

PARTIES

IN THE MATTER OF an application dated June 14, 2007 by Saint John Transit Commission, for an Order approving an amendment to its existing Motor Carrier license for scheduled (regular) service between the City of Saint John and Town of Hampton; the City of Saint John and the Towns of Quispamsis and Rothesay; and the City of Saint John and the Town of Grand Bay-Westfield; as well as, approval of the proposed service and tariffs.

held at New Brunswick Energy and Utilities Board premises on August 21st 2007.

Panel: Cyril Johnston, Esq. - Vice-Chairman

Donald Barnett - Member

Edward McLean - Member

Steve Toner - Member

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1 NEW BRUNSWICK ENERGY AND UTILITIES BOARD

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10 Donald Barnett - Member

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12 Steve Toner - Member

13 Board Counsel: Ms. Ellen Desmond

14 Board Staff: Douglas Goss

15 Board Secretary: Ms. Lorraine Légère

16 Assistant to Board Secretary: Ms. Juliette Savoie

17
18 CHAIRMAN: Good morning everyone. Sorry, we are a little
19 bit late. We were just discussing a few procedural issues
20 that have come up.

21 This is the hearing before the New Brunswick Energy
22 and Utilities Board with respect to an application by
23 Saint John Transit Commission for an Order approving an
24 amendment to its existing Motor Carrier license for
25 scheduled (regular) service between the City of Saint John

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2 and Town of Hampton; the City of Saint John and the Towns
3 of Quispamsis and Rothesay; and the City of Saint John and
4 the Town of Grand Bay-Westfield; as well as, approval of
5 the proposed service and tariffs.

6 The Panel today is Donald Barnett, Edward McLean,
7 ~~Steve Toner~~ and myself, Cyril Johnston. I am the Vice-
8 Chairman and I will be chairing today's session.

9 Could I have appearances, please, on behalf of the
10 applicant?

11 MR. MCNAIR: John McNair, Mr. Chair, on behalf of the
12 applicant, as well as, Frank McCarey, the General Manager
13 of Saint John Transit.

14 CHAIRMAN: Thank you, Mr. McNair. And on behalf of the
15 Board?

16 MS. DESMOND: Good morning, Mr. Chair. Ellen Desmond as
17 Board Counsel and with me is Douglas Goss.

18 CHAIRMAN: Now we have confirmed that no notice of
19 intervention has been filed by any party. Is there anyone
20 present in the hearing room here today, who wishes to
21 intervene in these proceedings? Thank you.

22 Before we begin, I wish to make a few general comments
23 on the process and what has taken place so far. As the
24 applicant and Board Staff are aware, under the Motor
25 Carrier Act and the Energy and Utilities Board Act, we

1
2 have really two processes that have gone forward here.

3 The first was the consideration of the granting of the
4 license. And this process took place pursuant to Section
5 4 of the Motor Carrier Act. On August 7th of this year,
6 this Panel held a meeting pursuant to Section 4 of the Act
7 and granted the license. There were no objections filed
8 to the Board. And the Board saw no reason not to grant
9 the license that was requested. So that is the first
10 portion of this matter, which is essentially concluded.

11 The second portion is with respect to the approval of
12 the proposed service and the tariffs that are proposed.
13 And I would like to briefly discuss the legislation that
14 governs motor carriers once a license has been granted.
15 Under Section 2(8) of the Motor Carrier Act, once a
16 license has been granted and a motor carrier is
17 operational, this Board has the same powers as it does
18 over other Public Utilities. So the Board has the
19 authority over this aspect of Saint John Transit
20 Commission's operations, as it does over other public
21 utilities, which it regulates among other things pursuant
22 to section -- or excuse me, part 3 of the Energy and
23 Utilities Board Act. And I want to talk a little bit
24 about some of the specific areas of regulation, which the
25 Board has.

1
2 The first important thing to understand is that under
3 Section 8 of the Motor Carrier Act, this Board must grant
4 an Order before there can be any abandonment or
5 discontinuance of service. We have noted in the
6 application material that is before us that it is the
7 applicant's intention to conduct the proposed service
8 until December '08 and to assess the matter at that time
9 or prior to that time. And the Board would like to remind
10 the applicant that the requirement of Section 8 exists.
11 And that prior to any abandonment or discontinuance of any
12 of the proposed service that an Order from this Board
13 would be required. That accordingly, the applicant should
14 during its process of assessing the service keep in mind
15 that the Board will have an involvement if there is an
16 abandonment or discontinuance of any aspect of the service
17 proposed. And keep in mind such evidence as the Board
18 might require before it could make a ruling on such a
19 request.

20 The same applies with respect to the issue of tariffs.
21 And Section 60 of the Energy and Utilities Board Act,
22 among other sections, gives the Board power to approve
23 tariffs of public utilities. And so again the applicant
24 is reminded that prior to any change in the tariffs that
25 an application to the Board will be required and

1
2 appropriate evidence would be required.

3 So in the process of handling this aspect of Saint
4 John Transit Commission's business, it should always keep
5 in mind that the Board has obligations. And that prior to
6 important changes, among other changes to the service or
7 changes to the fares, that the Board will be involved.

8 And that an application to the Board will be required and
9 an Order from the Board will be required before those
10 changes can be made.

11 The next order of business I think, Mr. McNair, would
12 be with respect to filing the proof of service. And could
13 you provide to the Secretary what documentation you have
14 regarding proof of service?

15 MR. MCNAIR: I have, Mr. Chair, it's in a file folder called
16 exhibit 2, which has the affidavit of service -- or not
17 proof of service, but affidavit of publication in the
18 Telegraph Journal, The Kings County Record and L'Acadie
19 Nouvelle.

20 CHAIRMAN: Now, Mr. McNair, it has been prepared by the
21 Board Staff, a pre-marked exhibit list. Do you have a
22 copy of that?

23 MR. MCNAIR: Yes, I do.

24 CHAIRMAN: And so the proof of publishing in the Royal
25 Gazette, which was done I understand by Board Staff is

1
2 listed as exhibit 1. The affidavit, which you just
3 provided to us, dated August 21st 2007, demonstrating
4 proof of publishing, affidavit of publishing in the
5 Telegraph Journal, Kings County Record and L'Acadie
6 Nouvelle, is listed as exhibit 2. And what I will call
7 the pre-filed evidence in support of the application is
8 listed as item 3. So we will mark those documents
9 accordingly.

10 Is there any other evidence with respect to the
11 hearing this morning, which you would like to submit at
12 this time?

13 MR. MCNAIR: Yes, Mr. Chair. Does the Chair prefer that I
14 stand during this presentation?

15 CHAIRMAN: No, not at all.

16 MR. MCNAIR: There is other evidence, which I have submitted
17 copies to the Secretary of the Board. One is the -- a
18 copy of the granting of amendment to the existing license.

19 CHAIRMAN: Yes.

20 MR. MCNAIR: Which as the Chair indicated happened on August
21 7th 2007. The next exhibit I propose will be exhibit 5,
22 is e-mail correspondence from Manon Piche, who is the
23 Vice-President, Marketing Sales and Public Relations for
24 Groupe Orleans Express.

25 CHAIRMAN: Yes. So the letter from the Secretary of the

Board dated August 7th 2007 to yourself, Mr. McNair --

MR. MCNAIR: Yes.

CHAIRMAN: -- will be marked as exhibit 4.

MR. MCNAIR: Thank you.

CHAIRMAN: And does Board Staff have copies of Madame

Piche's e-mail? And a copy of that e-mail will be marked

as exhibit 5. And with respect to exhibit 5, the Board

notes that it is correspondence from Manon Piche, the

Vice-President of Marketing, Groupe Orleans Express,

parent company of Acadian Lines. And that it is noted in

that correspondence that they also operate a service from

Saint John to Hampton, but that they do not oppose the

application before us today. And in fact wish the best of

luck in the launch of the new services.

Anything else, Mr. McNair in terms of --

MR. MCNAIR: We have got a couple of other items, Mr. Chair.

With respect to what I propose will be exhibit 6, it's

essentially details of the applicant's bus fare for its

existing service within the City of Saint John to provide

the Board with a comparison.

CHAIRMAN: Thank you. We will mark that as exhibit 6.

MR. MCNAIR: And the next item I would propose is to be

exhibit 7, would be a bit more detail surrounding the

ridership and fare assumptions that was provided in

1
2 exhibit 3, which is the pre-filed evidence. And that's a
3 one-page summary, which I propose that Mr. McCarey will
4 speak to later.

5 CHAIRMAN: And so this ridership and fare assumptions
6 document -- Ms. Desmond, I am assuming that you have on
7 objection to these exhibits being marked?

8 MS. DESMOND: No objection, Mr. Chair.

9 CHAIRMAN: Thank you. I wasn't consulting you as I went
10 along, but I thought you would probably leap to your feet
11 if you had a problem.

12 MR. MCNAIR: I so apologize, Mr. Chair.

13 CHAIRMAN: So that becomes exhibit 7. Does that conclude
14 the evidence on behalf of the applicant, Mr. Chair?

15 MR. MCNAIR: Three other items, Mr. Chair.

16 CHAIRMAN: All right.

17 MR. MCNAIR: With respect to essentially what I propose
18 would be exhibits 8, 9 and 10, respectively. Dealing with
19 the slight revisions to the Hampton Express Schedule, what
20 I would call the KV Express Schedule and the Grand Bay
21 Express Schedule.

22 CHAIRMAN: So these are -- proposed exhibits 8, 9 and 10, we
23 have got to get these in the right order.

24 MR. MCNAIR: 8 would be Hampton.

25 CHAIRMAN: Exhibit 8 would be Hampton.

1
2 MR. MCNAIR: Yes, Mr. Chair. Exhibit 9 will be KV Express
3 Schedule. Exhibit 10 will be the Grand Bay-Westfield
4 Express Schedule.

5 Does that conclude the evidence, Mr. McNair?

6 MR. MCNAIR: It does, Mr. Chair.

7 CHAIRMAN: Ms. Desmond, no evidence being filed on behalf of
8 the Board this morning, is there?

9 MS. DESMOND: No, Mr. Chair. No.

10 CHAIRMAN: Mr. McNair, the next item that comes up relates
11 to the requirement under the regulations with respect to
12 service, which I believe, Ms. Desmond spoke to you about
13 briefly this morning. And it's -- I guess only came to
14 our attention at the last minute and came to your
15 attention at the last minute that there is an obligation
16 under the regulations to serve the Mayors of the various
17 municipalities, as well as, any competing common carrier.

18 Now, we have the evidence of Manon Piche, that she has
19 been served. And I think we can take that as satisfactory
20 for those purposes.

21 With respect to the obligation regarding the Mayors,
22 what I would like to do -- what I would propose, and I
23 welcome your comments, is if your witness could speak to
24 the information process with respect to the other
25 municipalities. In other words, go through a little bit

1
2 of detail about how the other municipalities were informed
3 of what was going on, what meetings were held, what -- and
4 so forth. You know, in general, go through that in the
5 first stage of his evidence. And then once we have heard
6 his evidence on that subject, perhaps we could then have
7 some discussions as to how best to proceed in a formal
8 sense about what to do next, because I do think that those
9 requirements are mandatory. But I think we can, subject
10 to the evidence of your witness and subject to perhaps
11 doing some -- taking some steps after the hearing in
12 fairly short order, comply with those.

13 MR. MCNAIR: All right.

14 CHAIRMAN: So if you are ready to present your witness at
15 this time, what I would ask is that you do so. And that
16 after identifying him and so forth that you confine your
17 initial questions to this issue of communication with the
18 affected municipalities.

19 MR. MCNAIR: That's fine, Mr. Chair. I have no difficulty
20 proceeding in that manner.

21 CHAIRMAN: Thank you.

22 MR. MCNAIR: As I indicated, Frank McCarey, is the General
23 Manager of the Saint John Transit Commission, and he is
24 here to give evidence on behalf of the Saint John Transit
25 Commission today. Do you want me to swear the witness?

2 CHAIRMAN: Well generally the Secretary I think will or the
3 Assistant Secretary this morning will swear the witness.

4 FRANK MCCAREY, having been duly sworn, testified as follows:

5 DIRECT EXAMINATION BY MR. MCNAIR:

6 Q.1 - Mr. McCarey, could you indicate to the Panel, what sort
7 of preliminary steps were taken, as far as meetings or
8 communication with the four municipalities involved?

9 A. In all instances, there was a presentation made
10 approximately two years ago to each individual Council.
11 And at that presentation, the Councils were asked to
12 endorse the plan and to appoint a representative to sit on
13 a Regional Advisory Committee that would go forward and
14 develop this service. In all instances, the Councils did
15 that.

16 Q.2 - And with respect to the Regional Advisory Committee, I
17 understand a number of the members are here today. But
18 could you identify who they are for the purposes of the
19 different municipalities?

20 A. We have Councillor Emil Olsen from the Municipality of
21 Quispamsis. We have Councillor Ken Chorley from Hampton -
22 - Town of Hampton. We have John Jarvis from the Town of
23 Rothesay.

24 CHAIRMAN: Good morning, gentlemen. Thank you for coming.

25 Q.3 - And the Grand Bay-Westfield representative, who couldn't

2 be here today, but --

3 A. She is Brenda Murphy, who was unable to get away from
4 work today.

5 Q.4 - And I understand that there are additional members that
6 serve on that committee and some of them are here in the
7 audience? Richard Smith?

8 A. Richard left.

9 MR. MCNAIR: Mr. Chair, Richard was here earlier today.

10 A. From the Saint John Parking Commission, also sat on
11 the Committee, as did Councillor Glen Tait, from the
12 Municipality of Saint John.

13 And the Regional Committee when it met also had a
14 number of staff representatives from the different
15 communities that partook of the discussions also.

16 Q.5 - And since those initial meetings, would it be fair to
17 say that you have been in constant contact with the
18 various municipalities updating them of the progress?

19 A. Yes.

20 Q.6 - And as we are currently are before the Board, you are in
21 the process, I assume of preparing the various stops, is
22 that correct?

23 A. That's correct, yes. In consultation with the various
24 municipalities obviously.

25 Q.7 - And I know Mr. Jarvis is the Town Manager, who would be

2 to my understanding representing the municipality that has
3 the largest number of stops and park and ride locations?

4 A. Actually it's equal between Quispamsis and Rothesay.
5 They both have four stops, four locations.

6 Q.8 - And Mr. McCarey, with respect to any discussions with
7 the municipalities at no time have you received anything
8 that would indicate there was not complete knowledge of
9 what was proceeding here today?

10 A. No. In fact we have received encouragement all along
11 the way.

12 Q.9 - And as far as you are concerned, endorsements have been
13 received from all the municipalities?

14 A. Very much so.

15 Q.10 - And are you aware of any municipality that is not aware
16 of the application process and the hearing today before
17 the Board?

18 A. I am not aware of that. Certainly all of the
19 representatives on the Advisory Committee were advised of
20 this meeting today.

21 Q.11 - And as you indicated, they are all here except for
22 Brenda Murphy, who couldn't be here because of work?

23 A. Yes, that's correct.

24 MR. MCNAIR: Mr. Chairman, I don't know if you want me to
25 proceed further along this basis. We can. Or if the

2 Panel has any questions they want to put to Mr. McCarey
3 with respect to this. All four municipalities have been
4 actively involved. And encourage and support the
5 endeavour. And are anxiously looking forward to
6 essentially seeing its begin operation tentatively on
7 September 4th.

8 CHAIRMAN: I just have one or two questions for the witness.
9 And we do have a proposed course of action for dealing
10 with this. Mr. McCarey, do you know were there
11 resolutions of the various Councils passed perhaps
12 appointing people to the Regional body, or do you have any
13 knowledge of that?

14 WITNESS: The meeting was -- meetings were a couple of years
15 ago. And I can certainly tell you that resolutions were
16 passed. I would have trouble in saying that they were
17 passed in front of me at all -- at all of the communities,
18 but certainly some of them were at the very meeting.

19 I believe that they were all passed at the meeting
20 when we made the presentation.

21 CHAIRMAN: But you can't say for sure and that's fair. Mr.
22 McNair, what the Panel proposes, we do have -- I am going
23 to read this regulation to begin with.

24 Section 6(1) of the Regulation 84-301 under the Motor
25 Carrier Act states, notice of hearing shall be served by

2 the applicant on any competing common carrier and on the
3 Mayor of any municipality or rural community to or through
4 which the proposed transportation service is to be
5 operated.

6 The Panel is satisfied on the evidence that is here
7 before it that the municipal governments on each of these
8 municipalities are well aware of what is going on. But we
9 do have this direction in the regulation. So I will allow
10 you to speak to this, but the proposal is that the notice
11 of -- the full notice of application, I guess together
12 with the newly filed exhibits as well, be served on the
13 Mayors in each municipality. And that a letter from the
14 Mayor indicating that they don't oppose the application,
15 if those could be filed subsequent to the hearing, you
16 know, we would reserve our decision until those have all
17 been filed and we will then hopefully be in a position to
18 release our decision upon receipt of those.

19 I think that would keep us in --

20 MR. MCNAIR: Line.

21 CHAIRMAN: -- in compliance with the spirit of the
22 regulation in any event. You know, if we weren't aware or
23 that we did not have evidence that the municipalities were
24 well informed, we might not be able to proceed, but I
25 think under these circumstances, we can proceed on that

2 basis.

3 Do you have any comments with respect to what we are
4 proposing?

5 MR. MCNAIR: Mr. Chair, I don't have any difficulty with
6 that. I would suggest that just because of the fact that
7 I am not sure that all Mayors are in town or in their
8 respective municipalities right now, if we could maybe
9 perhaps extend it to having the Town Manager under
10 instructions from the Mayor signing the letter on the
11 Mayor's behalf or have that alternative. I am just -- I
12 am worried about just making sure that all the Mayors are
13 physically within the province today, tomorrow or this
14 week.

15 CHAIRMAN: Sure.

16 MS. DESMOND: Mr. Chair, if I could just comment on with
17 respect to that issue. I think the regulation speaks
18 specifically to the requirement that service be on the
19 Mayor. However, under Section 11, service could be by way
20 or registered letter. So if in the event somebody is not
21 available, there could be arrangements made to serve the
22 Mayor directly. I don't know if that's of any assistance.

23 CHAIRMAN: Well, sure. I mean I think -- Mr. McNair,
24 provided that there is evidence of service upon the
25 Mayor's office, shall we say --

2 MR. MCNAIR: Yes.

3 CHAIRMAN: -- and response from an appropriately authorized
4 municipal -- preferably the Mayor, but in the Mayor's
5 absence, an appropriately authorized municipal employee or
6 Deputy Mayor, or what have you, I think that would be
7 satisfactory.

8 MR. MCNAIR: Thank you, Mr. Chair. No, I have no difficulty
9 with that. We will make sure that the offices are served
10 later today.

11 CHAIRMAN: And what the Board will do is it will reserve its
12 ruling until all of those have been received.

13 MR. MCNAIR: Understood.

14 CHAIRMAN: And then hopefully -- I make no promises, but
15 hopefully at about that same time, we will be in a
16 position to render our decision or shortly thereafter. We
17 don't intend to delay too much, if we can move quickly.

18 MR. MCNAIR: Thank you.

19 CHAIRMAN: So the next phase of the hearing, Mr. McNair,
20 would be if you could take Mr. McCarey through the
21 evidence. And I guess going through the evidence in
22 general, but perhaps with an emphasis on some of the
23 comments, which I have made here today and some of the
24 questions which I believe Staff have relayed to you as
25 being of interest to the Panel. So if you could proceed

2 on that basis?

3 MR. MCNAIR: Thank you, Mr. Chair.

4 Q.12 - Mr. McCarey, I will ask you to essentially turn to tab
5 1, which is the -- just before tab 1 is the index for the
6 application, which forms tab 1 of the previously filed
7 exhibit, exhibit 3. And as the Chair has correctly
8 pointed out, today we are before the Panel essentially
9 dealing with Phase 2 of the application, which is consider
10 the appropriateness of the specific bus service that is
11 being proposed and the proposed tariffs. And if you turn
12 to page 52 of tab 1, which is Saint John Transit's capital
13 cost analysis for the proposed Comex Service?

14 A. I have page 29 under tab 1.

15 Q.13 - Oh, excuse me. Yes, exactly. It is tab 6. Mr.
16 McCarey, with respect to the funds that have been
17 committed, not only on this tab 6, but generally on the
18 government funding, the federal government funding, can
19 you advise what if any restrictions there are or
20 conditions there are on the federal government funding or
21 a portion of funding for this project?

22 A. The only restriction would be that none of the funds
23 can be used for supporting operating costs.

24 Q.14 - So on capital items only essentially?

25 A. Capital items only, yes.

1
2 Q.15 - And you heard the Chair talk about the fact or point
3 out to the applicant and to us that under Section 8 of the
4 legislation, we have to essentially come back before the
5 Board before we propose abandoning any service and get an
6 order that would permit us to do that, but in our
7 materials we indicated that Saint John Transit has
8 committed to essentially carry on this service until
9 December 31st 2008. And in connection with that the City
10 of Saint John has given some subsidies towards this
11 running this operation. Are there any other subsidies
12 currently from any of the other municipalities? And if
13 not, in the event that it was found that the ridership
14 wasn't where it should be, is that something that could be
15 considered in the future?

16 A. Certainly, you know, before the thing would be
17 discontinued, the service would be to serve, an
18 application would be made for discontinuance. The service
19 would be discussed at great length with the municipalities
20 who are participating in this -- or participating in this
21 experiment. You know, I can't talk to what their position
22 would be. Certainly in December of 2008, there may be
23 some changes in the different Councils, because we will go
24 through a municipal election over that period. I would
25 suggest that they are very committed to the service now.

2 As to how committed they would be with regards to a
3 subsidy amount, that would have to be seen. But it would
4 be our objective to have the service continue. And if it
5 can only be done so with support from those communities,
6 we would obviously be asking them if that support could be
7 put in place.

8 Q.16 - One of the issues that the Board has to consider the
9 appropriateness of today is the actual fare that is
10 proposed to be charged with respect to this service. And
11 I ask you to turn to page 3 of tab 1, essentially which is
12 the application and would be part of exhibit 3 essentially
13 that we have marked for the purposes of this hearing?

14 A. Yes.

15 Q.17 - And that has a paragraph that essentially details the
16 fares that are proposed. Can you give an indication
17 essentially or a comparison of those with respect to the
18 fares that we charge currently within the city, an
19 explanation as to why there is a difference? Exhibit 6 is
20 the one that show what we currently charge.

21 A. I guess one of the points I would make first is that
22 there are concession fares arranged within the city, which
23 we do not propose -- propose for this service. By
24 concession fares, I mean that there is a discounted fare
25 for senior citizens and for children under 14. The cash

1 - 21 - Mr. McCarey - Direct by Mr. McNair -

2 fare in the city is \$2.25. And the concession fare is \$2.

3 The cash fare in the proposed service for the commuter

4 express service is \$3. With regards to punch cards, punch

5 cards in the city, 20 rides is \$35. There is also a

6 concession fare of punch card of 30 rides for \$30 --

7 sorry, 20 rides for \$30. And the cards, the 10 ride cards

8 in the city are -- I will have to look at that -- are \$18

9 for adults. And the concession fare punch card in the

10 city is \$15.50. For the proposed Comex Service, the fares

11 would be \$27 for 10 ride and \$49 for a 20 ride card.

12 Monthly passes, again, we have concession fares in the

13 city. An adult monthly pass is \$59. A monthly student

14 pass is \$49. And a monthly senior citizen pass is \$39. A

15 monthly pass for the Commuter Express Service would be

16 \$89.

17 Q.18 - Mr. McCarey, can you explain the rationale, you

18 mentioned concession fares in the inter-city, what is the

19 rationale for not having that in the Express Service of

20 the Comex Service?

21 A. This service is designed to primarily bring people to

22 work in the uptown area. The service is also designed on

23 the basis of developing a break even revenue, whereas the

24 service in Saint John is subsidized. And the subsidy

25 provides for concession fares.

2 Q.19 - And part of the establishment of the fares, obviously
3 you had to deal with some ridership and fare assumptions.
4 And we have filed today with the Board a breakdown of
5 ridership and fare assumptions as exhibit 7?

6 A. Yes.

7 Q.20 - Could you just sort of review that and some of the
8 background, the rationale used to determine some of those
9 bullets?

10 A. I guess we -- back where this idea originated and it
11 was based on a parking study that the City of Saint John
12 commissioned. And a suggestion by that study that two to
13 three parking garages would be required to be built in the
14 uptown area over the course of the next 10 years. There
15 was a desire to eliminate at least one of those parking
16 garages. 350 to 400 cars. The cost of such garage would
17 be between 8 1/2 million or \$10 million. And Saint John
18 Transit, as per the parking study, was asked to provide an
19 alternative suggestion and we developed the Commuter
20 Express Service as an alternative to building a \$10
21 million parking garage.

22 In developing the proposal, we looked at the current
23 volume into the city from the suburban areas. And we are
24 advised that there is 15,000 vehicles per day that come
25 into the city during the peak service. And it is assumed

2 that most of those are for work particularly during those
3 hours.

4 We did some studies throughout the country as to what
5 the pick-up on the mature service for suburban service was
6 and it runs between 6 and 9 percent. Obviously in some
7 areas it is considerably higher when the mix of
8 significant parking fees or parking shortage in a city
9 like Toronto, for example, are factored in. But we felt
10 that ours would not be any more than the normal service of
11 6 to 9 percent. 6 to 9 percent gave us the potential that
12 there was 900 to 1,350 passengers per day that would
13 probably be interested in this service in a 12 month --
14 over a period of up to 12 months. What we looked at is
15 the average capacity that we generally have during peak
16 hour service and it's about 75 percent. We are advised
17 that these services definitely run at 75, sometimes even
18 higher. So the number of inbound seats required to handle
19 375 passengers per day was divided at 375 divided by 75
20 percent was 500 seats with a 43 passenger bus, that would
21 require 12 trips in on a morning basis. So we started
22 working on the assumption of 12 trips when we did this
23 survey of the time and developed what kind of a service
24 would happen and it looked like there would be a
25 requirement of 32 hours of service per day. A 32 hour

2 service per day and our fully absorbed cost, not including
3 capital cost, at -- is \$58 an hour. So we estimated the
4 cost of the service on a daily basis, fully absorbed,
5 would be \$1,856. And the fares were developed with
6 certain assumptions as to what percentage the ridership
7 would use in the different fare media. The fares were
8 developed on the basis of generating that kind of revenue
9 for a break even service. And you can see the assumptions
10 on the -- if 50 percent of the riders use monthly passes -
11 - and we made the assumptions on the high end of the lower
12 fares would generate about \$800 per day. If 25 percent of
13 the riders use punch cards, that would generate about \$485
14 per day. And if 25 percent of the riders paid cash that
15 would generate \$565 per day for a revenue of about \$1,850.

16 Q.21 - Built into part of these assumptions is a -- or in the
17 estimates that accompany this application was a reference
18 of a potential fuel oil cost increase of approximately 10
19 percent. And can you just explain similar to what you
20 have done here what sensitivity Saint John Transit has
21 built into the fare proposal of \$3 then for the Comex
22 Service with respect to increases in those areas?

23 A. Fuel increases current -- or fuel rather, currently
24 makes up about 12 percent of our budget. Obviously I say
25 even a significant increase in fuel of 10 to 15 percent

2 does not impact our daily costs per day that much, our
3 hourly cost. And the reality is that this being fully
4 absorbed cost, you know, if for example as a result of
5 fuel costs, the cost went from \$1,856 per day to say
6 \$1,900 per day, in terms of the service recovering its
7 direct cost, they are still not an issue. About 82, 83
8 percent of our costs are direct costs. So we really have
9 a margin whereby we can see our revenues be about 18
10 percent less without it affecting our ability to perform
11 other services in Saint John and maintain the service in
12 Saint John.

13 Q.22 - With respect to the actual routes that were provided
14 with the application, there has been some slight changes
15 to those, which we have shown in -- or have filed exhibits
16 8, 9 and 10 today with respect to those. Can you just
17 explain what precipitated the slight changes and what was
18 sort of the rationale behind them?

19 A. Well obviously we worked very closely with the
20 Regional Committee in developing service times. Many of
21 the communities did surveys of the citizens to come up
22 with when they wanted to arrive at King Square or
23 different things such as that. And we used guidance from
24 the communities very much in determining the times.

25 You know, I will give an example of one of the changes

2 that were made. The Grand Bay-Westfield Express, the
3 afternoon service leaving uptown was originally submitted
4 as 4:00 o'clock, 5:00 o'clock and 6:00 o'clock. It was
5 felt that 4:10, 5:10, 6:10 would give people trying to get
6 a bus at 4:00 o'clock, 10 minutes to get to it and 5:00
7 o'clock and 6:00 o'clock. So in all cases, the services
8 were set for the departure uptown 10 minutes later than
9 the original one. Then there were some discussions in the
10 morning about the desire to see some of the services --
11 connective services to the university, hospital area. So
12 there were some adjustments made there. But that's the
13 kind of thing, that exercise we went through.

14 Q.23 - So it was essentially fine tuning?

15 A. From -- and with input from the communities as to what
16 they felt for their citizens would be the best times.

17 CHAIRMAN: I am wondering, Mr. McNair, if we could just go
18 through for the Panel's benefit, the various schedules
19 just so we are clear on what changes have been made?

20 MR. MCNAIR: All right, Mr. Chairman. Yes.

21 CHAIRMAN: I don't think it will take too long to go through
22 one at a time.

23 MR. MCNAIR: Not at all.

24 Q.24 - Mr. McCarey, if you could turn to page 19 of tab 2?

25 A. Yes, I have it.

1
2 Q.25 - And just use exhibit 8?

3 A. The first one on the submission was for Hampton
4 Express.

5 Q.26 - Exhibit 8?

6 A. Exhibit 8, yes. And I will deal with the departure
7 times. As I indicated, they are all just about 10 minutes
8 later. And the times in were changed. And I have to -- I
9 forget just why it was we -- but there was a connection
10 through -- yes, I know what it was. It was an effort that
11 people would be able to connect to get to the hospital
12 before 7:30, because there are a number of jobs that start
13 up at the hospital for a 7:30 shift. And prior to that,
14 the buses would be arriving, the connection from the
15 original trip would be arriving there at about 7:35, 7:40,
16 which made that trip then not usable for people who were
17 trying to make a connection to go to the hospital,
18 university area. So it was to get that first trip to get
19 there in time.

20 And then the other trips basically follow, because the
21 service has to continue to rotate back and forth. It was
22 felt that the 8:07 was an acceptable time for people
23 arriving to work in the uptown area at 8:30. And then we
24 also looked at the final trip would provide service to
25 McAllister mall, if people wanted to use it for shopping.

2 That pretty much deals with the Hampton Express, unless
3 there is any further questions?

4 Q.27 - Any questions on that one? The KV Express would be
5 page 20 of the original re-filed schedule of tab 2. And
6 exhibit 9, so if you could just go through a comparison.

7 It looks like there was a compression of the times for the
8 morning?

9 A. Again there was the 10 minute change in the afternoon
10 trips. In the morning, I think again we looked at -- I
11 believe as I --

12 CHAIRMAN: It looks like there were a half an hour earlier?

13 WITNESS: They are a half an hour later.

14 CHAIRMAN: Half an hour earlier. Departing King Square, is
15 that right?

16 WITNESS: I am sorry. That's correct, yes. I was looking
17 at, there was some confusion. And again it started with
18 the same reasoning to provide a connection to the hospital
19 for the 7:30 and then the trips just followed through.

20 One of the things that I felt a little better about on
21 the new service also was that the trip to McAllister mall
22 would be on the final trip, as opposed to the second to
23 last trip that was originally proposed. But it still got
24 people to McAllister mall before the 10:00 o'clock work
25 start time. But again it was the first trip that we were

2 dealing with to make the connection for the hospital,
3 university area. Primary the hospital, not so much the
4 university, because of that 7:30 start time.

5 Q.28 - And just to be clear that when you talk about the
6 connection, it's the bus from King Square to the
7 hospital --

8 A. That's correct.

9 Q.29 - -- to get there before 8:00 o'clock, when most of the
10 schedule --

11 A. Get there before 7:30.

12 Q.30 - -- when most of the scheduled appointments begin before
13 8:00 at the hospital?

14 A. And also for people who want to use it to go to work,
15 because the 7:30 start time is a very significant work
16 start up time at the hospital.

17 Q.31 - And the next one would be Grand Bay-Westfield, which
18 would be page 21 of tab 1 and exhibit 10?

19 A. Again in the departure times, you will see the 10
20 minute delay from 4:00, 5:00 and 6:00 to 4:10, 5:10 and
21 6:10. And the arrival at King Square again was an effort
22 to provide a connection to the hospital, university
23 service. And then the other times just followed on that
24 basis.

25 MR. MCNAIR: Any questions from the Panel with respect to

2 those?

3 CHAIRMAN: No. Thank you very much. Well, not from me.

4 Q.32 - Each of the exhibits, 8, 9 and 10 have sort of a
5 qualifier in the upper right-hand corner, Mr. McCarey,
6 talking about proposed fares, making it clear that this is
7 only a proposed format at this stage, but the small print
8 underneath when it is talking about monthly pass, it talks
9 about monthly pass holders can transfer to Saint John
10 Transit buses for free, can you explain the rationale of
11 why just the monthly pass holders and not punch card or
12 one way cash fare?

13 A. People who buy a monthly pass have made a commitment
14 to use the service on a daily basis. We feel that
15 commitment should be rewarded and to encourage more people
16 to do on a monthly pass basis.

17 Q.33 - So essentially somebody with a monthly pass from the
18 Valley, for example, or from Grand Bay-Westfield, could
19 come in and essentially they transfer to any Saint John
20 Transit bus with no additional fare being required?

21 A. That's correct.

22 Q.34 - Now the first exhibit we dealt with was in those last
23 three was exhibit 8, which was the Hampton Express
24 Schedule. The Hampton bus stop has that been determined
25 at this time? And could you explain exactly where it is

2 and what steps are being taken to get it ready for the
3 tentative date of September 4th?

4 A. We actually have three bus stops in Hampton, but only
5 one is a park and ride location. The bus will travel the
6 Old Hampton Road from the cutoff at Gondola Point or just
7 beyond the Gondola Point arterial. When it comes down
8 towards Hampton, it will make a left turn into the city.
9 It will stop at the entrance to the parking lot there in
10 the evening to allow people to go up to their cars so they
11 don't have to go all the way around.

12 The next stop will be just before the turn on the
13 road that goes up by the Mountie barracks to the highway,
14 the access to the highway. There is a number of walkways
15 et cetera that come to that area and we have been
16 requested by the community to have a stop there.

17 There will also be a stop at the top of that road,
18 because there is a number of people live just on the other
19 side of the underpass and that will give them an
20 opportunity to catch the bus right there. And then the
21 final stop will be at the parking lot, which has been
22 constructed down at the intersection of where Main Street
23 and the Hall Road. That stop will probably have a bus
24 shelter on it by the end of this week. The paving, as I
25 understand it, will take place on September 10th about a

1
2 week after this proposed service would start, and that
3 parking lot will be completed at that time.

4 Q.35 - And I understand from Councillor Chorley, that there
5 were some concerns with some of the neighbours in the
6 area. So certain steps have been taken to --

7 A. There was one neighbour who had concerns about the
8 area. But when they constructed the parking lot, they
9 constructed a berm to separate his house from the parking
10 lot.

11 Also my understanding is that there will be lighting
12 put in at that location that will be directed down so
13 there is no overflow into his property.

14 Q.36 - The only other thing with respect to the proposed
15 launch that I think is relevant and something that should
16 be put before the Panel, are there any plans to coincide
17 with sort of a launch, as far as advertising or
18 encouraging ridership or participation in the Express?

19 A. Very much so, but we felt it not prudent to release
20 those until this hearing occurred. The plan is that if we
21 were successful today, we were going to start the campaign
22 next week. There is advertising and print media. Most of
23 the communities are prepared, municipal flyers that they
24 are prepared to put it in. For example, the Rothesay
25 Reader is one people are very familiar with. Quispamsis

2 has a similar production. We were doing --- we were going
3 to do advertising in a number of the community newspapers,
4 such as the KV -- or the River Valley -- I forget the
5 names of them, but there is a number of the community
6 newspapers that go around in that area. Some advertising
7 in the Telegraph Journal, radio advertising.

8 The different communities are very committed to
9 spreading the information around. We have already had the
10 new -- we had one of the new buses on site now. We have
11 had it up to the community of Grand Bay-Westfield last
12 weekend for their opening of their park. We would hope to
13 be able to start distributing schedules. We are basically
14 waiting for a decision of this Board to take on a lot of
15 those activities.

16 Q.37 - And with respect to the construction of the actual bus
17 stops --

18 A. The shelters?

19 Q.38 - -- shelters, that's occurring now?

20 A. Three -- three of them have -- of three of the 10 have
21 -- or two of the 10 have been erected and there is another
22 one going up today. We expect before the end of the week,
23 there will be two more up. By the start of the service,
24 we would anticipate eight will be ready. Two others,
25 there is still some discussion as to the exact location.

2 The two being one in Rothesay Commons and one at the Grand
3 Bay-Westfield one, because they are a little behind on the
4 start of their parking lot.

5 Q.39 - But essentially just a little bit of fine tuning, as
6 far as the exact location?

7 A. That's exactly right, yes.

8 CHAIRMAN: Mr. Chair, I don't have any other specific
9 questions for Mr. McCarey at this time. I would propose
10 opening it up for the Panel in case anybody has a specific
11 item that they wanted to raise or something that has come
12 up through the testimony so far.

13 CHAIRMAN: Thank you. Ms. Desmond, does Board Staff have
14 any questions?

15 MS. DESMOND: We have just a few questions, Mr. Chair.

16 CHAIRMAN: Certainly.

17 MS. DESMOND: If I could proceed?

18 CHAIRMAN: Please go ahead.

19 CROSS EXAMINATION BY MS. DESMOND:

20 Q.40 - Mr. McCarey, I understand from your evidence that the
21 only condition of funding from the government is that it
22 be used just on capital costs. Is it a one-time funding
23 opportunity?

24 A. Well what's going on right now is the federal
25 government, this is federal money by the way, the federal

2 government has established a public transit capital trust
3 fund. And New Brunswick's portion of that fund was about
4 \$30 million. And it was over a five year period. We are
5 already into the third year of the five year period.

6 New Brunswick decided that that funding would be
7 broken out on the basis of ridership in the communities
8 that offered public transit. And currently Saint John has
9 about 50 percent of the ridership levels in the province.
10 So on the first round of funding, which was about almost
11 \$10 million, we got about 50 percent of the funding, the
12 \$4.8 million, which is what we are using to do the capital
13 costing on this particular venture.

14 The second portion of the funding -- and again, we are
15 looking at about the same amount, although they are using
16 2000 -- a one year later ridership, we expect will come in
17 our hands this -- well this month -- later this month.
18 That will probably be used to us to develop a new
19 maintenance facility, because the current facility is
20 really not adequate at the level we are trying to operate
21 now.

22 And obviously there is a third portion of that
23 funding, which we would expect will come forward next
24 year. And we would hope that our ridership will remain at
25 50 percent, although there certainly has been some

1
2 enlargements in the service in Moncton, that may in fact
3 change that amount. If that funding comes forward, then
4 we would hope again to receive approximately another \$5
5 million.

6 On a go forward basis, I think that the federal
7 government has shown a commitment to public transit across
8 this country that I would suggest it's very possible that
9 another funding, trust funding will be -- come into effect
10 after this one has concluded. And we are members of a
11 national association that supports urban transit in
12 Canada. And certainly one of their mandates is to ensure
13 that happens.

14 Q.41 - Thank you. With respect to tab 6 under exhibit 3,
15 there is an outline of the capital and cost analysis. And
16 I just wondering if you can --

17 A. How accurate that is?

18 Q.42 - Well -- or if that funding now has been totally
19 expended? If items have been --

20 A. Totally committed, but certainly not totally expended.
21 The buses, for example, we have one that's paid for. But
22 we don't pay for them until we get them and there is still
23 three more to arrive. Fare boxes certainly has been.
24 Parking lot locations, there hasn't been a great deal
25 spent by us yet. But -- well, I was a little quick with

1
2 that. We bought the shelters and that expenditure is in
3 the area of about 130 to \$140,000. But the parking lot
4 locations -- in most cases, the municipalities are
5 conducting the construction under their current contracts
6 that they have in place and will bill us after the fact.

7 But certainly arrangements have been made as to what level
8 will be -- they will be billed at. I notice that we have
9 the special crosswalks. We still have not had the
10 province commit to those yet. In fact they have denied
11 them. And I think most of the communities are making an
12 application again to have them reconsider it, what they
13 are doing it on a political basis.

14 Q.43 - What is a special crosswalk? What does that --

15 A. It's the one that you have the light up overhead.

16 There is a certain design that the province requires for a
17 crosswalk on provincially designated highways, as the road
18 in Rothesay and Quispamsis is. It's an overpass that has
19 an X with a red. I think perhaps you may have noticed
20 them.

21 Q.44 - Okay.

22 A. So that's -- it's about a -- I think it's \$30,000 is
23 what it cost approximately. So we are looking at two of
24 them. One that we would totally fund and the other one
25 was going to be half funded by the community.

1
2 Q.45 - So those funds are at least -- they have been set aside
3 and the money is certainly allocated --

4 A. Yes.

5 Q.46 - -- for those funds?

6 A. Yes.

7 Q.47 - So subject to those issues that are outstanding, is the
8 service ready to commence at the beginning of September?

9 A. Yes. September 4th, it would be ready to commence.

10 Obviously, you know, there is -- there will be some issues
11 in terms of not all the shelters will be erected, because
12 there is still some, but we are ready to go on the 4th.

13 Q.48 - Now in your materials, I think you had indicated in the
14 ridership assumptions that 12 to 18 months there would be
15 a 6 to 9 percent usage rate of the 15,000 vehicles that
16 are travelling in?

17 A. No, I think what I said was that normally that is the
18 level of response that these services get.

19 Q.49 - And I guess that was my next question. In terms of
20 what do you expect to be sort of the monthly ridership in
21 the next 12 to 18 months for this area?

22 A. I expect our problem will be that we don't have enough
23 seats. That the demand will be higher than --
24 particularly from some of the further out areas. The
25 further away you get, the more attractive the service is.

1
2 As you get closer, the people got to get in a car and
3 drive to a parking lot, the tendency is well, I might as
4 well keep going. But certainly from Hampton and Grand
5 Bay, we expect that we are going to have problems in
6 meeting demand.

7 Q.50 - And again is that a ride -- that determination has come
8 from the surveys that were conducted?

9 A. More from the calls we have been getting. We have had
10 just an unbelievable amount of calls from those areas.
11 Particularly, over the past month, we were getting 50 to
12 60 calls a day, people making inquiries as to when it is
13 going to start.

14 Q.51 - Actually by way of interest, I see in the amended
15 schedules, I think the Hampton one in particular, or maybe
16 the Grand Bay one, it doesn't indicate where the shelters
17 are?

18 A. It will be at the River Valley arena. The issue in
19 Grand Bay has been that there is a parking lot now facing
20 the arena on the right-hand side that we had originally
21 had looked at being an overflow lot. And building a lot
22 on the left-hand side at the location where there used to
23 be a service station, Grand Bay undertook to purchase
24 that lot, but they found out there were some environmental
25 concerns, so they changed it to a long term lease. That

2 lease has now been signed, but there hasn't been any work
3 done yet to develop the parking lot. We are hoping to be
4 able to go forward fairly soon to do that parking lot. In
5 the interim, we will be using the overflow parking on the
6 right-hand side.

7 As to the location of the shelter, that was going to
8 depend a great deal on whether the parking lot went ahead
9 on the left-hand side. So we are waiting now for
10 direction from Grand Bay as to exactly where they want to
11 put the parking lot. I am sorry, put the shelter in
12 relation to the parking lot.

13 Q.52 - When I look at the schedule, it struck me are there no
14 stops on the return trip back to the Valley or to the
15 Westfield-Grand Bay area?

16 A. You mean stops in town?

17 Q.53 - Right? Or I guess -- yes, that's right. On the way
18 back out to the Valley, is that a consideration --

19 A. What we have advised our drivers is that when they --
20 the bus will come across the bridge and will swing up just
21 below here at the Red Rose Tea building. And we have
22 advised them that the three -- the four stops until they
23 get to King Square that if people want off, use those
24 stops. And going out to the highway, I believe there is
25 three stops. And if people want to get on the bus, pick

2 them up at those stops.

3 Now as far as the communities themselves though, there
4 will be no other stops, other than the one that is
5 designated.

6 Q.54 - Now, I believe in the -- you spoke to advertising and I

7 am wondering where in your budget I guess there has been
8 allocation for advertising?

9 A. The advertising budget has been set at \$25,000. We
10 have an arrangement in place with Revolution Strategy.
11 They are developing a campaign for us. That number is in
12 the parking lot locations. The \$25,000 is in that
13 location. We are still not certain whether that will be
14 eligible under the -- for the grant procedure. We have
15 questions in on it now. We expect a response. If that's
16 not, then will Saint John Transit will absorb it in their
17 advertising budget.

18 In addition, the Parking Commission has agreed to pick
19 up some of the costs of that if it can't be in the budget.

20 Q.55 - And one of the issues I think that arises from the
21 material is in fact that Saint John Transit is perhaps
22 contributing to this service financially. And as a result
23 of that, the City of Saint John is contributing
24 financially perhaps out of proportion to the other
25 outlying communities. And has there been a discussion

2 with the communities about their contributing at this time
3 to the service on a financial basis?

4 A. There has been discussion, but they will not be
5 contributing nor will consider it before December of 2008.
6 That is there position and we recognize that position.

7 Q.56 - So from the City of Saint John's perspective then, if
8 there is a deficit that arises from the operation of this
9 service, how will that deficit be dealt with?

10 A. This service -- you know, the cost of the service will
11 be within the Saint John Transit total budget. So
12 obviously it will be covered on that basis. I guess the
13 presentation that we have made to the Saint John City
14 Council, the basis of their supporting this service is
15 that in order to be the economic centre of this area, you
16 have to provide access to the uptown area. You can do
17 that building parking garages, widening streets, improving
18 highways, or you can do it -- encouraging people to use
19 transit.

20 The much more cost effective way is to encourage
21 people to use transit. And for the most part -- not 100
22 percent, but for the most part, the councillors do see
23 that connection and do understand that getting people to
24 travel in transit, even if they are subsidized is a much
25 cheaper option, than providing parking spaces or the

ability for people to drive cars in the uptown area.

Q.57 - But is it correct then that if there is a deficit --
and I appreciate that it is a consideration of the Saint
John Transit budget, but at the end of the day, that would
be something the City of Saint John would have to be
concerned with?

A. Yes. By our Act, the City of Saint John has no
choice, but to fund our deficits.

Q.58 - And I think just perhaps my last area of questioning is
with respect to the length of the service. I know in the
material you suggest that it is to continue until December
31st 2008. If in the event, there was going to be maybe a
discontinuance or an abandonment of that service, how much
notice would you anticipate giving people with respect to
that change?

A. I would suggest that it would be significant. You
know, I wouldn't suggest that -- obviously we would have
to make an application to the Board. I would believe that
the commitment is until December 2008, I would suggest to
you that if we felt things weren't working out in the --
perhaps in the -- I am speculating here, none of this has
been planned, because we plan for the service to succeed,
but probably in September of 2008, we would be aware that
there were concerns and we would be discussing with the

2 different Councils as to what our concerns were. And I
3 suspect their reaction would be based on the ridership.
4 If they found no one is using it in their area, they will
5 have very little, you know, desire to subsidize it. But
6 if there is a significant use, they will probably look at
7 that before they would make their decision. But there
8 would be a process that we would have to go through, even
9 before we would file with the Board, because I am sure the
10 first question the Board would ask is, you know, did you
11 ask the communities if they are prepared to subsidize the
12 service? So I am only speculating, because as I say, we
13 have not given a lot of consideration to cancelling the
14 service. I -- you know, I have encouraged the start of
15 the service with the feeling that this is the service that
16 will go ahead and stay in place.

17 MS. DESMOND: Thank you, Mr. McCarey. Those are all of my
18 questions.

19 CHAIRMAN: I just have a couple of questions myself.

20 BY THE CHAIRMAN:

21 Q.59 - The first one is with respect to tracking ridership.

22 What mechanisms or systems does Saint John Transit use now
23 or do you propose to use on the new service with respect
24 to measuring ridership?

25 A. What we do now is we transcribe revenues into riders.

2 And we try to break revenues out on the basis of routes.
3 Now it's not particularly easy for us to do, but I will
4 give you some examples of how we do it. And by the way,
5 there are very sophisticated expensive methods of
6 capturing ridership very accurately. We have just never
7 been prepared to make the capital costs that would be
8 required to put these in place.

9 But, for example, we will do sample counts on a daily
10 basis for three days in a row. Usually a Tuesday,
11 Wednesday and Thursday of where monthly passes were used
12 on a service. Just a driver head count. That's all they
13 will count is on this trip I had 10 monthly passes used
14 and this trip I had 15, et cetera. We will average those
15 out. We do those approximately every six months. We
16 would make assumptions based on those counts, but the
17 breakdown over those three days is how the monthly passes
18 are broke down on average on a go forward basis. And
19 that's how we determine how many monthly passers use the,
20 for example, hospital, university route over an annual
21 basis.

22 We do the same thing on a separate count for the
23 punch cards. The cash fares are very simple, because the
24 cash fares, you know, there is a fare box on that route
25 per day and we count them by box every day. So we know

2 exactly what the cash revenue is. But as we go forward,
3 we found that when I first started Saint John Transit, for
4 example, 95 percent of our revenue was cash fares. Now
5 it's about 35 percent. So it's the -- the cash is, you
6 know, continually becoming less of a factor. The thing is
7 with cash fares is we make assumptions as to what the
8 average fare is given that there are discount fares,
9 concession fares. And again we determine ridership on
10 that basis.

11 This particular service I would suggest that we will
12 do sample counts, because we are not dealing with that
13 many people on a daily basis, 375. So we will do daily
14 counts every once in awhile just to see what -- where the
15 ridership is, as opposed to trying to average out the
16 revenues. Certainly if the communities want to know what
17 the counts are, we will probably for a week ask the
18 drivers to do a head count. They do have manual counters
19 on the buses that they can click as passengers get on.

20 One of the areas that we will have the most difficulty
21 with is Quispam'-Rothesay, because it's the same bus doing
22 both locations. Obviously, those communities will want to
23 know how many people get on in Rothesay and how many got
24 on in Quispamsis. So we will have to make sure the driver
25 understands where the cutoff point is.

1
2 Q.60 - The other question that I have relates to the point
3 that Mr. McNair raised in his questioning with you with
4 respect to monthly pass holders transferring for free. Do
5 I understand correctly that if a person buys the \$89
6 monthly pass, that that is good on the entire Saint John
7 Transit system?

8 A. Yes.

9 Q.61 - So in other words, you don't necessarily have to be
10 transferring onto one of the Comex routes, in order to use
11 that pass?

12 A. No. That's correct, yes.

13 Q.62 - And similarly if a person pays a cash fare, for
14 instance, if you have a hospital worker coming in from
15 Grand Bay who pays a cash fare, they would pay a cash fare
16 into --

17 A. King Square.

18 Q.63 - -- King Square, then pay transfer to the hospital bus
19 and pay another cash fare at that time?

20 A. That's correct.

21 Q.64 - And that would be the same thing with people who are
22 using punch cards?

23 A. Yes. Although we would take another punch on their
24 card if they -- a second punch.

25 Q.65 - Oh ,I see.

2 A. I guess really the way that will be controlled is that
3 in most of our services within the city, you can ask for a
4 transfer to get on another bus, as long as you are
5 continuing in the same direction. The Comex Service will
6 not have transfers. They will not pass out transfers so -

7 -

8 Q.66 - And could you just go through a little bit about the
9 decision-making process that led to that?

10 A. Well this is a Premier Service. It's a much longer
11 distance service than normally we have in place within the
12 city. It's an Express Service. With regards to Express
13 Services throughout the country where they are offered,
14 they are generally offered at a premium price. There was
15 also the consideration that this is a service that should
16 pay for itself, at least these morning trips and evening
17 trips. So the fares were developed on a break even basis.
18 So the fares ended up where they ended up basically on the
19 break even basis. But then there was discussion that
20 anybody who is committed by buying a monthly pass that on
21 a go forward basis, they were going to use the bus every
22 day, they should have a reward for doing so. And the
23 reward was if they want to extend on the service, they
24 would not have to pay an extra fare.

25 Q.67 - So essentially on these buses people will -- the

2 drivers will not be giving out transfers at all?

3 A. That's correct. Nor accepting transfers.

4 Q.68 - Nor accepting transfers.

5 CHAIRMAN: Thank you. Those are my questions. Other
6 members of the Panel? Mr. Barnett?

7 MR. BARNETT: Yes.

8 BY MR. BARNETT:

9 Q.69 - I gather the December '08, that's the end of your
10 fiscal year. So you would have one full fiscal year from
11 January -- in '08?

12 A. That's correct.

13 Q.70 - So you have got five months in this -- in your current
14 fiscal year. Was that considered when you put together
15 your budget for this current fiscal year?

16 A. Yes, it was.

17 Q.71 - Another question I have relates to the federal funds,
18 the external funding that is coming to you. Is that
19 received on as disbursed basis or you get the budget
20 approved or you pay and claim back or they give you a lump
21 sum up front and --

22 A. As far as federal funding goes for this kind of thing,
23 it is very unique. We received a cheque for the \$4.8
24 million about six months ago. And I think this is -- it's
25 very unique. So the money was put in the bank. We have

2 to account for any interest it has earned. Any interest
3 that is earned has to go towards the projects, et cetera.
4 So the money is there.

5 Q.72 - Yes. And you said there was one outstanding issue. I
6 think it was promotion that you are not quite sure that

7 are qualified or not, but you received the full amount of
8 money, so what would be -- what would happen to that if in
9 fact it is not approved? Who are seeking approval from on
10 that if it qualifies?

11 A. Again this is a -- because of the funding mechanism
12 within our constitution, these monies even though they are
13 entirely federal monies, have to come through the
14 Province. So we tend to go to the Province with our
15 request and the Province tend to check with the federal
16 government. And they get confirmation all that way
17 through.

18 Q.73 - And the provincial authorities, is that the Minister of
19 Transportation or some other --

20 A. We are dealing with the Department of Transport.

21 Q.74 - Transport.

22 A. The advertising program will go ahead regardless of
23 whether it is funded by this or not. You know, it has to
24 be done and it will be done.

25 CHAIRMAN: Mr. McLean, do you have any questions?

2 BY MR. MCLEAN:

3 Q.75 - I am just wondering, you show a capital expense here of
4 2.2 million?

5 A. Yes.

6 Q.76 - And what -- the other 2.6 is available for expansion?

7 A. Probably towards our new vehicle -- or sorry --

8 Q.77 - So as well the second will go to the new --

9 A. Well actually, no, that's probably not fair. We have
10 ordered 11 new buses. Nine of them are going to be paid
11 for with this federal funds. Only four of them are
12 required for this particular service.

13 Q.78 - So it is city buses that will be separate from this
14 project?

15 A. That's correct, yes. For renewal, not so much for
16 expansion.

17 Q.79 - Yes.

18 A. But on a go forward basis, we are looking also at
19 trying to introduce a U-pass. And the U-pass is not
20 something we ever thought would be successful because of
21 the lack of service in the surrounding communities. But
22 as we go forward, we think that that may be more
23 attractive for the university students, because generally
24 U-passes are done on a referendum on the campus. 51
25 percent means that it gets introduced and all students pay

2 whether they use the bus or not at a much reduced rate.
3 Typically it's a hundred dollars a semester. And
4 obviously if we go forward, I don't know whether the Board
5 would be involved in this, we would certainly communicate
6 it, if we go forward on that basis, then we would make --
7 people in the Valley, would be -- obviously if students
8 were in the Valley, they could travel on the U-pass. And
9 I don't know whether you would consider that a fare. This
10 is a structure that is very common in the transit
11 industry. That's a question we will have to ask.

12 CHAIRMAN: You can direct that first to Board Staff. They
13 will ponder it before it comes to us.

14 Q.80 - On that venue, if ridership really got heavy from say
15 the Valley or Hampton, I assume that you can go to other -
16 - like a full bus load, would you have time to go to the
17 university or from other than King Square --

18 A. You must remember that --

19 Q.81 - - is that how it run?

20 A. -- you must remember that initially the objective here
21 is to take cars out of the uptown area.

22 Q.82 - Yes.

23 A. So while there is a lot of people asking for some of
24 those trips to go to the hospital, university, we said
25 well, no, it's going to come to the uptown area because

2 that's what our objective is.

3 Q.83 - Yes.

4 A. Obviously, we can't tell people that -- and you are
5 not allowed to leave the uptown area, so they are able to
6 transfer. And we feel that an awful lot of people,

7 because that's a huge destination. You have got 5,000
8 employees at the hospital. You have got 3,000 students.
9 Many people are going to want to use that service, this
10 service to get to that location.

11 Really -- really I believe that this service probably
12 deserves what we call articulated buses. These are buses,
13 the 60 foot ones that bend in the middle and have a much
14 higher seating capacity. However, those units are
15 considerably more expensive and we also have a facility
16 that can't handle those kinds of units, but that will be
17 corrected in our new facility. On a go forward basis, if
18 this service enjoys the success I believe it will over the
19 long term basis, that's probably where I will be trying to
20 encourage the Commission to go towards the use of those
21 kinds of buses, so we can get much better volumes on the
22 trips.

23 Unfortunately what happens, you offer six trips, but
24 everybody going to want to go -- not everybody, but many
25 are going to want to go on a particular trip or one or two

1
2 of the trips. So you end up with standees on one trip and
3 the next trip is only half full. But that's the nature of
4 our business.

5 CHAIRMAN: Mr. Toner, do you have any questions?

6 MR. TONER: Yes.

7 BY MR. TONER:

8 Q.84 - Can your existing inner city buses handle the increased
9 load like to the university and to the hospital?

10 A. No. But one of the reasons on the five new buses that
11 we are bringing in, we are not going to retire five. We
12 are only got to retire two. Keep three in reserves. So
13 that we go forward with the university service, if that
14 becomes successful, the U-pass, we will be able to look at
15 instead of -- I believe it's 20 minute headways looking at
16 to reducing it to 10 minute headways at least during the
17 peak. So that there is a trip every 10 minutes on the
18 hospital, university. And that should help us with the
19 volumes.

20 Q.85 - And as far as the 75 percent ridership, that's a break
21 even point, what do you think you are actually going to
22 get for ridership?

23 A. I am sorry, I don't --

24 Q.86 - Well your 75 percent, you are basically saying it's
25 your break even point, 75 percent, right --

1
2 A. Right.

3 Q.87 - -- for the whole operation? And do you believe that
4 you are going to achieve the same ridership on all the
5 rides?

6 A. Yes, during peak -- not on all, but during peak

7 periods, we think the average will be 75 percent capacity.

8 Q.88 - On those trips, but on a daily average do you think it
9 will still be 75?

10 A. What I think is you will see, you know, one trip will
11 be 125 percent of capacity and the next one might be 100
12 percent and the next one might be 92 and the next one
13 might -- the last one might be 50, but I think it will
14 average out at 75 percent capacity, because that's the
15 kind of results we see in Saint John during peak hours.

16 MR. TONER: Okay. That's it.

17 CHAIRMAN: Any other questions from the Panel? Mr. Barnett?

18 BY MR. BARNETT:

19 Q.89 - I guess we are talking about new buses. Just for an
20 interesting point, how are these buses function in terms
21 of efficiency compared to say the older transit stock you
22 have right now?

23 A. Efficiency-wise they are probably not much better.

24 But really the direction of the vehicles has been

25 emissions. And, of course, the price of emissions is

2 lower fuel performance.

3 Q.90 - Right.

4 A. These buses, for example, they is no smoke. They have
5 a combustion chamber that they trap all particles in and
6 burn them off offsite. We burn them off every two or
7 three days. So there will be no smoke in these buses. On
8 a go forward basis, probably where most of the industry is
9 going, buses and trucks, is diesel electric. The hybrid
10 seems to be the most efficient mode that's around. And
11 that's about a 30 percent saving, the hybrids. At least
12 some of the motors. 30 percent savings in fuel
13 consumption. So it's about a \$200,000 cost increase right
14 now to buy a hybrid. The expectation is that will
15 probably even out about a hundred thousand dollars. And
16 at a hundred thousand dollars, the payback is there. Not
17 for truckers necessarily, because they will turn their
18 vehicles over in four or five years, but for buses,
19 because we keep them going for 20 years, the payback will
20 be there.

21 So I feel that at that point in time, we will see some
22 efficiency improvements. But as it stands right now,
23 every time that emissions are cut, fuel consumption goes
24 up. That's been the nature of the business for the diesel
25 motor.

1
2 MR. BARNETT: Thank you.

3 CHAIRMAN: Any other questions?

4 MR. MCNAIR: Mr. Chair, just with respect to the buses.

5 These are wheelchair accessible, they are low riders,
6 aren't they?

7 WITNESS: These buses are low floor, low entry buses. And
8 we will have two wheelchair positions on them.

9 CHAIRMAN: Any further questions from Board Staff? Ms.
10 Desmond? Thanks very much. Just a couple of things to
11 tidy up.

12 So to be very clear, we will reserve our decision.
13 We will hope to render it as soon as possible, but we will
14 not render it until we have the proof of service upon the
15 Mayors' offices of the entire application, including the
16 exhibits that were marked today, and some acknowledgement
17 from the appropriate official that they don't object. And
18 we will attempt to render our decision very quickly.

19 And I thank you, Mr. McNair, Mr. McCarey. Thank you
20 very much for coming in today. I think that done a very
21 good job at addressing all of the issues that the Board
22 was interested in. And I thank you for coming forward.

23 And I made a remark, Mr. McCarey, when you asked about
24 the U-passes, about directing those inquiries to the Board
25 Staff and I did it with a smile on my face, but it's a

1
2 serious thing too. If you have questions going forward
3 about the regulatory relationship, Board Staff here will
4 be very happy to speak to you at any time, or your staff,
5 or your solicitor, or anybody about questions that you
6 might have.

7 So we look forward to receiving those documents, Mr.
8 McNair. And we will render our decision as soon as
9 possible.

10 MR. MCNAIR: Thank you.

11 CHAIRMAN: Thank you very much everyone.

12 MR. MCNAIR: Thank you.

13 (Adjourned)

14 Certified to be a true transcript
15 of the proceedings of this hearing,
16 as recorded by me to the best of
17 my ability.

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Reporter

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