audit
8 committee. I was the Vice-Chair of Audit in the
9 first term. And from time-to-time -- and then I
10 became the Chair in the second term and there
11 was LRT audits, I just can't remember if it was
12 in the first term or if it all happened in the
13 second term.

14 KATE McGRANN: Okay. Well, let's talk
15 briefly about the audits. And I understand that
16 you don't remember the exact timing, but can you
17 help me out with what the focus of the audits
18 were?

19 ALLAN HUBLEY: Different parts because
20 you couldn't audit the whole thing. But there
21 was different individual audits that were
22 requested. I'm sorry, I can't remember the
23 subject matter but it's all publicly-available.

24 KATE McGRANN: And during your second
25 term on Council you're the Chair of the Audit

1 Committee, did you sit on any other City
2 committees that may have touched on Stage 1 of
3 the LRT project?

4 ALLAN HUBLEY: Well, I was on FEDCO
5 again.

6 KATE McGRANN: Uhm-hmm.

7 ALLAN HUBLEY: So that would have -- I
8 was also -- I did two years as Vice-Chair of
9 Transportation as well, but very, very little
10 involvement. More along the planning aspects
11 like routes, like the route of the LRT and that,
12 some of that stuff went to transportation.

13 KATE McGRANN: And when you say you
14 were vice-chair would that have been of the
15 Transit Commission?

16 ALLAN HUBLEY: No, transportation.

17 KATE McGRANN: Thank you.

18 ALLAN HUBLEY: I didn't join the
19 Transit Commission until January of 2019.

20 KATE McGRANN: Vice-Chair of
21 Transportation is that a committee? A City
22 Council committee?

23 ALLAN HUBLEY: Yes. Transportation
24 Standing Committee and Councillor Egli would
25 have been the Chair. But we didn't have a lot

1 of LRT involvement. There would be some things,
2 like I say, a report about taking the trains
3 this route or that route might have come through
4 transportation.

5 KATE McGRANN: And did you remain on
6 the Transportation Standing Committee --

7 ALLAN HUBLEY: For a second term? No.
8 It was just the -- they had to change the chair
9 and vice-chair so I stepped in just to finish
10 out the term. So I just did the two years and
11 then I left.

12 KATE McGRANN: And then looking to
13 your current term, can you tell me about the
14 roles that you have in your role as Councillor
15 related to Stage 1 of the LRT?

16 ALLAN HUBLEY: Okay. So I took over
17 transit, as I said, in January 2019, and my role
18 then would be the -- or the Transit Commission's
19 role would be the operations, like once the LRT
20 became operational.

21 So I started -- when I became Chair I
22 started attending briefings and meeting with
23 staff, and everything, to go over what our
24 preparations were, what it was going to look
25 like, where were the issues, that kind of thing

1 with the launch.

2 KATE McGRANN: I understand. Just for
3 some background, how did you become the Chair of
4 the Transit Commission in January of 2019?

5 ALLAN HUBLEY: The way Council works
6 is the Mayor will put forward a list of
7 potential committee Chairs and Council then
8 votes on it. And so I was selected by a
9 unanimous vote of Council.

10 KATE McGRANN: And with respect to --
11 I want to ask you questions about how you
12 prepared for operations but I'm going to come
13 back to that, and I'll ask some more basic
14 questions first.

15 Can you just help me understand the
16 role of the Transit Commission as it relates to
17 the Confederation Line?

18 ALLAN HUBLEY: So the Transit
19 Commission will set policy, will approve the
20 budget for the entire transit system, which
21 includes LRT, as well as our bus system and our
22 para system.

23 So that's -- basically we set the
24 performance measures, we determine, for example
25 right now we're doing a pilot on electric buses.

1 Well, that gets decided at Transit Commission
2 and then Transit Commission recommends it to
3 could Council, and Council either approves or
4 rejects.

5 KATE McGRANN: What are the powers of
6 the Transit Commission? So in terms of the
7 areas in which it's responsible for, aspects of
8 transportation within the City, if the Transit
9 Commission sees something going wrong, or an
10 issue that needs to be addressed what can the
11 Transit Commission do?

12 ALLAN HUBLEY: One of the things we
13 would do is bring the General Manager in, at
14 that time it was John Manconi, now it's Renée
15 Amilcar. And at the start of every meeting the
16 General Manager gives an update as to what are
17 the issues in the entire system, not just LRT
18 but the entire system. And so that keeps the
19 Transit Commission as up-to-date as possible
20 with what's going on in the system.

21 If there's something that needs to be
22 addressed well then typically a specific report
23 would come forward with recommendations or
24 options, and the Commission would vote on that
25 report or reject it.

1 KATE McGRANN: So is it fair to say
2 that whenever there's a matter that needs to be
3 addressed the Commission can request reports,
4 and then based on the recommendations provided
5 in those reports provide direction to -- is it
6 transportation staff? Who would the Commission
7 be directing?

8 ALLAN HUBLEY: Well, when I took over
9 Mr. Manconi was the General Manager for
10 Transportation and Transit, so he had
11 transportation services as well as all the
12 transit services.

13 So he would have had the delegated
14 authority to make the day-to-day decisions, the
15 hiring and firing, all that kind of stuff would
16 all fall through him, it doesn't go to the
17 Commission.

18 Council only hires two people, and
19 that's the Auditor General and the City Manager,
20 and then everything else is delegated.

21 KATE McGRANN: This would have been
22 before your time as Chair of the Transit
23 commission, but do you know whether the transit
24 commission was involved in the decision to
25 retain operations of Stage 1 of the LRT with the

1 City? So have the City be responsible for the
2 drivers of the trains and things like that?

3 ALLAN HUBLEY: No, that would have
4 been probably fairly early on in the process,
5 but I can't give you any insight into that. I
6 certainly wasn't involved in any decision on
7 that term.

8 KATE McGRANN: To your knowledge was
9 the Transit Commission involved in making
10 decisions about what the bus routes would look
11 like during the transition to full public
12 service of Stage 1 of the LRT?

13 ALLAN HUBLEY: Yes, absolutely.

14 KATE McGRANN: What can you tell me
15 about what was discussed and considered in terms
16 of what the continuing or overlapping bus routes
17 would be like for the start of public service
18 for the LRT.

19 ALLAN HUBLEY: Well, the proposal was
20 to run a parallel service to give people time to
21 migrate to the trains, to get a level of
22 confidence in the trains and get on there.

23 But because of the budget that was --
24 it wasn't set to be forever, we had to set a
25 fixed period of time for that. I'm thinking it

1 was a couple of weeks that we ran the parallel
2 service.

3 We also had a plan for if the trains
4 went down that we could pull buses from
5 different routes and put a service that would
6 run parallel to the train and get people from
7 station to station, and we called that "R1".

8 KATE McGRANN: You called that "R1"?

9 ALLAN HUBLEY: Yes, R1 service.

10 KATE McGRANN: So if I see reference
11 to "R1 service" in documents that's referring to
12 the back-up plan to support transit if the LRT
13 is not able to run at any time?

14 ALLAN HUBLEY: Correct.

15 KATE McGRANN: When you talk about a
16 proposal to run a parallel service, where did
17 that proposal come from?

18 ALLAN HUBLEY: It was part of planning
19 for the launch. One of the things that I
20 certainly admired from Mr. Manconi and his team
21 was they understood the value of redundancy. So
22 there was always back-ups to your back-up so
23 that you had -- you know, for example, we're
24 looking at reducing the budget now because of
25 the loss or ridership due to the pandemic. We

1 have a plan A, a plan B and a plan C as to what
2 to do with that. And there was a lot of that in
3 the LRT planning too, there was always, if this
4 didn't work this is what we can do, that kind of
5 thing.

6 KATE McGRANN: So it sounds like a
7 proposal to run a parallel service was part of
8 the launch planning, is that right?

9 ALLAN HUBLEY: Correct. I believe
10 that proposal initially came from Mr. Manconi or
11 someone on his team, but the first I heard of
12 it, for sure, was from Mr. Manconi.

13 KATE McGRANN: Do you know if there
14 were any people working for the City outside of
15 City staff? So advisors, consultants who were
16 involved in the launch planning?

17 ALLAN HUBLEY: Was there anybody
18 outside of the City --

19 KATE McGRANN: Yeah.

20 ALLAN HUBLEY: -- that was involved?

21 KATE McGRANN: So advisors to the
22 City, third party consultants, companies,
23 people.

24 ALLAN HUBLEY: There was City staff
25 that I think had converted over to consultants

1 but I'm not exactly sure of the timing they did
2 that. That would have been like Nancy Schepers,
3 the Deputy City Manager, at some point became a
4 consultant in there. But because I wasn't
5 involved in the LRT stuff in the previous term
6 to the same degree, I can't tell you exactly
7 when she went to become a consultant with the
8 LRT. I just know that she made that move.

9 Chris Swail would have been another
10 one who was one level down from her. He ended
11 up being a consultant at some point through that
12 transition.

13 KATE McGRANN: And you spoke about the
14 proposal for the parallel service, one of the
15 purposes being to allow the riders time to get
16 comfortable with the system, and I guess it
17 allows them a bit more time to choose to
18 transfer over to the LRT?

19 ALLAN HUBLEY: Yes.

20 KATE McGRANN: Do you remember any
21 discussion about parallel service offering time
22 for any underlying issues with the system to
23 come to light and be addressed before you've got
24 all of the ridership relying solely on the LRT?

25 ALLAN HUBLEY: Other than what we were

1 doing you mean? Like an extended period of
2 time, or whatever? No, I don't recall a
3 discussion about that because, you know, the
4 initial launch everything went relatively
5 smooth.

6 KATE McGRANN: But presumably you were
7 looking at planning a parallel bus service
8 before the initial launch. So when you picked
9 the three weeks you wouldn't have known that the
10 launch would go smoothly? That was still in the
11 future.

12 ALLAN HUBLEY: Right.

13 KATE McGRANN: So do you remember any
14 discussions about how to account for potential
15 issues in the system that arose using a parallel
16 bus route for longer than what was planned?

17 ALLAN HUBLEY: Well, that would have
18 been that R1 service, but I can't tell you when
19 that first got discussed. I believe that was
20 all part of the launch plan so I think that
21 addresses what you're asking, but I can't tell
22 you specifically when I first heard that we were
23 going have the R1.

24 KATE McGRANN: Sticking with the work
25 of the Transit Commission for a little bit

1 longer, I think you said that the Transit
2 Commission is -- sets performance measures, is
3 that right?

4 ALLAN HUBLEY: Yes.

5 KATE McGRANN: So was the Transit
6 Commission involved in setting any benchmarks or
7 performance measures for the drivers of the
8 trains?

9 ALLAN HUBLEY: Not initially. The
10 performance measures are something that I
11 brought in after I became Chair. I put a
12 working group together to look at the reports
13 that would be needed.

14 During the lead-up to LRT a lot of the
15 reporting on transit services was cancelled or
16 stalled because there was -- everything was
17 changing over, right? So a decision was made by
18 a previous Chair to stop the reporting. Like, I
19 can't tell you exactly what was involved in that
20 decision, I just know that they stopped it.

21 When I got in and the system was now
22 operational that was a priority was to get the
23 reporting back in place and to try to build
24 better reports so that we could get very good
25 insight into how the system was working.

1 KATE McGRANN: And so sorry, I'm just
2 trying to understand, did the performance
3 reporting that you introduced it started after
4 the system was already in operation?

5 ALLAN HUBLEY: That's right.

6 KATE McGRANN: Do you know
7 approximately when it would have started?

8 ALLAN HUBLEY: Last year.

9 KATE McGRANN: Last year? Okay.
10 And what kind of information is
11 gathered in the performance reporting that you
12 introduced?

13 ALLAN HUBLEY: The level of ridership,
14 how many riders, on-time performance. There's
15 certain measures in there for the para service,
16 for example. The trains you know, are they on
17 time? What else? They have indicators in there
18 as to how many kilometres before you service a
19 train, that kind of thing.

20 Para is our for citizens with
21 disabilities. It's a door-to-door service for
22 routes that go around and you make your way to
23 the bus stop.

24 KATE McGRANN: Understood.

25 Are you able to speak to how the

1 performance of individual drivers is monitored
2 on an ongoing basis?

3 ALLAN HUBLEY: No, that would fall --
4 that all falls under the General Managers
5 purview. That wouldn't be -- the Commission
6 can't get involved in personnel issues.

7 KATE McGRANN: Okay. Does the
8 Commission receive reports on the performance of
9 the drivers as a group? Sort of this is how the
10 operations are running, we may need additional
11 training for this group, things like that?

12 ALLAN HUBLEY: There's various reports
13 that might touch on some of that, but the
14 decisions about what's reported and what to do
15 with the information reported would all be
16 within the General Manager's purview.

17 KATE McGRANN: Did you have insight
18 into how the drivers were being trained to begin
19 operations of the LRT when it was handed over?

20 ALLAN HUBLEY: At a high level. Like,
21 we had bought simulators that allow the training
22 before the trains were operated. A lot of the
23 training was done on simulators. So I went over
24 and saw those to get a sense of what was going
25 on.

1 Some -- I want to add something to
2 what I just said there too. Like, you're
3 looking for specific reporting about drivers.
4 One of the areas where we did get some specific
5 reporting was COVID numbers, like who's off, how
6 many staff are reporting COVID, so those
7 numbers. That got specific to driver -- you
8 know, drivers of buses, drivers of trains, para
9 drivers. We were monitoring how much COVID was
10 being reported.

11 KATE McGRANN: Okay, thank you for
12 that.

13 Turning back to the driver training,
14 you mentioned that the City purchased
15 simulators?

16 ALLAN HUBLEY: Right.

17 KATE McGRANN: How many simulators did
18 the City purchase?

19 ALLAN HUBLEY: I believe two.

20 KATE McGRANN: And do you know how
21 many hours on average --

22 ALLAN HUBLEY: Sorry, two for trains
23 and at least one for buses.

24 KATE McGRANN: Okay. Two for trains
25 and one for buses.

1 Do you have a sense of how many hours
2 each driver was given to learn on the simulator?

3 ALLAN HUBLEY: No. Sorry, I don't.

4 KATE McGRANN: Was anyone brought in
5 to act as an instructor for the drivers who
6 would be new to the trains?

7 ALLAN HUBLEY: There would obviously
8 be trainers to do this, how many I don't know
9 the answer to that. But certainly the same with
10 the bus system, we have trainers that train the
11 new drivers, and the simulator is just part of
12 that training.

13 I also attended a graduation class for
14 the drivers where the room was pretty full.
15 There was at least thirty drivers that were
16 graduating and they had gone through classroom
17 training as well. But I can't tell you the
18 detail of their training, I just was there to
19 congratulate them on passing.

20 KATE McGRANN: Do you have a sense of
21 what the turnover rate is like for drivers, for
22 LRT Stage 1 drivers, in terms of people who have
23 left the job and people who have come on since
24 revenue service began?

25 ALLAN HUBLEY: I don't think it's that

1 high a number. It's never been raised as an
2 issue. We had issues with bus driver turnover,
3 but I don't think we had any -- I'm not aware of
4 any issue with LRT drivers.

5 KATE McGRANN: Can you tell us about
6 the steps that the Transit Commission took to
7 prepare for handover of the system to the City?

8 ALLAN HUBLEY: The Transit Commission
9 itself wouldn't have taken specific steps to it.
10 Everything would have been done through the
11 General Manager or the City Manager for the
12 preparations.

13 Through 2019 I would attend meetings
14 with both of them and others to observe and
15 learn what the preparations were going to be,
16 but it wasn't the Transit Commission saying, you
17 know, okay, we want you to go out and hire a
18 hundred drivers, or anything like that.

19 KATE McGRANN: Did anyone provide any
20 documentation or training to the members of the
21 Transit Commission to prepare them for the new
22 system that was going to be falling under their
23 purview.

24 ALLAN HUBLEY: There was pretty
25 regular updates and presentations to the Transit

1 Commission on, you know, how the delivery was
2 going and how the build was going.

3 Certainly the GM was very good at
4 getting pictures to the -- everybody to show the
5 progress being made on the -- this -- how this
6 station was being built, what the tracks looked
7 like that were going to go here, that kind of
8 thing. So there was progress updates being done
9 and if there was any issues they would identify
10 that as part of their updates.

11 And those updates were all done by
12 decks, and you should have all those decks
13 because they're all publicly available.

14 KATE McGRANN: Just while I'm looking
15 at my notes here. Liz, do you have any
16 follow-up questions to anything that we've
17 discussed so far?

18 LIZ McLELLAN: I don't right now, no.

19 ALLAN HUBLEY: Should I take that as a
20 good sign, Peter?

21 PETER WARDLE: Just waiting for the
22 morning break, Councillor Hubley.

23 KATE McGRANN: I'm going take a step
24 back in time and ask you some questions that I
25 hope will move in a chronological sense, that

1 make sense to you, through the development of
2 the project.

3 Starting with the procurement phase
4 I'd like to understand how the City put together
5 the requirements for the vehicles that it was
6 looking for for the LRT project? What can you
7 tell me about who was involved in putting
8 together those requirements?

9 ALLAN HUBLEY: I wasn't. I wasn't
10 involved in that, other than what was reported
11 out at FEDCO, which would have been decision
12 points.

13 So I wouldn't have been -- I can't
14 tell you who was involved in those decisions.

15 KATE McGRANN: Do you remember any
16 particular requirements that the City had for
17 the vehicles?

18 ALLAN HUBLEY: They wanted to go
19 electric, that was a big difference because the
20 existing system was diesel.

21 The other alternative at the outset
22 that was being considered, and if I go back to
23 the 2010 campaign, that was proposed by one of
24 the candidates was a bus tunnel instead of LRT.
25 So there was different options like that.

1 KATE McGRANN: And once you were
2 focused on an electric vehicle, in particular
3 I'm wondering do you recall any discussions
4 around the City wanting the vehicles that it
5 selected to be service proven? To have worked
6 in other areas successfully before being
7 introduced in the City of Ottawa?

8 ALLAN HUBLEY: No, I don't recall that
9 as a specific requirement. But, again, I was
10 not involved in the criteria piece.

11 KATE McGRANN: What did you understand
12 the City would be getting in the vehicles that
13 it ultimately selected as part of the
14 procurement process?

15 ALLAN HUBLEY: What we would be
16 getting? Well, capacity. You know, one train,
17 like two cars, holds 600 people, which is
18 equivalent to eight of our extended buses. So
19 the capacity numbers, again, I like to think in
20 numbers, the capacity numbers were huge what we
21 were about to get. And you can add trains to
22 the system. So the more -- if the City doubled
23 in size in a decade, well, we could add trains
24 to that system.

25 KATE McGRANN: Do you remember any

1 specific features of the vehicles that were
2 important to the City?

3 ALLAN HUBLEY: The electric for the
4 environment piece, for sure that was important.
5 At this time I can't really think of extra
6 pieces. I know that was the big one that was in
7 my head, was the -- what it was going to give us
8 with capacity.

9 KATE McGRANN: And then coming at it
10 from where you sit now, are there any features
11 or aspect of the vehicle that you believe the
12 City would be getting that it turns out it has
13 not received?

14 ALLAN HUBLEY: Features on the train
15 itself?

16 KATE McGRANN: Uhm-hmm.

17 ALLAN HUBLEY: No, no. I can't think
18 of any offhand, no.

19 KATE McGRANN: We've spoken a little
20 bit about advisors and consultants to the city.
21 Specifically within the procurement phase do you
22 recall how the City set about identifying what
23 areas of expertise it would need external
24 assistance on through consultants or otherwise?

25 ALLAN HUBLEY: No, I wouldn't --

1 again, at the initial outset it would have been
2 the previous Chair of the Transit Commission
3 that would have been more involved in that kind
4 of discussion and members possibly of the
5 Commission, but certainly not me.

6 KATE McGRANN: And do you recall which
7 external consultants and advisors to the City
8 were particularly active in the preparation of
9 the procurement piece, so drafting the RFQ, the
10 RFP, evaluating responses, things like that?

11 ALLAN HUBLEY: Other than Brian Guest,
12 which I knew who that was so, therefore, I knew
13 who was in the room. The -- I can't think of
14 any other consultants that I knew by name for
15 sure for that.

16 KATE McGRANN: And how did you know
17 who Brian Guest was?

18 ALLAN HUBLEY: Because we were advised
19 that they had brought him in to try and bring
20 that price down and lock it in.

21 KATE McGRANN: Did you have any other
22 knowledge of who he was and the kind of work he
23 did before you learned that he was being brought
24 in to help bring the budget number down.

25 ALLAN HUBLEY: Yeah, I first met him

1 when he worked for the previous mayor, Mayor
2 Chiarelli.

3 KATE McGRANN: And what work did you
4 understand he was doing when he worked for the
5 previous mayor?

6 ALLAN HUBLEY: An advisor to the
7 mayor.

8 KATE McGRANN: Do you know if he
9 advised on any specific topics or subject areas?

10 ALLAN HUBLEY: No, not at that time.
11 You know, that was 2003 to 2006 so I'm not sure.
12 I dealt more -- there was two investors, the
13 other fellow was someone by the name of Brendan.
14 And whenever I was dealing with the Mayor's
15 office back then, in my role as a Community
16 Association President, I would deal with the
17 other -- they used to call them the killer B's.
18 I would deal with the other "B", which was
19 Brendan.

20 KATE McGRANN: Do you know why they
21 were nicknamed the "killer B's"?

22 ALLAN HUBLEY: They were very good at
23 their jobs, there was no doubt about it. Good
24 at whatever the task was that the mayor would
25 give them to do. Their reputation was that they

1 were very good at it.

2 KATE McGRANN: I can see the nickname
3 "killer B's" going one of at least two ways,
4 and the two ways that immediately spring to mind
5 are, it's an affectionate nickname for people
6 who are good at their job, or these people are
7 quite brutal in the way that they go about doing
8 their work.

9 Do you have any sense of what kind of
10 nickname this was for those two gentlemen?

11 ALLAN HUBLEY: I think it's -- both
12 their first name starts with "B" and "killer
13 B's" was just something that came out of that.

14 I don't think it was something that --
15 I personally don't have any knowledge of them
16 being nasty people towards anybody. And so I
17 just know them to both be very good at dealing
18 with whatever task they had at hand.

19 Any time I went to Brendan with issues
20 from the community he was very good at trying to
21 resolve them with us. And it was a very, very
22 collegial relationship.

23 KATE McGRANN: So I'm going to switch
24 the area of focus of my questions away from the
25 procurement phase and on to the construction

1 phase and the manufacturing of the trains.

2 Before we switch over, Liz, did you
3 have any questions arising from anything that we
4 just discussed?

5 LIZ McLELLAN: Nope.

6 KATE McGRANN: What did you understand
7 the City's role to be during the construction of
8 Stage 1 of the LRT?

9 ALLAN HUBLEY: What did I see the
10 City's role?

11 KATE McGRANN: Uhm-hmm.

12 ALLAN HUBLEY: We were the contractor,
13 the -- we were the client and we had this
14 contract where RTG would be the service provider
15 to what we were look for. The City's role was
16 to pay the bills and lay out what the
17 requirements are.

18 KATE McGRANN: Sorry, can you say that
19 second part again? Pay the bills and?

20 ALLAN HUBLEY: Pay the contract. The
21 City would be responsible for gathering the
22 money. We had to go to the Provincial and
23 Federal government to get contributions towards
24 this and to lay out the high level requirements
25 as to what we want.

1 KATE McGRANN: Do you recall at any
2 point during the construction of the system
3 decisions about the system coming up to Council?
4 So anything from questions about the design of
5 the system through to questions about potential
6 alterations of the construction schedule.

7 ALLAN HUBLEY: Well, certainly when
8 they started missing the deadlines for the
9 delivery then those decisions started coming up
10 to FEDCO.

11 See, it would go to FEDCO so that the
12 public could also participate. At a committee
13 level the public comes in, they get five minutes
14 to speak to whatever the agenda items are,
15 right? You can't come and speak at Council.

16 So it would always go to FEDCO firsts
17 to get public input and then rise to Council.

18 KATE McGRANN: When do you first
19 remember a missed deadline coming to FEDCO for
20 its consideration?

21 ALLAN HUBLEY: I can't give you a
22 specific date. I know one of the documents that
23 you shared for today has those dates listed in
24 there. I can't remember them off hand when the
25 original delivery dates were, because the one

1 that sticks in my mind was when we finally
2 delivered in September of 2019.

3 KATE McGRANN: Speaking more generally
4 then, when a -- when it became apparent that a
5 deadline may be missed, who would bring that to
6 FEDCO?

7 ALLAN HUBLEY: Usually the General
8 Manager, so John Manconi.

9 KATE McGRANN: And what was FEDCO
10 asked to do when it became apparent that a
11 deadline might be missed?

12 ALLAN HUBLEY: It wasn't so much that
13 FEDCO was asked to do anything, it was more to
14 keep FEDCO and, therefore, Council informed
15 about what was going on. That the date was
16 going to be missed even though RTG was in the
17 media saying that it was going to be operational
18 at that time. There was early indicators that
19 they were going to miss those dates.

20 So they were bringing it to Committee
21 and Council to -- so that we would be aware.

22 KATE McGRANN: And what if anything
23 did FEDCO do with that information?

24 ALLAN HUBLEY: Most times it would
25 receive it, it was for informational purposes.

1 It wasn't for -- I don't recall at any point the
2 contract being changed or anything like that, or
3 any proposals to change contracts. I don't
4 recall any of that.

5 KATE McGRANN: And that answer may
6 have actually just answered my next question but
7 I'll ask it to be certain. Was FEDCO, or the
8 City more generally, ever asked to consent to
9 changes in the schedule or changes in what would
10 be delivered to allow for an on-time delivery?

11 ALLAN HUBLEY: I'm going to get you to
12 say it one more time so I can try and understand
13 it.

14 KATE McGRANN: Yes.

15 ALLAN HUBLEY: Sorry, as you can
16 appreciate there was several different delays to
17 I'm trying to think through each of those
18 delays.

19 KATE McGRANN: Was FEDCO, or the City
20 more generally, ever asked to consent to changes
21 in the schedule?

22 ALLAN HUBLEY: I don't believe that
23 Committee or Council was ever asked to change
24 the schedule. I think that would have been part
25 of the delegated authorities to the City Manager

1 and the General Manager.

2 KATE McGRANN: Do you remember ever
3 being advised that those to whom the authority
4 had been delegated, the General Manager and the
5 City Manager, had agreed to changes in the
6 schedule on behalf of the City?

7 ALLAN HUBLEY: No, I can't think of
8 any offhand, no.

9 KATE McGRANN: And then the other part
10 of that question was, do you recall FEDCO, or
11 the City more generally, being asked to make
12 changes to what was required upon delivery in
13 order to allow delivery sooner than would
14 otherwise be possible?

15 ALLAN HUBLEY: Like changes to the
16 system or changes to the car or the train you
17 mean?

18 KATE McGRANN: Changes to system
19 requirements, changes to the number of trains,
20 things like that?

21 ALLAN HUBLEY: Other than back in the
22 early days when Brian Guest did that exercise to
23 pare down the cost, that's the only time I
24 remember any significant changes to the system
25 or what was going to be delivered. I don't

1 recall any at the -- once we started missing
2 drive delivery dates I don't recall making any
3 changes that I'm aware of.

4 KATE McGRANN: So you've talked about
5 FEDCO receiving updates on the construction of
6 the system, you've explained how that allows the
7 public to participate. How did Council as a
8 whole receive updates about the progress of the
9 construction and manufacturing of the trains?

10 ALLAN HUBLEY: It would have been a
11 combination through the committee. Like, if
12 there was big breaking news, or anything like
13 that, there might be memos because that would be
14 the quicker way to get the information out to
15 Council so that we would be aware of whatever
16 was going on.

17 KATE McGRANN: And did you have a view
18 about the sufficiency of the information that
19 was being provided to Council?

20 ALLAN HUBLEY: A view on the quality
21 of the information you mean that was being
22 provided?

23 KATE McGRANN: Yes.

24 ALLAN HUBLEY: Well, if anybody wasn't
25 happy with what was being provided that's where

1 we asked a lot of questions. So, yes, there was
2 some meetings where I and others would ask a lot
3 of questions about that and put some meat on the
4 bone, if you will, to whatever it was they were
5 talking about. Through questions you could
6 improve what was being reported.

7 KATE McGRANN: Did you have any
8 concerns that Council was not receiving complete
9 updates, or updates sufficient to allow it to
10 exercise its role?

11 ALLAN HUBLEY: Not at the time, no.
12 No, I didn't.

13 KATE McGRANN: And I'm only asking you
14 because you said not at the time, sitting here
15 today do you have concerns that during the
16 construction phase Council was not receiving
17 enough information or accurate information about
18 the construction?

19 ALLAN HUBLEY: No. There's -- there
20 was public discussion over the contract for the
21 Phase 2 piece, that information came out after
22 the fact on that, but that doesn't apply to
23 Phase 1, as far as I know, so that's why I can
24 say not at that time, not at Phase 1.

25 KATE McGRANN: To your knowledge did

1 any of your fellow Councillors have any concerns
2 about the nature of the information that Council
3 was receiving about the progress of the
4 construction of Stage 1?

5 ALLAN HUBLEY: Certainly, like I said,
6 there was a lot of questions to ask, some of
7 them very good questions. There's also some
8 that had their own concerns with this, like
9 maybe they don't like P3s, for example, so
10 they would ask -- try and come up with some kind
11 of detail that would look bad on having a P3
12 model, for example.

13 KATE McGRANN: During the construction
14 phase, to your knowledge were there any City
15 consultants or advisors that were active in
16 assisting the City in monitoring overseeing the
17 construction or otherwise?

18 ALLAN HUBLEY: I don't know any by
19 name. I would just make the assumption that
20 there definitely had to be because we didn't
21 have the internal expertise to monitor a
22 construction contract of that size and
23 magnitude. So, I'm sure at some point they had
24 to be brought in but I can't tell you who.

25 KATE McGRANN: Do you know -- in

1 respect of Phase 2, is the City approaching its
2 monitoring and oversight of the construction
3 phase differently for Stage 2 than it did for
4 Stage 1?

5 ALLAN HUBLEY: Well, it definitely,
6 you know, you're learning things along the way.
7 I should say -- if I may, Kate, I'm going to
8 back up to the previous answer.

9 There's a company either JBA or JBL
10 that was brought in after I became Chair, but I
11 think they may have come in before the actual
12 launch and helped some information there. But
13 I'm not solid on the dates of the actual first
14 day of operation. They were certainly there
15 after launch and providing very good expertise
16 on the subject matter.

17 KATE McGRANN: Are you able to speak
18 more specifically to the kind of work that JBA
19 was doing?

20 ALLAN HUBLEY: I think it was just a
21 review of the system and to provide some advice
22 based on their knowledge having worked on
23 systems all around the world.

24 There's a couple of times where they
25 came to FEDCO to -- or John would -- Manconi

1 would provide details about what they were
2 working on and points where they helped us.

3 KATE McGRANN: Any specific aspect of
4 the system that they were focused on?

5 ALLAN HUBLEY: I don't think so. I
6 don't think they were limited in what they could
7 look at.

8 KATE McGRANN: Do you know if they
9 produced any reports?

10 ALLAN HUBLEY: I can't tell you if
11 they produced a specific report. Like I said,
12 there was reporting out done at committee, but
13 whether that was from -- like, I don't remember
14 ever seeing a report with their name on it. It
15 was more, you know, information either through
16 John or through their spokesperson to say, you
17 know, this is what we've done.

18 KATE McGRANN: Turning back to what we
19 were talking about a second ago, any changes in
20 the City's approach to overseeing the
21 construction of Phase 2 as compared to Phase 1?

22 ALLAN HUBLEY: For the construction
23 part of Phase 2 I can't give you any off the top
24 of my head specifics. I think it's certainly
25 more closely monitored. More attention is being

1 paid to the schedule, for example. We've
2 already had a report come back to Council about
3 the potential slippage of the schedule, that
4 kind of thing.

5 But as to, you know, who's there and
6 what their role is, that kind of thing, I'm
7 sorry, nothing is coming to mind right now.

8 KATE McGRANN: I will ask you one
9 follow-up question about that and if you don't
10 know that's fine, you can just tell me.

11 With respect to the fact that the
12 construction schedule is being more closely
13 monitored, do you know who is doing that work?

14 ALLAN HUBLEY: Well, I know like now
15 that I'm the Chair of the Transit Commission I
16 can tell you that most of the information that
17 I'm seeing to do with Phase 2 is coming out from
18 Michael Morgan.

19 KATE McGRANN: So looking at Phase 1
20 construction, in your view, sitting here today,
21 did the City have the expertise it needed for
22 its involvement in that phase of the project?

23 ALLAN HUBLEY: I'm going to say I
24 think so. Again in the limitations this was not
25 really something we had ever undertaken before.

1 But I was very impressed and amazed by the
2 number of employees like Michael and John and
3 Troy Charter, and others that know an awful lot
4 about the rail system. They were certainly
5 ready for the system.

6 KATE McGRANN: And were there any
7 resources that you think would have been of
8 assistance to the City during the construction
9 phase that it didn't have access to at the time?

10 ALLAN HUBLEY: Well, like, for
11 example, now we brought in a company like TRA
12 that's, you know, looking at things and -- from
13 what I'm hearing from RTG, RTM and City staff is
14 that they're welcomed at the table and bringing
15 good advice.

16 Would they have been a big help in
17 Phase 1, I don't know but that would be a
18 question in my mind. Could they have added
19 anything to Phase 1?

20 KATE McGRANN: Who at the City do you
21 think would be best positioned to answer that
22 question?

23 ALLAN HUBLEY: John Manconi. John
24 knew it inside-out and worked with the various
25 consultants and the contractors and everything.

1 So he was that key point between the City and
2 all the contractors.

3 KATE McGRANN: From your perspective
4 as a Councillor, and member of FEDCO at the
5 time, what it was the relationship like between
6 the City and RTG throughout the construction
7 phase?

8 ALLAN HUBLEY: I think, in fairness,
9 once they started missing dates there was
10 certainly issues with credibility, we'll say.
11 The fact that they were saying they were going
12 to deliver on a date and we had John and others
13 coming in saying, They're not going to meet that
14 first date or that second date or that third
15 date. That certainly goes towards credibility
16 towards the former CEO.

17 KATE McGRANN: And who is that that
18 you're referring to?

19 ALLAN HUBLEY: Peter, and I'm bad with
20 last names but he was the Chair of RTG, and for
21 a little while he was the Chair or Chairman of
22 RTM as well.

23 KATE McGRANN: Okay. Would that will
24 Peter Lauch?

25 ALLAN HUBLEY: Yes, Peter Lauch.

1 KATE McGRANN: How did the credibility
2 concerns impact the relationship between the
3 City and RTG, in your view?

4 ALLAN HUBLEY: Well, in any
5 relationship if the credibility is damaged then
6 you damage the whole relationship, right? So
7 it's significant.

8 KATE McGRANN: From where you were
9 sitting did it appear that the City and RTG
10 continued to work together as partners
11 co-operatively on the project throughout the
12 construction phase?

13 ALLAN HUBLEY: By and large. Like,
14 you know, in any relationship there was some
15 blow ups in there, for sure. That usually led
16 to progress that once you let the steam out of
17 the pot then things tend to settle down a bit
18 and you can move forward on things.

19 So I'm not going to suggest that it
20 was a warm and fuzzy relationship. They had a
21 very stressful job, everybody involved, and a
22 huge project to deliver on. So there was
23 certainly a lot of stress factors involved in
24 that for them.

25 KATE McGRANN: Other than the

1 credibility concerns that you've identified, any
2 other elements or issues that you think may have
3 had a negative impact on the relationship
4 between the City and RTG?

5 ALLAN HUBLEY: Just during the
6 construction or beyond?

7 KATE McGRANN: Just during the
8 construction and then we'll talk about the
9 relationship in the next stage shortly.

10 ALLAN HUBLEY: Okay. Not that I'm
11 aware of during the construction. I don't
12 have -- my involvement would have been very
13 limited during that period other than what we
14 were being updated on at FEDCO and at Council.

15 KATE McGRANN: With respect to
16 communications to the public about the status of
17 the construction and its progress, and things
18 like that, do you have an understanding of how
19 the City and RTG worked to put those
20 communications together?

21 ALLAN HUBLEY: I think a lot of the
22 communications were done by the City staff with
23 input from RTG, but my understanding at the time
24 I don't think they had any communications people
25 there at all.

1 KATE McGRANN: Who didn't have any
2 communications people?

3 ALLAN HUBLEY: RTG. I'm not aware of
4 RTG having comms expertise available to them. I
5 know after I took over as Chair they did hire a
6 company to come in to help them, but I would say
7 their contribution is somewhat concerning.

8 KATE McGRANN: Could you explain to me
9 what you mean by that?

10 ALLAN HUBLEY: Yeah, I was afraid of
11 when I said that. If it was the City hiring the
12 company I would be saying we weren't getting
13 value for our money. I didn't like the advice
14 that RTG was getting and then communicating.

15 Like, when we were going through the
16 three delays there, a little -- I would have
17 expected the advice to be honest with people and
18 they clearly were not being honest with us.

19 KATE McGRANN: I'd like to understand
20 a little bit more about what about the advice
21 was concerning with you or what you didn't agree
22 with. So could you be more specific?

23 ALLAN HUBLEY: Sure. So in my view if
24 you hire someone for communications' advice then
25 they should be helping you shape your message

1 and make sure that you've got all the right
2 facts in your statements and your information.

3 And it was clear at least two of the
4 those delays that Peter was not giving us the
5 straight goods. Like, he was saying, the train
6 is going to run on this date. We've got it
7 covered. And John and others were telling us,
8 no, he's not going to make that date, and he
9 definitely didn't make those dates.

10 So that tends to make me believe what
11 John's telling me over what Peter and his
12 communications team are saying.

13 KATE McGRANN: What did you understand
14 had been done by way of testing the trains in
15 winter conditions before the system was handed
16 over to the City?

17 ALLAN HUBLEY: The trains had
18 literally thousands of kilometres on them where,
19 you know, they were being run up and down the
20 track at different times through that -- through
21 the last year, let's say before launch, maybe
22 more than twelve months, but certainly for
23 twelve months we knew the trains were on the
24 tracks and moving. That involved the winter
25 that was there.

1 What I think you're referring to is
2 the issues we had in the first winter with the
3 switches, and in particular the heat, the
4 heaters to the switches. I don't know why that
5 didn't come up during the testing phase and
6 the -- I think they call it burn-in where they
7 run the trains back-and-forth a lot and make
8 sure that they work well and that the track is
9 laid out properly and all that.

10 That is one of the things I said to
11 you about asking questions at FEDCO. That was
12 one of the questions I asked was why did we go
13 with an electric heater for the switches when
14 our other line has gas heaters and our climate
15 certainly calls for gas heaters, that you have
16 to get that higher heat and a quicker heat,
17 right?

18 And in the end we had to switch out
19 those electric heaters and put in gas heaters.

20 KATE McGRANN: Do you remember what
21 response you were given at the time when you
22 asked, Why are we using electric heaters here
23 when we know that gas heaters are being used
24 elsewhere?

25 ALLAN HUBLEY: It was something that

1 the design team thought they could use, that it
2 would be okay. Again, these are supposed to be
3 experts that are putting together that work. So
4 at the time you say, okay, they know what
5 they're doing. But then when it becomes a
6 problem afterwards you realize that maybe you
7 were on to something at the time that was the
8 wrong choice in switches.

9 KATE McGRANN: And looking at the
10 winter testing more generally, so not just
11 focused on the switch heaters, gas or electric,
12 it sounds like you understood the trains had
13 been run quite a bit in winter conditions as
14 part of their ongoing running?

15 ALLAN HUBLEY: Yup.

16 KATE McGRANN: Were you advised or did
17 you understand that any other specific testing
18 had been done on the trains in winter
19 conditions?

20 ALLAN HUBLEY: That the National
21 Research Council had done some testing of the
22 trains for winter as well. I believe they were
23 delivered a model to do their testing on and the
24 report came back very positive for the testing.

25 And certainly, you know, the first

1 winter of full running we had some issues. I'm
2 not convinced that that solely -- that we would
3 have gotten all that through testing. I think
4 it was -- if you've ever been in Ottawa in the
5 winter, like last year we had such a mild winter
6 and then this year we had the highest snow count
7 in a while and some of the deepest cold in a
8 while.

9 So depending on what the winters were
10 like when they were just burning-in the trains,
11 as compared to the first one, there might have
12 been some difference in the weather.

13 But certainly everything I saw from
14 the trains told me that they should be able to
15 work in the winter. There was -- I asked, for
16 example, about what's the plan for when we get
17 heavy snowfall overnight? What's going to
18 happen? And part of that -- remember I
19 mentioned earlier about John being very good
20 about building in redundancy to things? The
21 simple solution was that they were going to run
22 a couple of trains all night long going
23 back-and-forth on the track, which would keep
24 all the snow off the track. If there was an
25 issue with a switch along the track it would be

1 found overnight and repaired before going into
2 service. So I thought that was a very, very
3 good plan.

4 KATE McGRANN: And do you know if that
5 plan was put into effect once the system was put
6 into service?

7 ALLAN HUBLEY: In my understanding
8 it's been put into place a couple of times. Now
9 they've actually brought in equipment that is --
10 the way it was described to me was, if you
11 remember older trains how they had that "V" on
12 the front that it was meant at time to move cows
13 off of the tracks, but it also could be used to
14 move snow off the tracks. They also have
15 equipment now that can move it.

16 So I believe only once this past
17 winter they ran trains at night, the rest of the
18 time they took care of it with the equipment.

19 KATE McGRANN: Let's take a ten-minute
20 break here.

21 -- RECESSED AT 10:24 A.M. --

22 -- RESUMED AT 10:35 A.M. --

23 KATE McGRANN: So before the break
24 we've been talking about the construction phase
25 for Stage 1 of the LRT, I'd like to turn now to

1 the trial running period and the handover to the
2 City.

3 It's my understanding that there were
4 some adjustments made to the expectations for
5 the system and the standards that it had to meet
6 to complete trial running and be ready for
7 handover. Are you aware of any changes made to
8 standards, requirements, aspect of the trial
9 running testing that were changed to allow for
10 the delivery of the system to the City?

11 ALLAN HUBLEY: I wasn't aware at the
12 time that the changes were made, but since then
13 the City Manager has given a very good
14 explanation, I believe it was at a FEDCO
15 meeting, as to how he made the decision to
16 launch.

17 KATE McGRANN: And what were you told
18 about that?

19 ALLAN HUBLEY: That basically he was
20 accepting where they were at with the testing.
21 I think -- I can't remember all the details of
22 it, but he was satisfied with what we had seen
23 so far in the testing. Because -- what I keep
24 in mind here is that those trains have been
25 running so much leading up to that that they

1 had -- each of them had thousands of kilometres
2 on them.

3 So the two-week test period was really
4 to test the ability to make every stop as if
5 there was people on the system. And, you know,
6 they were going to keep track of the time that
7 it took, that kind of thing.

8 And that he had made the decision to
9 go ahead and launch even though they weren't
10 quite there where we wanted them to be.

11 KATE McGRANN: And at the time that
12 the system was handed over to the City, at the
13 end of the summer in 2019, did you have any
14 concerns that it wasn't ready to go into full
15 public service?

16 ALLAN HUBLEY: No. No, at that time
17 no. No, it's -- you know, we'd seen a lot of
18 the work that went into this leading up to it.
19 I was -- I got to attend some of the drills and
20 that that they were doing down in the tunnel in
21 case they had to evacuate a train, that kind of
22 stuff.

23 There was a lot of preparation that
24 went into this that gave me, and others, a level
25 of confidence that we were ready.

1 KATE McGRANN: And sitting here today,
2 with all of the information that is now
3 available to you, are you of the view that the
4 system was ready to go into full public service
5 when it did?

6 ALLAN HUBLEY: My thinking at the
7 time, that I had expressed to the Mayor and
8 others, was that once we go into the service
9 then the City starts to pay for this. So I
10 wasn't in the same kind of rush that everybody
11 was to see the system go. I saw there was an
12 advantage to continuing the work that was going
13 on to make sure that we got it absolutely right.

14 KATE McGRANN: When did you express
15 that view to the Mayor?

16 ALLAN HUBLEY: In a meeting that we
17 would have had in his office.

18 KATE McGRANN: And do you recall
19 whether that meeting was before or after the
20 City accepted a handover of the system?

21 ALLAN HUBLEY: Before.

22 KATE McGRANN: Was anybody else at the
23 meeting.

24 ALLAN HUBLEY: John Manconi and Steve
25 Kanellakos.

1 KATE McGRANN: And what was the
2 response to the view that you expressed that
3 maybe more time -- there should be more time
4 before the City accepts handover?

5 ALLAN HUBLEY: Well, there was various
6 opinions there for sure. And it's -- but now I
7 have the benefit of hindsight to hear that the
8 City manager felt he had enough information
9 about this. Certainly he had been involved in
10 this from the early days, and so if he has that
11 level of comfort that means more to me than my
12 level of comfort because I wasn't involved in
13 the whole construction period or the design of
14 it or any of that.

15 I was just going off, again, a numbers
16 perspective. It doesn't cost us anything until
17 we launch this thing. The way that they --
18 until they reach revenue of service we weren't
19 making payments still.

20 KATE McGRANN: I understand the
21 numbers-driver approach that you were taking,
22 what did you think might be accomplished if the
23 handover was pushed forward in the future?

24 ALLAN HUBLEY: Sorry, just so I
25 understand your wording here, you mean delayed

1 into the future, or pushed forward as in push
2 ahead and go sooner? Which did you mean?

3 KATE McGRANN: Thank you for asking.
4 What did you think would be
5 accomplished if the handover was delayed and
6 took place later in the fall, for example?

7 ALLAN HUBLEY: Well, to be honest the
8 public would go ballistic; they did every time
9 there was a delay. You know, the confidence in
10 the system was getting shaken, if you will, the
11 public's confidence in the system not staff's
12 confidence, for sure.

13 So there was risks in delaying, and
14 that's why I say I can understand. And now that
15 he has said that publicly I can support his
16 decision to go ahead. Just mine at the time
17 was, we're not paying for anything until this is
18 absolutely perfect.

19 I don't think, Kate, to get more
20 specific with that, I'm not so sure that a delay
21 of another couple of weeks in launching would
22 have made that big a difference. We really
23 needed to run it and see -- with full loads on
24 it to see -- like nobody could have predicted
25 people putting -- like, when you're doing

1 testing you wouldn't have been testing somebody
2 putting a backpack in the door to try and jam
3 the doors, which is something we saw. It became
4 a bit of a game to people with how to -- like
5 cause massive delays on the system by just
6 simply jamming the doors and running away. And
7 we actually saw a video where some people would
8 go after these people that were doing that.

9 KATE McGRANN: Sticking just with the
10 meeting that you described with the Mayor,
11 Mr. Manconi and Mr. Kanellakos, you've explained
12 some of the risks that would have been posed if
13 the handover was delayed. You saw a benefit to
14 delaying the handover, which is that the City
15 doesn't start paying until it takes ownership of
16 the system. Did you see any other benefits to
17 delaying the handover when you made the
18 suggestion?

19 ALLAN HUBLEY: The more time you take
20 in the building of something the more
21 comfortable and confident you can be in the
22 finished product, right? But we're talking
23 millions of dollars here. So it's -- you know,
24 to get to my level of comfort it could take
25 months, well that would have cost a lot of

1 money, right? And I'm not the expert in the
2 mechanics of the train.

3 So, you know, at the time the Mayor
4 and I, as the politicians in the room, had to
5 rely on the opinions of others to make that
6 decision.

7 KATE McGRANN: And to the best of your
8 recollection you said there were different views
9 expressed in response to you suggesting that the
10 handover be delayed. I'd like to understand
11 what each of the other meeting attendees' views
12 were. So let's start with the Mayor, what was
13 his response to the suggestion that the handover
14 be delayed?

15 ALLAN HUBLEY: He was very concerned
16 with the public perception and that, you know,
17 we needed to -- and he's probably the best
18 person I know in reading the public's mood on
19 things. So it was him having concerns about the
20 public confidence in the system if we kept
21 delaying. They were very valid concerns.

22 KATE McGRANN: Did he have any
23 other -- was his view that the handover should
24 proceed as scheduled at the end of the summer
25 there?

1 ALLAN HUBLEY: I don't think he really
2 expressed a view, one way or another in that
3 discussion, just, you know, if I said something
4 he would say like, Well, the public wants this
5 going. I don't think he came right out -- I
6 don't recall him coming right out to me and
7 saying, No, it must start right now. I don't
8 recall him saying that at all.

9 KATE McGRANN: And what about
10 Mr. Manconi, what was his response to the
11 suggestion that the handover be delayed?

12 ALLAN HUBLEY: I think he was of the
13 same opinion I was, certainly from conversations
14 we had that we were looking at the advantage of
15 waiting a little longer, but also recognizing
16 the down side to that. So you really have to
17 ask him what was in his head at that time. I
18 can just go by what we said to each other.

19 KATE McGRANN: Fair enough, and that
20 is all I'm asking you about is what did he say
21 in response to that suggestion? Did he come
22 down with what he thought the decision should
23 be?

24 ALLAN HUBLEY: I believe that what he
25 said at the time was that there was benefits to

1 delaying. I think -- I'm trying to recall
2 exactly here but I believe he sort of expressed
3 both viewpoints as having merit, and I would
4 agree to that.

5 KATE McGRANN: And what about
6 Mr. Kanellakos, what was his response to the
7 suggestion that the handover be delayed?

8 ALLAN HUBLEY: Well, I don't recall
9 him saying anything in that part of that
10 discussion by any means. So that's why, like I
11 said, when he announced in the last I'm going to
12 say six months that he came out and said that
13 this is how he made that decision, I believe him
14 I just didn't know it until he said it.

15 KATE McGRANN: Were you involved in
16 any other discussions with anyone from the City
17 about potentially delaying the handover of the
18 system?

19 ALLAN HUBLEY: No, I don't believe so.
20 No.

21 KATE McGRANN: Did anyone ever speak
22 to you about changing what the handover looked
23 like? By that I mean running fewer trains,
24 running a truncated day, like shorter days, sort
25 of ramping up to full public service, for

1 example, to allow for the kinds of experiences
2 like you discussed with someone throwing a
3 backpack in the door, for example, to play out
4 with time to identify those issues and address
5 them before going to full public service?

6 ALLAN HUBLEY: I think there was some
7 discussion around that. I believe it took place
8 at a FEDCO committee. It also may have taken
9 place in direct conversations with that group,
10 the Mayor and the City Manager and General
11 Manager and myself.

12 I think there was some discussion
13 about what different options could look like,
14 but it was more in theory, you know, it wasn't,
15 Let's do this.

16 KATE McGRANN: Starting with the FEDCO
17 Committee discussions around that, what do you
18 recall about discussing different options for
19 what the public service start-up could look
20 like?

21 ALLAN HUBLEY: I seem to recall that
22 early on, you know, before we got into -- when
23 we were getting closer to the first delivery
24 date I seem to recall there being a discussion
25 at FEDCO at that point about what the launches

1 could look like. Like, where the train would
2 start; what the service would look like; whether
3 to start on a weekend or a week day. I seem to
4 recall that whole discussion taking place at at
5 least one if not two FEDCO meetings prior to the
6 first delivery launch.

7 I believe that we came back to that
8 again once we started missing dates. There was
9 a discussion again around, okay, what could the
10 launch look like under this scenario? So I
11 remember different times it being discussed.
12 There was never a vote or anything to say, this
13 is what launch is going to look like.

14 It was -- as I said, these reports
15 would come to FEDCO as information and they
16 would be what's called "received" instead of
17 voting "yes" or "no". You were just voting to
18 receive or not receive.

19 KATE McGRANN: And with respect to the
20 launch that did take place, do you recall any
21 discussions at FEDCO about changing what the
22 launch looked like and having it be something
23 less than full public service from day one?

24 ALLAN HUBLEY: I can't specifically
25 recall that being discussed at any length at

1 FEDCO, no.

2 KATE McGRANN: Do you recall it being
3 discussed at all at FEDCO?

4 ALLAN HUBLEY: I'm thinking that it
5 was part of the initial discussion that these
6 are the different options, that we can do a
7 phase-in or a ramp-up, or we can go full blown,
8 or we can start on the weekend so you get a
9 couple days of lighter load before you get into
10 the big one.

11 I remember at one point there was a
12 discussion around starting in July so that you
13 would have summer lighter loads than you would
14 the fall. As this would have been in the winter
15 of 2018 and the spring of 2019 there would be
16 discussions around a summer-time launch just for
17 the load factors.

18 KATE McGRANN: Once it became apparent
19 that a July launch, for example, was not going
20 to be possible because the system wouldn't be
21 ready for handover until the end of August,
22 early September, were there any discussions
23 about how the launch could be implemented in a
24 way that was less than full service from day
25 one?

1 ALLAN HUBLEY: No. In July and August
2 you mean? No, I'm not recalling any discussion
3 at that point about a reduced launch.

4 KATE McGRANN: And then zooming out,
5 or broadening our focus from not just FEDCO
6 meetings but any discussions with anyone from
7 the City about how the launch that did take
8 place at the end of the summer of 2019, whether
9 that should be less than full service from day
10 one?

11 ALLAN HUBLEY: No. I don't recall
12 having that discussion with anybody, other than
13 what's already been described.

14 KATE McGRANN: Are you aware of any
15 outstanding steps, or decisions, or directions
16 from the City regarding the construction of the
17 system or the manufacturing of the trains that
18 existed at the time of handover?

19 ALLAN HUBLEY: Outstanding
20 discussions?

21 KATE McGRANN: Yes.

22 ALLAN HUBLEY: Well, there would have
23 been a project issue sheet, or issue log that --
24 any project of this size is going to have
25 outstanding issues with software, or with

1 something that -- I know what there was. There
2 was a discussion around, you know the belts that
3 hang off of the bus that you can hang on to when
4 you're standing up?

5 KATE McGRANN: Yes.

6 ALLAN HUBLEY: There was issues with
7 obtaining those belts for the train. And they
8 had to go on a worldwide search to try and find
9 some of these things to get them in there for
10 launch. So that was one of the things that was
11 talked about because, you know, it wouldn't have
12 been safe to launch a train without those.

13 KATE McGRANN: And those are straps
14 that people can hang on while the train is in
15 motion to help them maintain their balance?

16 ALLAN HUBLEY: Yeah. So for whatever
17 reason they didn't have them. I can't remember
18 the reasoning behind why RTG did not have those
19 belts ready to go, but they had to do an
20 extensive search to find some belts and get in
21 there. And I remember some background
22 discussions about that, like, can we take them
23 off of old buses, and stuff like that.

24 KATE McGRANN: And you were talking
25 about a project issue log, and it sounded like,

1 from what you said about it, that that is a
2 place that would sort of identify the various
3 issues with the system that were outstanding at
4 the time of handover. Is that -- have I got
5 that right?

6 ALLAN HUBLEY: Yeah. It would be
7 right from the start of the project there's
8 usually an issues' log and a change log. Like,
9 you want to record what the changes are that you
10 asked for, because especially in this P3 model
11 any changes that we requested we would have to
12 negotiate the cost of that, right?

13 But with the issues it was a way of
14 tracking what was going on there. It
15 contributed to your Phase 2 and you Phase 3
16 discussions, identifying. Kate, I never
17 personally saw the issue log or read the issue
18 log, that would have been a John and Steve
19 thing.

20 KATE McGRANN: Did Council receive any
21 general information about the status of the
22 issues log and the nature of the issues that
23 remained on it at the time of handover?

24 ALLAN HUBLEY: Those couple of things
25 that came out of that log, there was one, the

1 CBC story saying that the trains couldn't work
2 in the winter. That was attributed back to
3 the -- somebody making an entry in the issue log
4 saying, These trains aren't going to work in the
5 winter.

6 But it was not a -- at the time I was
7 quite upset about that story because there was
8 no report saying that these trains won't work in
9 the winter, as CBC was reporting. What there
10 was was an issue log where an individual, and I
11 don't know who the individual was, but there was
12 lots of people that had access to that log, that
13 made an entry saying, These trains aren't going
14 to work in the winter.

15 KATE McGRANN: And what about that CBC
16 story was upsetting to you? Like, why were you
17 upset?

18 ALLAN HUBLEY: Well, it wasn't true.
19 Because the train wasn't running all of a sudden
20 we were getting emails and people coming up to
21 the Mayor and I and other Councillors saying,
22 Why are you starting a train that can't run in
23 the winter?

24 Well, it will run in the winter. We
25 wouldn't launch a service that shuts down on

1 November 1st in Ottawa. Like, we have six
2 months of winter every year. The system had to
3 work as well in the winter as it did in the
4 summer. That was a nonstarter, that had to be
5 in there.

6 So it was upsetting when I found out
7 how that came about being listed in the log. It
8 was very upsetting to me that somebody could --
9 in a project that had thousands of jobs involved
10 in delivering that system, it was upsetting to
11 me that somebody could come and make an entry
12 like that in a book and then go and tell a CBC
13 reporter that, Oh, the issue log says the trains
14 don't run in the winter.

15 It's creating news. And at the time I
16 used the term "fake news" and I got in a lot of
17 trouble for it. But to me that's what it was,
18 it was a manufactured news story.

19 KATE McGRANN: Sticking with the issue
20 log for a second. So you identified an entry in
21 the issue log that later came to light in a CBC
22 story, and you've explained to us what happened
23 there.

24 Before the City accepted handover, or
25 at the time it did, were you -- had Council

1 received a briefing on whether there were any
2 issues on the issue log that might affect
3 handover?

4 ALLAN HUBLEY: It was probably like a
5 slide in a back of a deck saying "Outstanding
6 Issues", kind of thing, where then John who was
7 usually doing -- John or Michael would be doing
8 the representations and they would touch on each
9 of the issues. But there was no agenda item
10 saying, "Outstanding Issues".

11 KATE McGRANN: What can you tell us
12 about how the City and the City staff prepared
13 to accept handover of the system, from an
14 operations perspective?

15 ALLAN HUBLEY: What did they do to
16 prepare for handover?

17 KATE McGRANN: Yes.

18 ALLAN HUBLEY: Well, there was
19 certainly a plan in place as to what handover
20 was going to look like, what staff would be
21 needed for that, what the comms plan was going
22 to be. Launch day was a huge public event,
23 there was hundreds of people there. Each
24 Councillor got to invite so many people to come
25 on the inaugural ride. There was staff working

1 on just that event, what it was going to look
2 like.

3 Logistically there was a lot of staff
4 working on, you know, who's going to be the
5 drivers? Who's -- we had what we call the "red
6 vest" program where we had part-time employees
7 that were going to be positioned at all the
8 stations wearing a red vest so that they'd be
9 obvious to the public, that the public could go
10 to and ask questions about, I want to go here.
11 What train should I get on? This side of the
12 track or the other side of the track? That kind
13 of thing.

14 Extremely helpful, very well received,
15 great program. We extended it actually when
16 issues started happening. But it was a great
17 part of the staff part of the planning for the
18 launch.

19 KATE McGRANN: Are you aware of
20 whether there were any discussions, or whether
21 consideration was given to bringing in a team of
22 experienced LRT operators to assist in the
23 running of the system for the first little
24 while?

25 ALLAN HUBLEY: When you say "LRT

1 operators" you're talking about drivers of the
2 train?

3 KATE McGRANN: Drivers of the train,
4 people that would sit in the control centre. A
5 team that would effectively be parallel to or
6 redundant to the actual operating team, but to
7 be there to offer advice, answer questions that
8 came up in real-time for the first couple of
9 weeks or so of service --

10 ALLAN HUBLEY: I don't recall any
11 discussion about bringing in like an organized
12 team or whatever, but I certainly would make the
13 assumption that different areas within the
14 operation would have had advisors there, whether
15 they were from outside or consultants or
16 whatever. I would assume, my own assumption,
17 that there was people there to help.

18 KATE McGRANN: Is that something that
19 you would have expected to be alerted to or
20 advised of in your work on the Transit
21 Commission?

22 ALLAN HUBLEY: Not necessarily. The
23 plan was to have people in there. It would have
24 been helpful to say that. And maybe it was
25 Kate, I just don't recall it being said. I'm

1 answering the question as to what I would have
2 thought.

3 I would assume that there would be
4 extra people in the rooms to help. Because what
5 if the controller has a heart attack, or has to
6 go to the washroom, or whatever. You have to
7 have some back-up people in that room, and
8 typically you want someone with some experience.

9 PETER WARDLE: I don't think that was
10 the question, Councillor.

11 ALLAN HUBLEY: Oh, okay.

12 PETER WARDLE: So perhaps Ms. McGrann
13 can just repeat the question, because I think
14 you're answering a different question.

15 KATE McGRANN: It sounds to me like
16 you might be describing redundancy that would be
17 built into the system on an ongoing basis to
18 ensure that there isn't a gap. For example, at
19 a chair where there needs to be someone sitting
20 and all of a sudden there isn't because of
21 extraneous circumstances.

22 What I'm focused on is, you know, the
23 system is new, the drivers and others involved
24 in the operations of the system are new to the
25 system, the City hadn't run an LRT before this,

1 right?

2 ALLAN HUBLEY: Right. But keep in
3 mind those trains, like I said, were running for
4 thousands of miles with drivers on those trains
5 operating those trains.

6 I have no doubt that the drivers that
7 were operating the train on day one knew what
8 they were doing.

9 KATE McGRANN: Understood. My
10 question is, day one of full service is just
11 that, it's the first day where everyone involved
12 in operations is dealing with full service and
13 members of the public riding the train, right?

14 ALLAN HUBLEY: Right.

15 KATE McGRANN: And so my question is,
16 do you know if there was any consideration given
17 to bringing in a group or a team of experienced
18 LRT operators to serve as expert advisors,
19 answer questions that hadn't come up during all
20 the preparation, before the system opened to
21 full public service?

22 ALLAN HUBLEY: I'm not aware of an
23 organized team to be done like that. I believe,
24 for example, John would say to me at times that
25 he talked to people in Montreal, or Vancouver,

1 or Boston, or other LRT operators. He would
2 talk to them all the time and learn things from
3 them. He had visited many of the systems
4 saying, I've gone on some of the other rail
5 systems myself as a part of the learning
6 experience.

7 So could I call that an informal
8 expertise available to him that he had people
9 that he had talked to and everything along the
10 way? Am I answering the same thing you're
11 asking?

12 KATE McGRANN: Yeah, I think you're
13 answering the question.

14 ALLAN HUBLEY: Okay.

15 KATE McGRANN: Sitting where you are
16 today do you think that the City had the
17 expertise and resources required to successfully
18 operate the system from day one?

19 ALLAN HUBLEY: We didn't have the
20 benefit of it at the time, but listening to your
21 question you asked me where I sit today. I've
22 learned from companies like TRA that we brought
23 in, there's been other experts that have come in
24 along the way here that have provided excellent
25 insight into, okay, do this and things will work

1 better; that kind of stuff.

2 Maybe it would have been great if we
3 had looked at that, but I don't know what would
4 have triggered us to say, Well, we should hire
5 TRA for the launch.

6 But, you know, the planning had been
7 done, the preparations had been done. I said
8 earlier about plan, A, B, and C, all kinds of
9 redundancies built into the system. We thought
10 we were ready to go or else it wouldn't have
11 went, right?

12 So I'm not so sure that at the time we
13 would have gone out to hire somebody, but
14 looking back now, if I was to go and -- well,
15 for example, when we launched Phase 2 my
16 recommendation would be to have some experts
17 around to help with that, even though by then
18 our people are going to have several years of
19 experience in operating Phase 1.

20 I've learned that some of these
21 specialists, if you will, that really know one
22 part of the system, these people that would
23 absolutely know one part of the system, whether
24 it's the track or the train, or whatever. Yeah,
25 going forward that would make sense to try and

1 bring someone in like that. But certainly at
2 the time I don't recall any thinking saying, Oh,
3 you know, it would have been great if we had
4 somebody here for this.

5 KATE McGRANN: What are some examples
6 of suggestions that the City has received from
7 its consultants that it has found to be
8 beneficial? When it implemented the advice
9 things got better?

10 ALLAN HUBLEY: The maintenance log is
11 one. To me that was an oversight on RTM's part
12 to not monitor the maintenance log closely
13 enough. Certainly the steps have been put in
14 place now to do that.

15 The second derailment really let all
16 the air out of the balloon as far as confidence
17 in the system, and everything goes, and it could
18 have so easily been avoided.

19 KATE McGRANN: Sticking with what you
20 said about advisors to the City who gave
21 suggestions that made things better, what other
22 pieces of advice did --

23 ALLAN HUBLEY: Some of the -- a lot of
24 it has to do with the maintenance of the system.
25 For example, checking the catenary wires, that

1 kind of thing. A lot of the improvements to
2 that process, so they were obviously already
3 checking these things. But now we've learned --
4 what I'm trying to think of is the part that
5 goes on the top of the train that protects the
6 connection to the catenary. The first winter we
7 had a lot of trouble with dirt getting in there.
8 And an expert came in and told us, There's where
9 your problem is.

10 So now with the trains they've done a
11 modification, if you will, to the train and it's
12 supposed to be on all the new trains to protect
13 that part, whatever it's called, that does that
14 connection to bring the power from the line down
15 to the train. And to keep that dirt -- because
16 these trains run under highways and alongside
17 roads so there's a lot of guck that's in the air
18 in the winter like salt and stuff like that, the
19 road dirt in the summer that's floating around
20 and getting in those drains. Now we have a
21 solution. This winter I don't think we had any
22 breakdowns related to that part at all.

23 KATE McGRANN: Do you remember which
24 advisor provided that advice?

25 ALLAN HUBLEY: No, not offhand, sorry.

1 KATE McGRANN: And was that advice for
2 the City to implement or was that advice for RTG
3 to implement?

4 ALLAN HUBLEY: That's a good question
5 and, I'm sorry, I don't know whether that was
6 advice that was given to John and then John gave
7 it to RTM, I don't know.

8 I wasn't involved in any of the
9 day-to-day contact between John and RTM. It was
10 would be more he would tell me before or after
11 that, Okay, I'm going to do this, or, I just had
12 this conversation with them.

13 There was never -- there was a couple
14 of meetings where we sat with representatives
15 from those companies, usually all the CEOs, but
16 there was no weekly or monthly meetings with
17 RTM, but John would meet with them daily or talk
18 to them daily.

19 KATE McGRANN: Did -- to your
20 knowledge did any of the City's consultants or
21 advisors provide advice to the City on its
22 operations of the system that made things
23 better?

24 ALLAN HUBLEY: I'll get you to say
25 that one more time.

1 KATE McGRANN: So I'd like to know if
2 you recall if any of the City's consultants or
3 advisors gave the City advice about its own
4 operations of the system? Like, City, you
5 should change your approach to this step in
6 operations; that made the system run better?

7 ALLAN HUBLEY: I can't think of any
8 right now, Kate, but as you've seen it might
9 come to me in a few minutes and I'll come back
10 to this one, but right now I can't think of
11 anything that was directed towards what the City
12 is doing as compared to RTM.

13 KATE McGRANN: So you mentioned that
14 you attended meetings with representatives from
15 RTG and its -- some of its subcontractors. Do
16 you recall how many meetings like that you
17 attended?

18 ALLAN HUBLEY: Well, they were well
19 publicized. It would be when the Mayor would
20 bring in the CEOs to have a discussion because
21 something -- there was an issue with the LRT,
22 and so I'm going to say at least three times.
23 But, again, all very publicized, not necessarily
24 the content but the fact that the meeting was
25 taking place and I was there with the Mayor and

1 John and Steve Kanellakos.

2 KATE McGRANN: So attendees at the
3 meetings from the City side were yourself,
4 Mr. Manconi, Mr. Kanellakos. Anybody else
5 attend from the City side?

6 ALLAN HUBLEY: Well, staff people
7 like, you know, the Mayor would have had a
8 couple -- his Chief of Staff, for example, was
9 always at the meetings I think. Or I shouldn't
10 say "always", he was there most of the time that
11 I remember, put it that way, but he may not have
12 made every meeting.

13 There would have been at least one
14 person from Steve Kanellakos' office. And often
15 the CEOs would have somebody with them to --
16 they were fairly large gatherings.

17 KATE McGRANN: Do you know if minutes
18 or notes were taken by anyone from the City of
19 any of those meetings?

20 ALLAN HUBLEY: I don't think so
21 because there wouldn't have been detailed
22 discussion. We weren't saying, Well, this part
23 isn't working right what are you going to do
24 about it? It was more, Here's the issues. The
25 trains are not meeting the requirements that we

1 have in the contract. What are you going to do
2 to get them? That kind of a discussion.

3 And it was more -- the Mayor liked to
4 do that to put people on the hot seat, that's
5 all.

6 KATE McGRANN: So what was -- you say
7 the Mayor liked to do that to put people on the
8 hot seat, what do you mean by that?

9 ALLAN HUBLEY: Well, by bringing in
10 the CEOs, they'd have to come from all over the
11 world, basically, because this is a global
12 consortium. They would have to come from all
13 over the world to sit there and be pointing out
14 that their company isn't delivering what we
15 signed the contract for them to deliver.

16 KATE McGRANN: From your perspective
17 what was the purpose of these meetings?

18 ALLAN HUBLEY: Exactly that, to put
19 them on the hot seat and call them out for their
20 lack of delivery.

21 KATE McGRANN: And what did you --
22 what impact did you hope that would have on the
23 system?

24 ALLAN HUBLEY: It usually lit a fire
25 under people. And so, you know, you would see

1 like all the -- Alstom, for example, would send
2 extra resources to Ottawa to try and resolve
3 whatever the issue might be at that time with
4 the train, for example, that kind of thing.

5 So I fully understand why he was doing
6 them and supported his effort to do it and saw
7 progress come out of those things. Should we
8 have to do that? No, but it was a step that had
9 to be taken.

10 KATE McGRANN: What steps did you take
11 to prepare to attend those meetings?

12 ALLAN HUBLEY: Well, it would depend
13 on whatever the current issue was. I would have
14 questions I would want to ask or some examples
15 to support our point as to what we wanted out of
16 that.

17 KATE McGRANN: Did anybody help you
18 assemble those questions? Or did you work with
19 anyone to prepare for any of those meetings?

20 ALLAN HUBLEY: I have staff in my
21 office that helped me prepare things from time
22 to time. A lot of these though, because it
23 would just be -- to give an example of something
24 that is happening, or whatever, a lot of that I
25 didn't really need a lot of notes for because I

1 was living in the dream, as they say.

2 I'd be spending weeks explaining
3 what's going wrong with the system at that point
4 with -- in the media and in responses to emails.
5 So it's not like I needed a deck or anything on
6 it. I could tell you whatever the issue was of
7 the day.

8 KATE McGRANN: And did you have any
9 discussions with some or all of the other
10 attendees from the City in advance of those
11 meetings to plan for what would be discussed or
12 how the meeting would be handled?

13 ALLAN HUBLEY: Well, usually when the
14 Mayor would call for the meetings there was a
15 reason why he would call for them, whatever the
16 issue was that was going on. So it would be,
17 Okay, how are we going to advance that?

18 KATE McGRANN: And how did you plan
19 with the other City attendees to advance those
20 topics?

21 ALLAN HUBLEY: Nothing more than like,
22 if we had casual conversation about it. Like I
23 said, I talked to John daily whether in writing
24 -- most of time it was over the phone or in
25 person. And, you know, we might discuss items

1 and say, Well, what can they do to fix this?

2 KATE McGRANN: So casual conversations
3 with John in the normal course?

4 ALLAN HUBLEY: Yes.

5 KATE McGRANN: Any other steps --

6 ALLAN HUBLEY: No formal meetings or
7 anything like that, or preparation that I can
8 recall. Not that I was involved with.

9 KATE McGRANN: Any interactions with
10 anybody on behalf of the Mayor in terms of who
11 would take the lead on the discussions, or if
12 there were any points that you really wanted to
13 emphasize, or anything like that?

14 ALLAN HUBLEY: Well, in the initial
15 request for the meeting you would cover off what
16 points you really want to make, I guess. There
17 was never any -- they were not choreographed, if
18 that's what you mean. Nobody said, You have
19 this question. I would ask what I want to ask.

20 KATE McGRANN: Any agendas prepared
21 for those meetings?

22 ALLAN HUBLEY: No, no.

23 KATE McGRANN: And I think --

24 ALLAN HUBLEY: Not that I'm aware of,
25 anyway. I never had one.

1 KATE McGRANN: And I think you said
2 that you thought those meetings produced results
3 in terms of responses from the City's private
4 partner. Why do you think that those meetings
5 produced results?

6 ALLAN HUBLEY: Because we're not
7 having the same issues. This has been a story,
8 as you're now learning all about what we've gone
9 through with this system.

10 Nobody complains any more about
11 backpacks in the doors, we've taken steps to fix
12 that. And it's not just one thing, there was
13 multiple things done.

14 The switches, changing the heaters on
15 the switches has made a huge difference.

16 So the system has been evolving and,
17 in my view, getting better and better each time.
18 But it's -- let me put it this way to you, in
19 the year leading up to the launch, like from
20 when I took over in January to when we launched
21 in September, John said to me at one point, he
22 said, Get ready for a year of firsts. Like,
23 it's going to be the first day you launch; it's
24 going to be the first day it breaks down; the
25 first day that all these things are going to

1 happen and it's all going to be the first time.
2 And like, for example, the doors, when the doors
3 would stick the first time I think we lost a
4 whole afternoon of service that all the trains
5 were stopped while this door was jammed up.
6 Well, now it's less than five minutes. People
7 are on the train, they don't know that their
8 door is jammed but a technician has come and
9 reset the door and the train is moving. So
10 it's -- to me that's a better running system
11 now.

12 And to your question earlier about
13 preparing for it, a lot of the things that we've
14 learned along the way I don't know how we would
15 have picked up on any of that in the preparation
16 ahead of time. You really have to have that
17 first time it happens before you bring all the
18 resources possible to bear to resolve the issue.

19 KATE McGRANN: I had wanted to
20 understand what results you saw flowing from the
21 face-to-face meetings that the Mayor and others
22 you listed had with the private partner. You've
23 described fixing the door issue and the change
24 to the switch heaters. Were either of those
25 results that you felt flowed from the

1 face-to-face meetings between the Mayor and
2 others and the private partner?

3 ALLAN HUBLEY: I believe the switches
4 did, but there was -- I can't give you the list.
5 I could respond to you in writing after, if you
6 wish, about what the issues were we had those
7 meetings on.

8 But I can assure you that whatever
9 they were they've been resolved now because
10 we've never called them back again and said, You
11 know, this is still happening, fix it.

12 Wait, I'll correct that. One thing
13 that happened that I had to take a couple of
14 call was RTM's maintenance program, it wasn't
15 solving all the issues. We had to talk to them
16 several times about beefing up the maintenance.

17 KATE McGRANN: We will take you up on
18 that offer to provide us in writing a list of
19 the issues that were raised at those meetings,
20 and to the extent you can the date of those
21 meetings and what you saw the results being,
22 that would be very useful.

23 U/T ALLAN HUBLEY: Okay.

24 KATE McGRANN: Are you aware of any
25 requests from RTG or its subcontractors to

1 reduce service levels at any point since the
2 system went into operation in order to allow for
3 work to be done on the vehicles or systems?

4 ALLAN HUBLEY: Yeah, absolutely.

5 KATE McGRANN: And what can you tell
6 me about those requests?

7 ALLAN HUBLEY: There's different times
8 that things had to get done, like there was some
9 track work that needed to be done that they
10 wanted to reduce the service for I think a week
11 to get that.

12 At the start of COVID when the
13 ridership numbers just -- like we went from a
14 100 percent down to 10 percent ridership in the
15 first month or two of COVID. There was talk
16 then about let's reduce the service as far as we
17 can and try and do a lot more maintenance.

18 KATE McGRANN: And to your
19 understanding what was the City's response to
20 the request to decrease service so that track
21 work could be done?

22 ALLAN HUBLEY: Yeah, we usually agreed
23 to that. I'm not thinking of any time --
24 nothing's coming to mind of when we refused the
25 request for reduced service, if the output was

1 that we were going to fix something with the
2 system.

3 From a derailment there was also a
4 discussion there about should we start-up with
5 limited service or not? But in the end that
6 decision was really taken by the Transportation
7 Safety Board not us.

8 KATE McGRANN: I understand that at
9 some point you disagreed with some public
10 comments that Citizen Transit Commissioner Sarah
11 Wright-Gilbert made about the system and its
12 operations. Do you know what I'm referring to?

13 ALLAN HUBLEY: You're talking about in
14 the early days?

15 KATE McGRANN: Yes.

16 ALLAN HUBLEY: Yeah. What I asked
17 her, in front of everybody else, in an email,
18 was to just consider her words a little better.
19 Because she sits on the Commission as a
20 representative, and she was making some pretty
21 outlandish allegations against us, like this
22 thing about it won't run in the winter, and all
23 that, those kinds of statements.

24 And I just said, you know, I wish --
25 and I didn't direct it just at her, I said I

1 will ask all the Commission to consider what
2 they're saying publicly in that it can shake the
3 public confidence in the system.

4 KATE McGRANN: What was the reaction
5 to your suggestion that everybody consider what
6 they're saying about the system with respect to
7 impacts on public confidence?

8 ALLAN HUBLEY: Well, not just on this
9 issue but others, anybody that tries to say
10 anything towards her then you just made her a
11 martyr, you know? She'll say that you're trying
12 to muzzle her and everything.

13 So that particular exchange there was,
14 I think, three emails back and fourth on that to
15 clarify what I was talking about with the whole
16 Commission on board. But what she took to the
17 media she deleted one of the exchanges where I
18 clarified the comment, she deleted that out of
19 the chain of email.

20 Because later on I was sitting with
21 staff at CFRA and we went over the pages that
22 she had provided, as compared to what the actual
23 pages were. And you can see that she took out
24 the whole explanation which really made the
25 whole thing make sense.

1 KATE McGRANN: And what is CFRA?

2 ALLAN HUBLEY: A radio station, 580
3 talk radio.

4 KATE McGRANN: In looking at the media
5 it appears that by February 2020 you were saying
6 publicly that it was time for the City to look
7 at what it could do to bring in somebody else to
8 do RTM's job. Do you remember making comments
9 along those lines at that time?

10 ALLAN HUBLEY: Yeah. I was speaking
11 to the maintenance piece and that they weren't
12 getting done. But, you know, the more we looked
13 into that it wasn't really a feasible thing so I
14 don't say that any more.

15 But at the time it's -- remember I'm
16 wearing two hats here. I'm the Transit Chair
17 but I'm also a Councillor for 54,000 people and
18 I have to represent their views. And if they're
19 all telling me that they're mad about something
20 I have to express that, you know, on their
21 behalf.

22 But as the Transit Chair I took the
23 time and learned that we didn't have the
24 expertise to throw RTM out and step in and start
25 maintaining those trains. You would be

1 basically hiring the same people. The
2 difference would be there's a 30-year contract
3 with RTM that we would then have -- have to go
4 through --

5 PETER WARDLE: Councillor, I just want
6 to be careful here that you don't stray into
7 privileged advice that was given to Council
8 about these issues.

9 ALLAN HUBLEY: Right. Okay. I was
10 hoping not to do that. I was just taking it
11 from a common sense perspective that --

12 PETER WARDLE: And I'm not being --

13 ALLAN HUBLEY: -- if you throw
14 somebody out there's a cost to do that, that's
15 all.

16 PETER WARDLE: I'm not being critical
17 at all, but as counsel for the City part of my
18 role here is to make sure that privilege is
19 protected.

20 I don't think Ms. McGrann asked that
21 question, but you did start to get into that
22 area so I want to caution you to be careful,
23 that's all, sir.

24 ALLAN HUBLEY: Thank you.

25 KATE McGRANN: What are your views on

1 the levels of service and maintenance to support
2 that service from the period between February of
3 2020 through to the beginning of August 2021?

4 ALLAN HUBLEY: We were seeing progress
5 and the work being done. But I think through
6 February 2021 to August I don't think we
7 experienced too many issues in there. I think
8 they were in the 90s in reliability, meeting the
9 schedules and the number of cars that had to be
10 out and all the metrics that they're measured
11 against.

12 But it felt like to me, and certainly
13 from what I was hearing from the public, it felt
14 like they were getting their act together and
15 that it was coming along.

16 KATE McGRANN: And what would you say
17 to someone who challenged the idea that they
18 were -- that things were getting better by
19 saying, yeah, that they only had to provide a
20 limited amount of service because of decreased
21 ridership due to COVID? Do you think that's a
22 valid criticism?

23 ALLAN HUBLEY: It's a factor. Like,
24 yes, the trains weren't overloaded, or whatever.
25 But the reality being that the trains were

1 running, they were meeting the schedule.

2 The aspects that they had control over
3 were going well, or were perceived to be going
4 well. They have no control over ridership. So,
5 you know, I can't give them negative marks
6 because of ridership, that was beyond their
7 control.

8 KATE McGRANN: And how, from your
9 perspective, was the relationship between the
10 partners, City and RTG, during that period from
11 February 2020 to the beginning of August 2021?

12 ALLAN HUBLEY: I don't know if you've
13 had the chance to meet John Manconi yet, but
14 John is very passionate about the LRT system.
15 It's something that he delivered and was
16 integral in the delivery of it.

17 If RTG or RTM made a stupid mistake
18 they were going to hear from him. And some of
19 those calls would be -- he's going to raise his
20 voice. He's going to make sure that you know
21 that he's not happy with what's taken place
22 there. So that puts a strain on a relationship
23 for both sides, for sure.

24 But I don't think anybody on either
25 side ever questioned that -- what we all wanted

1 was a system that would work well. And going
2 back to your reference to me saying that they're
3 not doing well, almost every one of those
4 interviews end off with, what we really want
5 them to do is just do the job we paid them to
6 do. There was always, in my mind, and others,
7 just do what you're paid to do and deliver it
8 and we'll all be happy.

9 KATE McGRANN: Did you form any views
10 about what if any impediments may be interfering
11 with RTG's ability to do the job it was retained
12 to do?

13 ALLAN HUBLEY: In the example I gave
14 earlier of the original CEO, I think that was a
15 bit of an impediment to the whole relationship
16 and getting things done because he believed
17 that -- like, he's looking at it through
18 rose-coloured glasses. He thought everything
19 was going along perfect and they were going to
20 meet the delivery dates.

21 I have no doubt that other people in
22 that organization knew they were in trouble.
23 And people in our organization, like John,
24 publicly called him out on those delivery dates
25 and said, He's not going to meet them.

1 So that would be an impediment,
2 because how can you convince Peter he's got a
3 problem to fix if he doesn't want to recognize
4 there's a problem?

5 KATE McGRANN: And any other
6 impediments or obstacles to the company doing --
7 and its subcontractors doing what they had
8 agreed to do, that you're aware of?

9 ALLAN HUBLEY: I don't think so,
10 because to me the relationship was always, as I
11 said earlier, we all have to do something here
12 to make things work properly for us. Whether
13 that's increase the maintenance or, you know,
14 whatever. Whatever the issue was of the day we
15 had to resolve that and we had to it together
16 for the benefit of the taxpayers. For the
17 benefit of the taxpayer we had to get this
18 fixed. That was the best option for the
19 taxpayers.

20 KATE McGRANN: Do you have a view on
21 whether RTM and its subcontractors have
22 sufficient resources to meet their maintenance
23 obligations?

24 ALLAN HUBLEY: I think at times that
25 was questionable. We would highlight that they

1 needed more expertise on this or that, or a
2 piece of equipment, like the trolley that's used
3 to lift the train up so you can look underneath,
4 and they had to bring that in. Now they have
5 that stuff, but that's what I mean by
6 "progress". You highlight these issues and
7 these issues get resolved. So to me that's a
8 good relationship.

9 And certainly now, I'll speak to it a
10 little more, the new GM that we have seems to
11 have put a lot of effort into building
12 relationships with the contractors. And I'm
13 noticing that she's getting things done that we
14 need done, which is good.

15 I want to be clear, I don't want the
16 record to make it look like I'm thinking John
17 didn't do a good a job, he did a fantastic job
18 and, as I said earlier, very passionate about
19 it. It's just sometimes a new face brings a new
20 perspective.

21 KATE McGRANN: And she's involved in a
22 different stage of the project as well. Can you
23 give me an example or two of what she's been
24 able to accomplish through her partnership
25 building?

1 ALLAN HUBLEY: She's been able to get
2 Alstom to provide more resources and more
3 expertise in the resources. They have now hired
4 somebody to oversee the Ottawa operation for
5 them, which, you know, that's going to give
6 us -- we're not going to be calling somebody in
7 Spain to come fix the trains. There's going to
8 be somebody here that's on the ground and they
9 can make the calls to get who they need here.

10 So the -- I would say there's more of
11 a commitment from -- like in that example
12 there's more of a commitment from Alstom.

13 Certainly RTM and RTG they split that
14 job and put two people in there after Peter left
15 that I think has worked quite well. I haven't
16 heard any issues with either one of them.

17 They -- at several Transit Commission
18 meetings they've come out and they've answered
19 questions of the Commissioners. There's really
20 no requirement for them to do that. We don't
21 have it in the P3 that they have to answer
22 questions at the Transit Commission. They do
23 that to help people understand better, and so
24 that's appreciated.

25 And so the relationship is much better

1 than it was before because it seems to be more
2 straight talk back-and-forth.

3 KATE McGRANN: I believe that one of
4 the meetings that representatives from RTM and
5 RTG came to was a Transit Commission meeting
6 that was held in September of 2021, Mr. Truchon
7 and Mr. Guerra attended that meeting and
8 answered questions for quite some time. Do you
9 know the meeting that I'm referring to?

10 ALLAN HUBLEY: Yeah, they've been at
11 several. Yeah, yeah, I definitely remember them
12 being there and, yeah, there was hours of
13 discussion.

14 KATE McGRANN: How did they come to be
15 at that meeting? Did they ask to attend? Were
16 they asked to attend?

17 ALLAN HUBLEY: Formally I had asked
18 them to attend. It was after the derailments
19 and I said, you know, we're going to need you to
20 attend these meetings for the foreseeable future
21 because there's a lot of questions.

22 KATE McGRANN: And what it was the
23 purpose, in your mind, of asking those two
24 gentlemen to attend the Transit Commission
25 meeting?

1 ALLAN HUBLEY: I didn't want OC
2 Transpo staff trying to answer on their behalf
3 any more, I was getting tired of that. I wanted
4 them to come in and answer for themselves as to
5 what was going on.

6 KATE McGRANN: And were you worried
7 that -- why did you want to take OC Transpo out
8 of the seat answering questions? What was the
9 purpose in having them come in and answer
10 directly?

11 ALLAN HUBLEY: Because all the OC
12 Transpo people could tell us is what they were
13 being told by RTM, right? If we're talking
14 about the maintenance of the system.

15 To me we needed to raise the
16 accountability and the personal stakes in the
17 game for RTM. And by bringing them out and
18 publicly asking them the questions directly put
19 a little more pressure on them to come in with
20 better answers than what they were providing to
21 OC Transpo staff before that.

22 KATE McGRANN: And did you feel that
23 this approach was effective in accomplishing
24 that goal?

25 ALLAN HUBLEY: Absolutely. I think

1 there was three meetings, September, October,
2 November, that they were at and I found those to
3 be good meetings. There was tough questions
4 asked and tough questions answered.

5 KATE McGRANN: What impact do you
6 think those meetings had on the public
7 confidence and the system?

8 ALLAN HUBLEY: I'll be very blunt in
9 my answer to this. I'm of the belief, and I've
10 said it publicly, that that's all political
11 theatre to the public. All they care about is
12 get that system working, make it reliable, make
13 it dependable and they will be happy. All the
14 rest of the stuff you might get people griping
15 about it on Twitter, and rightfully so. Don't
16 take this the wrong way, I'm not trying to
17 diminish people's concerns, they have very, very
18 valid concerns. It affects the day-to-day lives
19 of our riders.

20 But weed notice, for example, when we
21 had the trains down in October and November
22 after the derailments, people were writing and
23 saying, Bring the trains back. It's taking too
24 long to go across town. Get that train fixed
25 and get it back on the system.

1 The message I heard in that is that
2 they saw the use, or the effective contribution
3 of the trains so they were happy with that.

4 December we provided no charge
5 service, ridership went way up on that. That
6 tells me that there's still hope to get those
7 riders back there. They see the value of that
8 system, especially once it gets built out.

9 KATE McGRANN: What happened to
10 ridership after the month of no fare service in
11 December?

12 ALLAN HUBLEY: I don't have all the
13 details yet for you for January or February. I
14 don't think they provided the January numbers.
15 I think I saw something about February but they
16 certainly declined from December, there's a
17 decline there. But don't forget, we also went
18 into lockdown again in January, right? So a lot
19 of people going to work or school, that wasn't
20 happening.

21 It's -- we won't know until
22 everybody's gone back to work, and if they go
23 back to work whether the ridership will come
24 back.

25 KATE McGRANN: I saw in the notes from

1 the Transit Commission meeting on
2 September 20th, 2021, when Mr. Truchon and
3 Mr. Guerra attended, another item that was
4 referenced as "challenge to the Chair". Do you
5 know what I'm talking about?

6 ALLAN HUBLEY: No. You'd have to give
7 me a little more detail on that. That would
8 have been a decision made and they're
9 challenging it.

10 KATE McGRANN: Okay. We can leave
11 that for now.

12 With respect to the payments to RTM,
13 and I will repeat what your counsel said earlier
14 about legal advice. The questions that I ask
15 you I'm not asking you to share any legal advice
16 that the City has asked for or has been
17 provided.

18 But I do just want to understand
19 Council's role, if any, in making decisions
20 about whether payments will be made under the
21 contract or not?

22 ALLAN HUBLEY: Well, the contract is
23 very detailed in what triggers a payment and
24 what can trigger a holdback on a payment.

25 So that review of the contract or the

1 recommendations of the clauses are usually done
2 by, you know, well now it would be Renée
3 Amilcar, the GM, and the Treasurer and maybe
4 even our legal services, which we're not going
5 to talk about, right?

6 KATE McGRANN: Okay.

7 ALLAN HUBLEY: I should say this, we
8 don't vote to say, Hold back 2 million, or hold
9 back 5. That's now how it works. It's all very
10 descriptive in the contract and done that way.

11 KATE McGRANN: And I've seen memos to
12 Council appended to RTG's civil litigation
13 materials reporting to Council on payments made,
14 and things like that. Are those memos how you
15 often receive information about the payments
16 being made under the contract?

17 ALLAN HUBLEY: Yes. Certainly as a
18 Council that's where we would get all that
19 detail.

20 PETER WARDLE: I should just add,
21 Ms. McGrann, that there have been a series of
22 privileged briefings to Council in-camera which
23 obviously the witness is not able to speak
24 about.

25 KATE McGRANN: Councillor Hubley, you

1 will know this but just bear with me, the
2 Commission's mandate is twofold. In part the
3 Commissioner is asked to look back in time and
4 answer the questions posed in the terms of
5 reference, but he's also asked to make
6 recommendations that look to the future and seek
7 to avoid some of the issues that were
8 experienced on this project.

9 Do you have any views on potential
10 recommendations, or areas for potential
11 recommendation that you think the Commissioner
12 should be considering?

13 ALLAN HUBLEY: To make recommendations
14 about the operation of the system?

15 KATE McGRANN: Or even more generally
16 about the approach taken, steps along the way,
17 things that may have helped, things that would
18 help in a similar project undertaken in the
19 future.

20 ALLAN HUBLEY: Well, certainly, as I
21 mentioned earlier, I think some of the expertise
22 that we brought in were very helpful.

23 In the future I would probably think
24 more about lining up the different experts and
25 being ready to bring them in.

1 But, you know, like if we were doing
2 like Phase 2, for example, I would probably want
3 to do the more lengthier testing. Even though I
4 support the decision that the City manager made
5 the first go around, with the knowledge we had
6 at that time.

7 I think now with the knowledge we have
8 at this time I think the testing criteria needs
9 to be very clear and specific and needs to be
10 adhered to.

11 KATE McGRANN: Okay. Anything else in
12 terms of topics or specific recommendations you
13 think the Commissioner should consider?

14 ALLAN HUBLEY: No. I'm sure if you
15 gave me a bit of time to think about it I could
16 probably come up with several more. But you're
17 transitioning to the future faster than I can.
18 I came into this trying to remember as much as
19 possible about how we go to this point. I
20 didn't give any time to thinking about what's in
21 the future.

22 KATE McGRANN: And my last question
23 for you is, are there any topics or matters that
24 you hoped that we would get into that we didn't
25 discuss today? Or anything else that you think

1 we should be aware of in our work?

2 ALLAN HUBLEY: No. I think you've
3 really covered off a lot there. It's -- one --
4 I will go back to that question about things
5 that we could do in the future.

6 We were very good at getting the
7 auditor involved and taking a look at things,
8 but sometimes there was a couple of examples
9 where councillors had asked for an audit of
10 something that wasn't complete yet, like I would
11 say the acquisition of property. Well, it's
12 hard to get a good audit of something until
13 you've got your results, until everything is
14 done, right?

15 And I think with that in mind, going
16 forward, it would be good to, at different steps
17 of the process, have a review of what you've
18 done. How is this all working? And have your
19 expertise come in and do that for you.

20 KATE McGRANN: Okay. Liz, were there
21 any follow-up questions that you wanted to ask?

22 LIZ McLELLAN: No, nothing comes to
23 mind.

24 KATE McGRANN: Peter, were there any
25 follow-up questions you wanted to ask of

1 Councillor Hubley?

2 PETER WARDLE: No. Thank you for
3 asking. I don't have any questions.

4 KATE McGRANN: That concludes our
5 interview for today and we can go off the
6 record.

7 --- Concluded at 11:47 a.m.

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1 REPORTER'S CERTIFICATE

2
3 I, HELEN MARTINEAU, CSR, Certified
4 Shorthand Reporter, certify;

5 That the foregoing proceedings were
6 taken before me at the time and date therein set
7 forth;

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

11 That the foregoing is a certified
12 transcript of my shorthand notes so taken.

13
14 Dated this 5th day of April, 2022.

15
16
17 

18 PER: HELEN MARTINEAU

19 CERTIFIED SHORTHAND REPORTER
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