

CANADIAN TRANSPORTATION AGENCY

Inquiry into Air Transat Tarmac Delays

August 30, 2017

Held at:

**160 Elgin Street, 11th Floor, Room 11A-50
Ottawa, Ontario**

Panel Members:

Mr. Scott Streiner	- Chair
Mr. Sam Barone	- Member
Mr. Paul Fitzgerald	- Member

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1 --- Upon commencing on Wednesday, August 30, 2017 at
2 9:56 a.m./La réunion débute mercredi, le 30 août 2017
3 à 9h56

4 **MS. BARRETT:** Good morning, the hearing
5 will begin shortly. Bonjour, l'audience va commencer
6 bientôt. Just a couple of minutes of administrative
7 matters before we begin. Juste quelques questions
8 administratives avant que nous commençons.

9 Interpretation services will be
10 available throughout the duration of the hearing. We
11 would like to remind participants that during their
12 oral presentations they should provide for a
13 reasonable delay for the interpretation while
14 respecting their allotted presentation time. Channel
15 1 will be English, and Channel 2 will be in French.

16 Le service d'interprétation simultanée
17 est disponible durant la... durant cette audience.
18 Nous désirons rappeler aux participants d'allouer un
19 délai raisonnable pour la traduction lors de leurs
20 présentations à vive voix, tout en respectant le temps
21 alloué pour leurs présentations. Channel 1 c'est
22 anglais, et channel 2 c'est français.

23 In case of fire or other emergency
24 requiring the evacuation of the building, please note
25 that the nearest stairwell is marked as "Stairwell D".

1 Please be advised that Alexei, my co-registrar, will
2 be assuming the role of emergency officer during the
3 hearing. Please listen to any instructions that he
4 will provide in the events of an emergency situation.
5 The meeting point upon exiting the building is in
6 front of City Hall at Festival Plaza on Laurier
7 Avenue. A copy of the evacuation procedures are
8 available in both official languages at the
9 Registration outside for anyone who wishes to have a
10 copy.

11 En cas d'incendie ou autre urgence
12 nécessitant l'évacuation du bâtiment, veuillez noter
13 que la cage d'escalier la plus proche est identifiée
14 « Escalier D ». Veuillez noter que Alexei assumera le
15 rôle d'agent d'urgence pour l'audience. Veuillez
16 écouter les instructions qu'il fournira en cas de
17 situation d'urgence. Le point de rencontre lors de la
18 sortie du bâtiment est en face de l'Hôtel de ville à
19 la « Festival Plaza » à l'avenue Laurier. Une copie
20 des procédures d'évacuation dans les deux langues
21 officielles est disponible à la table d'inscription à
22 l'extérieur pour toutes personnes souhaitant avoir une
23 copie.

24 If everyone could please turn off their
25 cell phones during the proceedings. Veuillez éteindre

1 vos téléphones cellulaires pendant l'audience.

2 And finally, please note that there's no
3 food or drink permitted in the hearing room. Veuillez
4 ne pas manger ou boire dans la salle d'audience.

5 Merci. Thank you.

6 Order, please. All rise. Please be
7 seated.

8 **--- OPENING REMARKS/DISOURS D'OUVERTURE:**

9 **M. STREINER:** Mesdames et messieurs, bon
10 matin et bienvenue. Mon nom est Scott Streiner. Je
11 suis le président et premier dirigeant de l'Office des
12 transports du Canada. Sam Barone à ma gauche, et Paul
13 Fitzgerald à ma droite, sont des membres de l'Office
14 nommés avec moi pour constituer le panel de membres
15 qui traitera des questions qui nous occupent
16 aujourd'hui. Nous sommes ici pour entendre des
17 témoignages concernant les retards sur l'aire de
18 trafic de deux vols d'Air Transat le 31 juillet,
19 soient le vol 507 en provenance de Rome, et le vol 157
20 en provenance de Bruxelles.

21 It was widely reported at the time by
22 numerous media outlets that these flights had spent
23 between four and six hours on the tarmac of the Ottawa
24 Macdonald-Cartier International Airport, and that
25 during that time passengers were unable to disembark

1 the aircraft; air conditioning on the aircraft was
2 unavailable; external temperatures ranged up to 26-28
3 degree Celsius; and drinking water and food supplies
4 were depleted.

5 Air travel is an integral part of modern
6 life. Usually it goes smoothly, but if it doesn't
7 passengers have rights. The CTA is committed to
8 making sure that these rights are respected. Under
9 the law, as it currently stands, this means ensuring
10 that air carriers apply their tariffs, the written
11 documents that lay out their terms and conditions of
12 carriage. In some cases, the role of the CTA is also
13 to examine whether those terms and conditions are
14 reasonable.

15 Air Transat's applicable tariff says
16 that during a tarmac delay, crew are to offer drinks
17 and snacks when it is safe to do so. And that in a
18 situation where a tarmac delay exceeds 90 minutes,
19 passengers should be allowed to disembark at the
20 aircraft commander's discretion until it is time to
21 depart.

22 Based on extensive media reports on July
23 the 31st and August the 1st and complaints received by
24 the CTA from passengers, it seemed possible that Air
25 Transat had not properly applied its tariff. On

1 August 2nd, the CTA ordered the airline to demonstrate
2 that it had done so. Air Transat's response was
3 received by the Agency on August the 4th. After
4 reviewing that response, the Agency decided to convene
5 this hearing to better understand Air Transat's
6 actions and what the airline said was a -- quote:

7 "Confluence of factors beyond
8 its control that caused the
9 events in question."

10 We also decided to include in the scope
11 of this inquiry the question of whether the applicable
12 tariff provisions are reasonable.

13 Afin de préparer le terrain pour cette
14 audience, l'Office a nommé l'un de ses agents
15 verbalisateurs Jean-Michel Gagnon au titre
16 d'enquêteur. Entre le 9 et le 25 août, l'enquêteur a
17 effectué des entrevues et pris des déclarations
18 écrites auprès des personnes et d'organisations qui
19 ont été directement visées ou touchées par les
20 incidents. Il a obtenu des documents et de
21 l'information pertinente à l'enquête et présenté un
22 rapport qui résume les preuves rassemblées.

23 J'aimerais souligner le
24 professionnalisme et le dévouement de l'enquêteur et
25 du personnel de l'Office qui a travaillé avec lui au

1 cours des dernières semaines. Et je remercie aussi
2 toutes les parties de votre temps, de vos efforts et
3 de votre coopération avec l'enquêteur.

4 L'instance d'aujourd'hui et de demain
5 permettra à l'Office d'entendre des preuves des
6 témoins qui serviront de complément d'information et
7 viendront clarifier les preuves déjà remises à
8 l'enquêteur.

9 Au cours de cette audience nous ne nous
10 pencherons pas sur des questions plus générales
11 concernant les règles portant sur les retards sur
12 l'aire de trafic. Ces questions plus générales seront
13 plutôt abordées dans des consultations publiques sur
14 la réglementation entourant les droits des voyageurs
15 aériens, consultations que l'Office entend commencer
16 après que la *Loi sur la modernisation des transports*
17 actuellement devant le Parlement, recevoir la sanction
18 royale le cas échéant.

19 Now to a number of administrative
20 matters. The Panel issued a procedural direction on
21 Monday morning setting out for all participants the
22 procedures to be followed in this hearing. That
23 procedural direction provides a road map for the next
24 two days, including timelines. My colleagues and I
25 expect counsel and witnesses to adhere carefully to

1 those timelines.

2 The Panel may pose questions in the
3 course of presentations by witnesses, but it will
4 generally refrain from doing so to allow witnesses to
5 make a full presentation of their evidence. Witnesses
6 can expect questions from my colleagues and myself
7 immediately following their presentation.

8 Air Transat, the subject of this
9 inquiry, has been granted the right to question
10 witnesses after their presentations and after
11 questions from the Panel. Any other counsel or
12 participant who wishes to ask questions of a witness
13 must request permission to do so from this Panel
14 following questioning by Air Transat. When doing so,
15 the counsel or participant must explain the nature of
16 the questions they want to ask and how long they
17 expect their questioning to take, and the Panel will
18 either allow or deny their request.

19 Finally, after questioning by the Panel,
20 Air Transat counsel and any other questions from other
21 counsel or participants, Agency counsel may pose a
22 final set of questions to witnesses to ensure that the
23 record is as complete as possible by the end of this
24 hearing.

25 The Agency's procedural direction also

1 outlines how to make claims for confidentiality and
2 requests for in-camera or closed-door sessions. The
3 parties are encouraged to keep as much information and
4 discussion as possible in the public domain, and to
5 keep any claims for confidentiality or requests for
6 in-camera sessions to a minimum.

7 Now we had a slightly later start this
8 morning in order to allow us to set up for the day,
9 but proceedings will begin promptly at 9 a.m.
10 tomorrow. We will sit each day until 5 p.m. We will
11 break for lunch for one to one and a half hours each
12 day, and there will be 15-minute breaks at mid-morning
13 and mid-afternoon. The Panel may also choose to call
14 additional breaks if it wishes to confer in private.
15 Witnesses will normally be released after a break in
16 case the Panel decides during a break that it has
17 additional questions for them. To allow for an
18 efficient hearing process, we encourage parties to
19 keep their presentations and their questioning as
20 focused as possible. We will receive final written
21 submissions after this oral hearing.

22 As this is a public hearing,
23 representatives of the media are of course welcome to
24 attend. We would however ask for your cooperation on
25 a few matters. Cameras have been allowed into the

1 hearing room for the purposes of webcasting these
2 proceedings and for broadcasting by CPAC. In
3 addition, the media have been permitted to film these
4 opening remarks. As soon as I finish, I would ask
5 that the media move to the back of the room behind the
6 parties' tables and turn off their cameras. No video
7 or audio recordings are permitted except for the
8 webcasting and the CPAC filming.

9 We have with us today all public
10 documents that have been filed by the parties, and the
11 media or any other parties are free to examine these
12 documents which can be found at the back of the
13 meeting room.

14 Nous ne voulons pas que cette audience
15 soit inutilement formelle, mais le panel de membres
16 s'attend à ce que les parties et les observateurs se
17 conduisent d'une manière qui cadre avec une instance
18 quasi judiciaire. Seuls les trois membres du panel,
19 la greffière, les témoins et les avocats ont le droit
20 de parler au cours de l'audience. Les téléphones
21 cellulaires doivent être mis en mode silencieux, et
22 toutes sorties de la salle ou entrées doivent se faire
23 discrètement et être gardées au minimum.

24 That concludes my opening remarks.
25 Before we proceed to hear from the first panel of

1 witnesses, I would like to open the floor and ask
2 whether there are any preliminary questions of
3 procedure that counsel or participants wish to raise.

4 Counsel for Air Transat.

5 **Mme RENAUD:** Bonjour, Madeleine Renaud
6 pour Air Transat.

7 **M. STREINER:** Le micro. Merci.

8 **Mme RENAUD:** Alors je recommence.
9 Bonjour Monsieur le président, Madeleine Renaud, Air
10 Transat. On aura besoin au cours des interrogatoires
11 de référer à des documents qui ont été déposés,
12 notamment la présentation PowerPoint qui a été
13 préparée par l'Autorité de l'aéroport d'Ottawa. Est-
14 ce que...

15 **M. STREINER:** C'est difficile
16 d'entendre.

17 **MS. RENAUD:** Okay. We will need during
18 our ---

19 **M. STREINER:** En français.

20 **MS. RENAUD:** Okay. I'm sorry. Alors...
21 pardonnez-moi. On aura besoin d'avoir... de référer à
22 la présentation PowerPoint qui a été préparée par
23 l'Autorité de l'aéroport Ottawa et qui est dans les
24 documents déposés au cours de nos interrogatoires.
25 Est-ce que ça sera possible de les projeter quelque

1 part pour que l'ensemble de la salle puisse voir ou le
2 panel puisse voir ou il faudra référer aux documents
3 papiers? Et ça peut attendre à la pause pour la
4 réponse. Merci.

5 **M. STREINER:** Nous avons des facilités
6 AV ici, donc je pense que c'est possible, mais on peut
7 le discuter avec l'avocat de l'Office pendant la
8 pause.

9 **Mme RENAUD:** Merci, Monsieur le
10 président.

11 **M. STREINER:** Merci, madame.

12 D'autres interventions, d'autres
13 questions? Si non on va commencer avec le premier
14 panel de témoins, trois passagers du vol 507. Et je
15 passe la parole maintenant à notre greffière.

16 **MS. BARRETT:** Thank you, Mr. Chairman.

17 Will the witnesses for Flight TS507
18 please step forward? Good morning. Bonjour. Please
19 identify yourself in the language of your choice, dans
20 la langue de votre choix. Merci. Le microphone. The
21 microphone. Just press the button on the microphone.
22 There you go.

23 **MRS. ABRAHAM:** Patricia Abraham.

24 **MR. ABRAHAM:** Alan Abraham, we both
25 speak in English.

1 **MS. BARRETT:** Thank you. And we have on
2 Skype?

3 **Mme TREMBLAY:** Bonjour. Marie-Hélène
4 Tremblay, en français.

5 **Mme BARRETT:** Merci, madame. Thank you.
6 Mr. Chairman, those are the passengers
7 for Flight TS507.

8 **M. STREINER:** Merci. Donc on va
9 commencer avec une présentation par Madame Tremblay.
10 Et après sa présentation, on va inviter Madame et
11 Monsieur Abraham à compléter... excusez-moi? Ah!
12 Oui, excusez-moi. On va commencer avec le « swearing
13 in ». Donc la parole est à notre avocat.

14 **M. SHAAR:** Bonjour, madame Marie-Hélène
15 Tremblay.

16 **Mme TREMBLAY:** Bonjour.

17 **--- MARIE-HÉLÈNE TREMBLAY, Affirmed/Sous affirmation**
18 **solennelle:**

19 **--- ALAN ABRAHAM, Affirmed/Sous affirmation**
20 **solennelle:**

21 **--- PATRICIA ABRAHAM, Affirmed/Sous affirmation**
22 **solennelle:**

23 **MR. SHAAR:** Thank you. Merci.

24 **M. STREINER:** Merci. Donc on va
25 commencer avec une présentation par Madame Tremblay.

1 We will begin with a presentation by Madame Tremblay
2 who will describe the events on Flight 507. Après la
3 présentation de Madame Tremblay on va inviter Monsieur
4 et Madame Abraham à ajouter, à clarifier, à
5 supplémenter ces faits. After Ms. Tremblay has
6 presented we will invite you, Mr. and Mrs. Abraham, to
7 add, to supplement, to clarify and then we will turn
8 to questions.

9 Donc Madame Tremblay, je passe la parole
10 à vous.

11 **--- PRESENTATION BY/PRÉSENTATION PAR MS. MARIE-HÉLÈNE**

12 **TREMBLAY:**

13 **Mme TREMBLAY:** Oui, parfait. Alors...
14 ben dans le cadre de la procédure qui a été mise en
15 place par l'Office des transports du Canada, j'ai
16 préparé un document qui élabore au mieux de notre
17 connaissance ce qui s'est passé dans le cadre du vol
18 du 31 juillet dernier. Évidemment c'est au meilleur
19 de ce que... et je sais que ça c'est reproduit dans
20 les documents qui sont publiés. Est-ce que vous
21 souhaitez que je refasse un peu la chronologie des
22 évènements?

23 **M. STREINER:** Oui, s'il vous plait. Ça
24 va nous donner un peu de contexte au début de nos
25 discussions. Donc un résumé, s'il vous plait, des

1 évènements à bord du vol 507, surtout après
2 l'atterrissage à Ottawa.

3 **Mme TREMBLAY:** Oui, o.k.

4 **M. STREINER:** Merci.

5 **Mme TREMBLAY:** Donc le vol jusqu'à ce
6 qu'on se rende tout près de la ville de Montréal s'est
7 déroulé très normalement. Je crois qu'on était tout à
8 fait dans les temps qui étaient prévus jusqu'à temps
9 qu'on survole Montréal et qu'on nous informe... donc
10 le commandant nous a rapidement informé qui avait une
11 tempête orageuse à Montréal et que malheureusement
12 l'aéroport était fermé. Qu'on pouvait tourner autour
13 de la ville de Montréal pendant 10 à 15 minutes, mais
14 que si l'aéroport demeurait fermé à Montréal on serait
15 contraint de se diriger vers l'aéroport d'Ottawa
16 puisqu'il manquerait de carburant.

17 Donc après une période de 10 à 15
18 minutes à tourner autour de l'aéroport de Montréal, on
19 a été ré-informé par le commandant que l'aéroport
20 était malheureusement toujours fermé et qu'on devait
21 donc effectivement se diriger vers Ottawa, ce que nous
22 avons fait.

23 Encore une fois, au meilleur de notre
24 mémoire... puis peut-être vous mettre en contexte, on
25 voyageait mon conjoint et moi avec notre enfant qui

1 avait 13 mois. Donc évidemment pour les heures et
2 tout ça, ce sont vraiment des approximations puisque
3 quand on s'occupe d'un jeune bébé on regarde pas
4 toujours notre montre. Mais je dirais que vers les
5 alentours de 17h00 on a atterri donc à Ottawa.
6 L'atterrissage s'est bien passé. On s'est
7 tranquillement avancé sur les pistes et l'avion après
8 quelques minutes s'est complètement immobilisé.

9 À ce moment-là on a été informé par le
10 commandant à l'effet donc qu'on devait attendre un peu
11 pour le ravitaillement. Quelques minutes plus tard,
12 une fois je présume qu'il a reçu de l'information à
13 cet effet-là, on a été informé par l'interphone encore
14 une fois que nous étions... qui avait six avions qui
15 devaient être ravitaillés en carburant. On n'était
16 pas les seuls dans cette situation-là. On était donc
17 le septième avion en ligne. Selon le commandant, ça
18 devait se faire assez rapidement et on s'est
19 rapidement fait donner un estimé d'environ 45 minutes
20 de délai. Ça c'est ce que le commandant nous a dit.

21 Mon conjoint et moi on voyageait en
22 classe club là, qui est l'espèce d'équivalent de
23 première classe d'Air Transat. On était dans la
24 première rangée, donc on était très proche des gens
25 qui travaillaient, donc du personnel de cabine qui

1 était situé à l'avant.

2 Donc à ce moment-là les gens du
3 personnel de cabine discutaient... puis je crois aussi
4 que un passager qui était assis derrière nous
5 également en classe club semblait être un employé
6 d'Air Transat qui était en voyage personnel, parce que
7 y était debout avec eux et parlait régulièrement.
8 Puis y avait le droit aussi de se servir directement
9 là dans les sections réservées au personnel de cabine
10 de l'avion.

11 Et ces personnes-là ont rapidement
12 indiqué que c'était totalement impossible que le
13 ravitaillement ne prenne que 45 minutes. Que si y
14 avait six avions devant le nôtre, on parlait plutôt
15 d'un délai qui devrait avoisiner les deux heures de
16 temps. Mais ça le commandant nous l'a jamais dit.
17 Mais clairement, les gens qui travaillaient pour Air
18 Transat savaient que ça pouvait pas prendre 45 minutes
19 puis on le savait dès le départ.

20 Par la suite... je vous dirais qu'à peu
21 près deux heures plus tard on s'est fait informer
22 encore une fois mon conjoint et moi par les gens du
23 personnel de cabine - donc c'est pas quelque chose qui
24 a été donné comme information à l'ensemble de l'avion
25 par le commandant - à l'effet que malgré le temps qui

1 s'était écoulé il semblait avoir seulement deux avions
2 qui avaient été ravitaillés en carburant, qui en avait
3 encore quatre devant nous mais on pouvait pas savoir
4 pour quelle raison c'était aussi long.

5 Par la suite on a reçu évidemment à
6 différents moments là dans notre attente des
7 informations par le capitaine, entre autres à l'effet
8 que les camions de ravitaillement, même s'ils étaient
9 au nombre de deux, ils ne pouvaient pas se déplacer
10 comme c'était le cas habituellement - de ce que j'en
11 ai compris - dans les plus gros aéroports. Et que
12 c'était les avions eux-mêmes qui devaient se déplacer
13 pour se faire ravitailler et que ça expliquait du
14 moins en partie là le long délai.

15 Par la suite quand finalement ça été à
16 notre tour d'être ravitaillé en carburant, on a été
17 informé... ben on s'est déplacé, donc l'avion s'est
18 déplacé jusqu'à ce que je comprends être l'espace de
19 ravitaillement. Et on a été informé par la suite que
20 malheureusement ben on avait pas de camion pour nous
21 ravitailler à ce moment-là, puisque les camions
22 étaient vides en carburant et devaient aller reprendre
23 du carburant et revenir par la suite sur la piste pour
24 remplir notre avion. Et que la durée estimée qui
25 était donnée par je comprends l'aéroport d'Ottawa, ou

1 du moins les gens qui s'occupent du ravitaillement,
2 était d'une durée d'environ une demi-heure.

3 Je vous dirais que ça probablement pris
4 à mon humble avis peut-être plus aux alentours d'une
5 heure avant qu'on sache que les gens de ravitaillement
6 étaient de retour. On a été informé à ce moment-là
7 par le commandant que le ravitaillement commençait.
8 D'ailleurs on a été témoin de ça aussi parce que
9 finalement la porte de l'avion a été ouverte pendant
10 qui avait le ravitaillement.

11 Y avait d'ailleurs un escalier aussi qui
12 allait jusqu'au sol. Puis y a des gens qui étaient au
13 sol là qui sont montés dans notre avion, puis y a
14 certains membres du personnel de l'avion qui sont
15 sortis de l'avion et qui demeuraient disons dans les
16 escaliers de l'avion. Donc on a été témoin de ça.

17 À la fin du ravitaillement on a été
18 aussi informé par le capitaine, donc l'avion avait son
19 essence, qu'on était... ben l'essence, le carburant,
20 et qu'on était prêt donc à repartir à Montréal.
21 Quelques minutes suivant cela l'avion avait toujours
22 pas bougé de la piste et on a commencé à voir des
23 lumières à l'extérieur qui semblaient être des
24 lumières de véhicules d'urgence de style - moi je ne
25 les voyais pas personnellement là de l'extérieur de

1 l'avion, j'étais de l'autre côté - mais lumières de
2 style soit ambulances, camions de pompiers ou voitures
3 de police.

4 Et on a été informé à ce moment-là par
5 le commandant qui avait des véhicules d'urgence qui
6 avaient été appelés pour un autre vol, donc pour un
7 autre avion qui était à côté du nôtre. Et que
8 puisqu'y avait des véhicules d'urgence sur le tarmac,
9 on pouvait pas repartir et aller prendre la piste pour
10 décoller vers Montréal. Donc y a fallu attendre des
11 minutes supplémentaires. Et puis finalement l'avion a
12 finalement pu quitter l'espace de ravitaillement pour
13 se ré-envoler vers Montréal. Donc ça c'est peut-être
14 l'explication de base sur la chronologie des
15 évènements.

16 L'autre chose que j'ai mise moi dans mon
17 document puis... bon évidemment si vous en avez des
18 questions par la suite, ça me fera plaisir d'y
19 répondre. Ce qu'on a trouvé étrange - à mon avis
20 incorrect - mais... ensuite le droit c'est pas à moi
21 de le déterminer là, mais c'est un peu la réaction de
22 Transat. Et à faire attention là, je parle pas ici de
23 la réaction nécessairement des gens du personnel de
24 bord, je dois même avouer que la majorité des agents
25 de bord ont été très courtois, sauf un qui a été un

1 peu plus baveux là disons dans son approche, mais
2 sinon on a eu droit à un traitement extrêmement gentil
3 et soucieux de la part du personnel de bord je dis
4 bien.

5 Cependant, à partir du moment où on a
6 atterri à Ottawa, nous très rapidement on a demandé si
7 y était possible de quitter l'avion pour repartir par
8 nos propres moyens. On était dans une situation
9 particulière. Mon enfant, mon conjoint et moi-même on
10 a été très malchanceux dans la fin de notre voyage, on
11 s'est fait voler toutes nos valises la veille de notre
12 départ de Rome vers Montréal. Ce qui fait qu'on avait
13 très peu de bagages pour notre enfant, et donc très
14 peu de lait en poudre pour faire ses biberons et on
15 arrivait vers la fin de notre réserve de lait en
16 poudre. Et c'était évident pour nous que fallait
17 quitter l'avion le plus rapidement possible pour être
18 en mesure de nourrir correctement notre enfant, lui
19 donner aussi du lait. Puis ça faisait d'innombrables
20 heures qu'on était en vol et maintenant arrêté.

21 Donc on leur a demandé si y avait
22 quelque possibilité que ce soit, sachant que de toute
23 manière outre qu'une petite poussette on n'avait pas
24 de bagages en soute, donc pour nous ça créait aucun
25 problème. On s'est fait répondre de manière très

1 claire que c'était impossible, que l'avion n'avait pas
2 les dispositifs nécessaires pour nous permettre de
3 sortir par un escalier. Ce qui nous semble étrange
4 puisqu'à la fin du vol quand ça été le temps de faire
5 le ravitaillement en carburant, ben la porte s'est
6 ouverte et il y avait un escalier, donc là déjà là on
7 se posait une question. Et on a été informé aussi que
8 selon ce que Transat disait, il y avait aucune porte
9 de disponible à l'aéroport d'Ottawa, donc aucune... je
10 m'excuse de l'expression anglophone, mais « gate »
11 permettant de sortir.

12 Ils m'ont mentionné que la seule
13 possibilité qui pouvait avoir, c'est que si on était
14 dans une situation d'urgence ils pouvaient essayer de
15 trouver le moyen de faire venir du lait en poudre pour
16 notre bébé, qui viendrait jusqu'à l'avion puis que là
17 on pourrait faire rentrer le lait en poudre dans
18 l'avion. Donc nous on s'est pas rendu jusqu'à cette
19 possibilité là, on attendait de voir un peu ce qui se
20 passait.

21 La seule nourriture qui était disponible
22 puis qui avait du sens pour un enfant de 13 mois,
23 c'est un yogourt, un morceau de fromage. Puis une
24 dame extrêmement gentille dans... un personnel de
25 cabine qui nous a offert des fruits qu'elle avait

1 personnellement là, c'est pas de la nourriture de
2 Transat. Le reste de la nourriture qui nous a été
3 offert... moi je suis consciente de ce qui a été
4 offert en classe club. Je sais pas si les autres
5 passagers de l'avion ont eu accès à de la nourriture.
6 Je ne crois pas, mais je peux pas témoigner là-dessus.

7 Honnêtement, c'était extrêmement limité
8 là. Il restait une ou deux bouteilles d'à peu près
9 1.5 litre d'eau à température pièce. Puis sinon il
10 restait ce que je pourrais qualifier de la mal bouffe,
11 soit des barres de chocolat, des croustilles, des
12 pains avec du beurre. Il restait à peu près rien,
13 c'est ce qu'on pouvait se partager. Donc pas vraiment
14 de nourriture qu'on peut donner à un enfant, surtout
15 pas à un bébé qui commence à manger là à 13 mois,
16 c'est vraiment pas une nourriture géniale. Et c'est
17 ce qu'on s'est fait offrir pour toute la durée où on a
18 été au sol, qui est à peu près cinq heures en tout et
19 partout, donc selon moi ça fait pas vraiment de sens.

20 Puis l'autre partie qui a été
21 extrêmement décevante, ben c'est de se rendre compte
22 que malgré les gens qui semblaient être malades dans
23 l'avion... y a certaines personnes qui se sont senties
24 mal plus vers l'arrière de l'avion. Certaines
25 personnes ont été malades, et ça c'était très clair

1 parce qui en a qui venaient à la salle de bain à
2 l'avant aussi, donc y en ont informé le personnel de
3 bord là qu'ils avaient malheureusement été malades
4 dans l'avion. Ben malgré tout cela, les portes de
5 l'avion ont jamais été ouvertes. Et on disait
6 toujours que c'était impossible, mais quand le
7 ravitaillement est arrivé là, tout d'un coup c'était
8 possible d'ouvrir la porte de l'avion. Donc ça on a
9 trouvé ça vraiment inacceptable comme manière de
10 traiter la problématique.

11 Puis je l'ai rajouté également dans mon
12 document, mais je pense que c'est quand même important
13 aussi, quand l'avion finalement la porte a été ouverte
14 et tout ça, certains membres du personnel d'Air
15 Transat sont sortis à l'extérieur et ont pris des
16 égoportraits là, ce qu'on appelle des « selfie » en
17 anglais de l'avion là. Alors que tous les passagers
18 étaient découragés, eux autres trouvaient la situation
19 un peu cocasse, ce qui était pas le cas pour qui que
20 ce soit.

21 Puis finalement quand on a été de retour
22 à l'aéroport de Montréal, premièrement pour nous comme
23 notre enfant avait presque pas mangé depuis maintenant
24 plusieurs heures, on nous avait informé que un
25 personnel de Transat viendrait nous chercher jusqu'à

1 l'avion pour nous faire passer les douanes plus
2 rapidement, permettant de sortir puis d'aller nourrir
3 notre enfant, ce qui a pas du tout été le cas. Y
4 avait personne à la sortie de l'avion, donc on a
5 fait... on a attendu aux douanes, on a fait la file.
6 Et par la suite y a fallu attendre nos bagages très
7 longtemps. Je présume parce qu'il devait avoir moins
8 de personnel à l'aéroport puisqu'on était très tard.

9 La problématique derrière tout ça c'est
10 que y avait d'autres vols qui ont été retardés, puis à
11 l'endroit où il y a les carrousels où sortent les
12 bagages, bien la majorité des autres compagnies
13 aériennes avaient encore des employés qui étaient
14 présents. D'ailleurs je leur ai même parlé, parce
15 qu'on cherchait les employés d'Air Transat. On
16 cherchait un employé d'Air Transat parce que mon
17 conjoint et moi voulions quitter en laissant la
18 poussette que nous avions en soute à l'aéroport,
19 quitte à aller la rechercher le lendemain matin parce
20 que y était rendu très tard. Ça faisait longtemps
21 qu'on attendait pour la poussette, ça arrivait pas
22 puis on voulait donc... ben aller nourrir notre enfant
23 puis surtout la coucher.

24 Et on s'est fait informer par les
25 employés des autres compagnies aériennes puis par les

1 policiers là qui sont sur place, que l'employé d'Air
2 Transat qui était là ben a quitté à l'heure régulière
3 qui était - selon les informations qu'on a reçues -
4 22h00, alors qu'Air Transat était tout à fait au
5 courant qui avait des avions d'Air Transat qui étaient
6 à Ottawa qui devaient revenir plus tard, donc on
7 n'avait personne à qui parler. Puis on a été
8 contraint d'attendre finalement que la poussette
9 ressorte, parce que on pouvait pas la laisser là sans
10 avoir l'autorisation... de savoir que la poussette
11 serait toujours présente le lendemain ou du moins de
12 laisser une note à leur attention.

13 Donc j'ai trouvé vraiment très
14 inopportun de la part d'Air Transat de ne même pas
15 prévoir une seule personne qui resterait disons de
16 garde pour s'assurer que les vols qui ont été en
17 retard arrivent à bon port et que tout se déroule bien
18 et rondement là au niveau des bagages.

19 Donc je pense que ça fait le tour
20 vraiment de l'histoire. Puis ça fait pas partie de
21 l'histoire le reste par rapport au vol, mais je vous
22 dirais que ce qui m'a motivé à être aujourd'hui
23 présente... ben par Skype, mais surtout à écrire le
24 mémo que j'avais produit, ça été la manière dont Air
25 Transat a géré la situation dans les médias. Les

1 présentations qu'ils ont faites suivant cette
2 situation-là, suivant le vol et ce qui s'est passé,
3 qu'on a trouvé mon conjoint et moi extrêmement
4 décevante puis cavalière de leur part. Puis c'est ce
5 qui nous a donné envie donc de faire valoir ce que
6 nous autres on avait vécu par rapport à ça.

7 **M. STREINER:** Merci. Merci, Madame
8 Tremblay.

9 **Mme TREMBLAY:** De rien.

10 **MR. STREINER:** We will now turn to Mr.
11 and Mrs. Abraham. I would invite you to clarify and
12 supplement the presentation by Madame Tremblay. Where
13 she's already provided information on the flight,
14 there's no need for you to repeat it, but please round
15 out the picture for us before we turn to questioning.

16 Over to you, Madam ---

17 **MRS. ABRAHAM:** Okay.

18 **MR. STREINER:** You're going to start,
19 Mrs. Abraham?

20 **MRS. ABRAHAM:** Sure.

21 **--- PRESENTATION BY/PRÉSENTATION PAR MRS. PATRICIA**

22 **ABRAHAM:**

23 **MRS. ABRAHAM:** We were actually near the
24 back of the plane, so we didn't see things that she
25 saw. What we did witness at the back of the plane was

1 it became so unbearably hot in there and one boy was
2 very ill and he was walking down -- running down the
3 aisle to get to the bathroom and he ended up throwing
4 up all over passengers. And one flight attendant did
5 try to clean it up, but I mean the stench -- I mean
6 you're enclosed for that many hours it was pretty bad.

7 And also we never received any food --
8 well we received less than a half a glass of water
9 during the whole five hours we were on the plane.
10 They ran out of toilet paper, it was just -- the
11 conditions were deplorable. I did ask one flight
12 attendant, a male, and I asked him "Why can we not
13 disembark?" He said "Customs will not allow it." I
14 don't know if there's anything else I've missed.

15 **MR. STREINER:** Take your time.

16 **MRS. ABRAHAM:** I think I'm okay. Thank
17 you.

18 **MR. STREINER:** Thank you, Mrs. Abraham.
19 Mr. Abraham.

20 **--- PRESENTATION BY/PRÉSENTATION PAR MR. ALAN ABRAHAM:**

21 **MR. ABRAHAM:** So we were sitting back
22 near the wing on the left side of the plane, so we had
23 a clear view of the area around us. And like Madame
24 Tremblay said, there was another plane near us. There
25 was actually two Transat planes near us, not one. The

1 flight from Brussels was forward of us on the left
2 side, and there was another plane right beside us that
3 was there the whole time we were there. There was
4 very little activity, but they had a boarding ladder
5 up to it; something that was claimed was not
6 available. We also watched a boarding ladder come up
7 to our plane and basically drive away. They were
8 basically waived off during this time that we're
9 sitting in this area waiting for the fuel trucks to
10 come back with more fuel. And then we saw the
11 emergency vehicles.

12 And when we finally got fueled up they
13 said "We can't move because of the emergency vehicles,
14 they're in our way", which they actually weren't
15 because a few minutes later they actually took off.

16 To go back to the start of when we
17 actually got on the ground, the pilot did come on,
18 "We're in a line of planes." And he said "Maybe a 45-
19 minute delay to fuel up." One plane left the area to
20 fuel up. The next thing you know, he comes on and he
21 announces, "Oh, guess what, we're next in line." And
22 I'm sitting there thinking, "How is this possible when
23 we're jammed in between a whole bunch of airplanes?
24 This is not possible."

25 Like my wife said, no food at all was

1 ever offered. She actually went in to the back of the
2 plane after about three hours -- and most of the
3 flight attendants were in the back of the plane, not
4 the ones that were dealing with the front in first
5 class, but the ones in the back were sitting there
6 basically hiding from the passengers and the
7 passengers were getting really upset -- and she went
8 over there and informed them that they should be out
9 there dealing with the situation because it's just
10 getting worse.

11 Apparently we had air conditioning; we
12 did not have air conditioning. We had hot air blowing
13 in the plane. The stench in that plane was
14 unbelievable.

15 For myself personally, I have
16 degenerative disc disease. After sitting on a plane
17 for nine and a half hours the pain in my lower back
18 was intolerable, it was unbelievable. And I was
19 starting to have really bad anxiety there after a
20 while, like after being there for about four hours it
21 was like "I've got to get off this plane." But there
22 was no relief from them whatsoever, no help, nothing.
23 It was absolutely ridiculous. I felt like we were
24 like luggage, they just have to get us to Montreal no
25 matter what. They didn't care what condition we got

1 there in. And all the facilities were -- that we
2 could see were available out there, and they would not
3 let anybody come on the plane or get off the plane.

4 I think that's -- I don't think I can
5 add anything more than what's already been said. It
6 was very brutal. I've been on international flights
7 before and this one was horrible, a really bad
8 experience.

9 **MR. STREINER:** Thank you, Mr. Abraham.

10 We're now going to turn to questioning.
11 As I said in my opening remarks, we will start with a
12 number of questions from the Panel itself. We will
13 then allow Air Transat counsel to pose questions, if
14 they have any for witnesses. We will then ask if
15 there are any other participants or counsel who wish
16 to pose questions, and they can request to do so from
17 the Panel. And finally, Agency counsel will -- if
18 there are any remaining issues to be discussed --
19 possibly pose a few questions.

20 Donc Madame Tremblay, êtes-vous déjà là?

21 **Mme TREMBLAY:** Oui.

22 **M. STREINER:** Bonjour. Donc juste une
23 question générale pour commencer.

24 **--- QUESTIONS BY THE PANEL/QUESTIONS PAR LE PANEL:**

25 **M. STREINER:** Qu'est-ce que l'équipage

1 de bord vous a dit concernant la situation? Comment
2 ils ont expliqué le déroulement des évènements, et
3 spécifiquement comment ils ont expliqué le manque des
4 aliments et de boissons?

5 **Mme TREMBLAY:** Quand vous me parlez des
6 gens de cabine vous parlez pas du commandant, vous
7 parlez donc des gens qui travaillent en cabine puis
8 qui donnent la nourriture?

9 **M. STREINER:** Les deux.

10 **Mme TREMBLAY:** O.k. Ben le commandant
11 n'a pas... à ma mémoire, o.k. - et les autres
12 personnes qui étaient sur le vol pourront dire le
13 contraire si c'est le cas - mais si je ne m'abuse le
14 commandant ne nous a jamais parlé de nourriture, de
15 breuvages ou quoi que ce soit. Et si ma mémoire est
16 bonne, le commandant ne nous a jamais parlé non plus
17 de la possibilité de sortir de l'avion. Je pense que
18 c'est beaucoup plus les gens du personnel de cabine
19 qui en ont parlé.

20 Le seul et unique moment que moi je me
21 rappelle où le commandant a fait une annonce par
22 rapport à une possibilité de ne pas repartir vers
23 Montréal, c'est... en fait c'est suite à un de mes
24 commentaires, j'ai appelé mon père... ou en fait mon
25 père m'a appelé quand on était au sol à Ottawa. Mon

1 père habite à Québec, donc y avait appelé à l'aéroport
2 de Montréal pour parler avec Air Transat et voir
3 qu'est-ce qui allait se faire là par rapport à notre
4 vol. Les membres du personnel d'Air Transat de
5 l'aéroport de Montréal ont indiqué à mon père qu'ils
6 n'étaient pas au courant de ce qui allait se produire,
7 à savoir est-ce que l'avion allait repartir d'Ottawa
8 vers Montréal cette soirée-là, ou si potentiellement
9 des autobus pouvaient être dépêchés pour venir nous
10 chercher et nous ramener à Montréal. Ça c'est ce qui
11 a été donné comme information, ils ont dit qu'ils ne
12 le savaient pas.

13 Donc moi j'en ai parlé aux membres de
14 personnel de cabine qui travaillaient à l'avant de
15 l'avion. Je leur ai dit, « Voici les informations qui
16 auraient été données. Est-ce possible que des autobus
17 viennent? Parce que si tel est le cas, moi je suis
18 intéressée à sortir. »

19 Et là c'est un membre... un homme qui
20 était un membre de personnel de cabine qui m'a répondu
21 d'une manière très bête et sec en disant, « Bon,
22 encore des histoires, y est pas question du tout qu'il
23 y ait des autobus. » Je l'ai entendu donc parler avec
24 le pilote - si je comprends bien là le poste de
25 pilotage était ouvert à ce moment-là - en disant « Ça

1 serait le temps de faire une annonce là parce que les
2 gens vont commencer derrière à dire n'importe quoi. »
3 Grosso modo là, c'est ce que son commentaire voulait
4 dire.

5 Et suite à ça le commandant a dit... a
6 fait une annonce à l'intercom, donc de manière
7 générale, en disant que le vol allait repartir, c'est
8 ça qui était prévu puis qui était pas question d'avoir
9 quoi que ce soit d'autre pour nous à Ottawa. Donc pas
10 d'autobus, pas ressortir de l'avion. Donc ça c'est ce
11 qui vient du commandant.

12 Par les autres personnes, donc par les
13 membres du personnel de cabine au niveau de
14 nourriture, moi ce que j'ai été témoin c'est ils ont
15 sortis de leur... je m'excuse là, j'ai pas les termes,
16 mais disons de leurs armoires là où ils rangent la
17 nourriture, ils semblent avoir fait vraiment une
18 analyse de tout ce qui leur restait, y ont tout sorti
19 ce qui leur restait. Donc croustilles, barres de
20 chocolat, deux-trois fruits, deux à trois morceaux de
21 pain dans des sachets, bon, ce genre de choses là, et
22 ils ont mis ça sur un petit cabaret, leur cabaret
23 roulant.

24 Puis ils nous ont informés... de ce que
25 j'en ai compris - puis là je pense que c'est confirmé

1 par les deux autres personnes qui viennent de parler
2 après moi là - ils nous ont indiqués donc que c'était
3 disponible pour nous. Donc ça semblait être seulement
4 pour les gens en classe club, et de venir chercher ce
5 qu'on avait de besoin parce que y en avait pas plus
6 que ce qu'ils nous montraient. Puis tu sais, ça
7 tenait sur le haut d'un petit, petit cabaret roulant,
8 donc c'est tout. Et ils nous ont jamais donné plus
9 d'explications. Y ont juste dit « Voici, c'est ce qui
10 reste dans l'avion, il ne reste pas autre chose. »
11 Donc ça semblait être très clair par rapport à ça.

12 Puis moi j'ai été témoin d'un enfant
13 entre autre qui est venu jusqu'à l'avant là, il
14 restait un petit fond de jus de pomme, pour demander
15 un petit jus. Je sais qu'ils leur ont donné. Donc ça
16 me semblait évident que les gens à l'arrière de
17 l'avion - ben en fait quand je parle de l'arrière de
18 l'avion, je veux dire tout sauf la classe club - ne
19 semblaient pas s'être fait offrir quelque nourriture
20 ou rafraichissements que ça soit, de ce que moi en
21 tout cas j'ai pu voir. Donc on n'a pas eu d'autres
22 explications par rapport à ça.

23 Puis comme je vous dis, les explications
24 qu'on a eues par rapport au fait qu'on pouvait pas
25 descendre de l'avion, c'était en deux temps. De un,

1 on pouvait pas avoir une porte à l'aéroport d'Ottawa.
2 Puis de deux, c'était pas possible de nous faire
3 sortir de l'avion directement sur le tarmac, puisque
4 selon eux ils n'avaient pas de dispositif à l'avion
5 qui nous permettait de sortir. Ce sont les
6 informations qu'on a reçues.

7 **M. STREINER:** O.k. Merci, Madame
8 Tremblay.

9 Mr. and Mrs. Abraham, given that you
10 were seated in a different part of the plane in a
11 different class, I'll pose the same question to you.
12 What explanations did you receive from the flight
13 crew, both those flight attendants with whom you were
14 interacting directly and to the extent relevant, the
15 pilot, regarding the events in question, the delays
16 and the situation on the plane, and specifically with
17 respect to the availability of refreshments, snacks,
18 drinks, et cetera?

19 **MRS. ABRAHAM:** Like I said, the only
20 refreshments we were offered was some water, and it
21 was a small glass, it wasn't even half a glass. They
22 didn't say there was no food available, they just
23 didn't offer anything. I mean we were asking, like we
24 were pretty hungry by that time. I lost my train of
25 thought. I did speak to a male flight attendant and

1 he told me directly -- because we're from Ottawa, so
2 we -- I asked him "Can we disembark? We can go
3 through Customs or whatever and we can stay here,
4 we'll drive to Montreal tomorrow to get our car." He
5 said, "We cannot disembark, Customs will not allow
6 it." Is there anything else that ---

7 **MR. STREINER:** Quickly I'd just like to
8 follow up on one point you made. You said that -- you
9 indicated that you were getting hungry and you asked -
10 - and other passengers asked about the availability of
11 food, what response did you receive?

12 **MRS. ABRAHAM:** They just kind of -- we
13 didn't really get an answer. It was just sort of --
14 they were in the back room -- I actually went back to
15 go to the ladies room and they were a number -- there
16 was about five of them back there and I said to them,
17 "It's not right, like you need to be out there, people
18 are really upset and people were -- some kids were
19 crying and adults were getting upset and..." So it
20 kind of went off in that direction. And I said, "You
21 know, you really need to be out to -- you know, to
22 help people, to calm them down." That was -- after
23 that is when they came out with the water.

24 **MR. STREINER:** Thank you. Mr. Abraham.

25 **MR. ABRAHAM:** The pilot himself never

1 ever mentioned anything about food and water at all
2 and he made several announcements during the time we
3 were on the ground. The flight crew did not offer
4 food, did not even talk about it like my wife said.
5 They were just really not very much available. When
6 she says "half a glass of water" -- I don't know if
7 you can see what's in this glass, but say half of that
8 was what we got in the -- basically it was five hours
9 on the ground.

10 Their communication was not very good at
11 all, they were -- I actually went back and talked to a
12 male -- younger male flight attendant, and all he did
13 with me was complain about "I've been on my feet for
14 over nine hours." That was all he had to say to me,
15 that was it, nothing more. He really didn't care
16 about the situation; he was just upset about his own.

17 **MR. STREINER:** And Mr. Abraham, again to
18 the best of your recollection, do you recall any
19 flight attendant offering an explanation as to whether
20 additional food or refreshments would be provided or
21 if not, why?

22 **MR. ABRAHAM:** No, no explanation, no
23 communication in that regard at all.

24 **MR. STREINER:** Okay. Thank you very
25 much.

1 I'm now going to turn to my colleague
2 Sam Barone who has another question for the Panel of
3 passengers.

4 **MR. BARONE:** Thank you, Chairman.

5 I have a question for the Panel in
6 general. Were there functional lavatories and
7 sufficient supplies in those bathrooms that enabled
8 hygiene?

9 **MRS. ABRAHAM:** It was -- yes, near the
10 end of the flight or near the end of the stay on the
11 tarmac they had run out of toilet paper. I had
12 Kleenex, I was lucky I guess. But no, they were still
13 functioning at that point; it was just a lack of
14 toilet paper.

15 **MS. TREMBLAY:** It was the same thing
16 with the toilet at the front of the plane. I did not
17 think that we were out of toilet paper. The only
18 thing was that the garbage can was full at the end,
19 but except for that we had normal supplies for the
20 toilet. Only thing that was not so attractive was
21 that people were sick in the toilets of the plane, so
22 you did not really want to use it and felt sick
23 afterward.

24 **M. STREINER:** Merci. Et maintenant je
25 passe la parole à Monsieur Fitzgerald qui va poser une

1 autre question.

2 **M. FITZGERALD:** Si la possibilité de
3 quitter l'avion avait entraîné un retard additionnel,
4 incluant la nuitée, cela aurait-il été une option pour
5 vous?

6 **Mme TREMBLAY:** Je comprends pas vraiment
7 votre question. Le fait que... pourquoi ça aurait
8 fait une nuitée si l'avion on avait pu débarquer, moi
9 j'aurais quitté là. J'habite à Montréal, donc
10 j'aurais pris un train, j'aurais loué une voiture ou
11 j'aurais pris un billet d'autobus avec mon conjoint
12 puis ma fille puis on aurait quitté. Comme je vous
13 l'ai mentionné préalablement, on avait seulement une
14 poussette en soute à bagage, donc c'est évident pour
15 nous que si l'avion pouvait nous laisser sortir on
16 quittait par nos propres moyens.

17 **M. STREINER:** Merci. Maintenant je...

18 **Mme TREMBLAY:** De rien.

19 **M. STREINER:** Maintenant j'invite les
20 représentants, les avocats d'Air Transat de poser des
21 questions si ils ont des questions. I would now
22 invite Air Transat's counsel if they have questions to
23 pose them to the witnesses.

24 **Mme RENAUD:** Pas de questions, Monsieur
25 le président.

1 **M. STREINER:** Pas de questions.

2 The floor is now open if other counsel
3 or other participants in the hearing wish to pose
4 questions to any of the witnesses. Est-ce qu'il y a
5 des questions d'autres représentants ou participants?

6 Si non, je passe la parole maintenant
7 aux avocats de l'Office des transports du Canada qui
8 vont poser quelques questions supplémentaires et
9 finales. I'm now going to invite Agency counsel to
10 pose final questions. Again, as I said earlier, to
11 ensure that the record at the end of this hearing is
12 as complete as possible.

13 Counsel.

14 **--- QUESTIONS BY AGENCY COUNSEL/QUESTIONS PAR L'AVOCAT**
15 **DE L'OFFICE:**

16 **MR. SHAAR:** Mr. and Mrs. Abraham, you'd
17 mentioned that you had asked flight crew the
18 possibility of disembarking the plane. We're you
19 aware of any other passengers that made the same
20 request?

21 **MRS. ABRAHAM:** Yes, I was. There was a
22 gentleman at the back of the plane, he was sitting in
23 the very last row, and he was asking the same question
24 about disembarking as well. And the male flight
25 attendant was actually very, very rude to him and told

1 him specifically, "How many times do I have to tell
2 you that you're not allowed to disembark. Customs
3 will not allow it." And just the way he said it, his
4 tone of voice and "How many times do I have to tell
5 you?" The man was very upset. So yes, I did witness
6 that.

7 **MR. SHAAR:** So to your knowledge, was
8 that information ever communicated to the pilot of the
9 plane?

10 **MRS. ABRAHAM:** Not to my knowledge, it
11 was just -- this came strictly from the flight
12 attendant.

13 **M. SHAAR:** Madame Tremblay, je vous
14 poserais la même question. À votre connaissance - je
15 sais que vous avez décrit que vous avez posé la
16 question - mais à votre connaissance est-ce qu'il y
17 avait d'autres passagers de l'avion qui ont demandé de
18 débarquer de l'avion?

19 **Mme TREMBLAY:** Oui, tout à fait. On en
20 entendait parler aussi à l'avant de l'avion. Puis la
21 même information nous était toute relayée à l'effet
22 que c'était impossible. Moi j'ai pas entendu parler
23 que c'était au niveau des « Customs ». Ce que j'ai
24 entendu dire c'était surtout que on pouvait pas
25 débarquer à l'intérieur de l'aéroport d'Ottawa, que

1 c'était pas possible et que c'était pas une
2 possibilité pour notre avion. Puis deuxièmement, que
3 c'était pas possible de sortir directement de cet
4 avion là au sol parce que y avait pas l'escalier en
5 question.

6 Puis moi... évidemment on n'a pas le nom
7 du personnel de bord masculin là dont Monsieur et
8 Madame Abraham ont fait était là, mais je soupçonne
9 extrêmement fortement - parce que je crois qui en
10 avait qu'un seul qui était un homme dans l'avion - que
11 c'est exactement la même personne qui m'avait répondu
12 extrêmement cavalièrement également quand on leur a
13 posé la question à savoir si il pouvait y avoir la
14 possibilité d'avoir des autobus, comme c'était quelque
15 chose qui avait été mentionné par les gens d'Air
16 Transat de l'aéroport de Montréal comme
17 potentiellement une solution. C'est la même personne
18 selon moi là qui nous a répondu extrêmement bête en
19 m'envoyant... permettez moi l'expression, promener.
20 Donc ça c'est l'information qu'on a eue.

21 **M. SHAAR:** Et à votre connaissance, est-
22 ce que ces demandes de débarquement étaient
23 communiquées au pilote de l'avion?

24 **Mme TREMBLAY:** Ça me semble assez
25 logique puisque la cabine de pilotage ne semble pas

1 avoir été fermée tout le long du délai pendant lequel
2 on était au sol, elle était ouverte à certaines
3 occasions, donc je pense que c'est assez évident.

4 Mais écoutez là, moi-même je suis
5 avocate là, donc si vous me faites témoigner pour dire
6 est-ce que c'est certain que tout a été mentionné au
7 commandant, non, je peux pas témoigner sur ça. Si
8 vous me demandez par exemple mon humble avis là-
9 dessus, la réponse c'est définitivement oui, parce que
10 les gens de cabine de bord étaient en constante
11 discussion avec le commandant et ils échangeaient.

12 Puis d'ailleurs, quand y a été question
13 de la possibilité peut-être d'avoir des autobus et
14 tout ça, ça immédiatement été mentionné au commandant.
15 Dans les minutes qui ont suivi, il a fait une annonce
16 par rapport à ça. Donc ça me semble très, très
17 évident que ça été mentionné.

18 Puis ça été mentionné à d'innombrables
19 reprises, c'est-à-dire que dès qu'on est arrivé au sol
20 ça été demandé si c'était possible de sortir de
21 l'avion. Puis ça pas juste été demandé à ce moment-
22 là, ça été demandé tout au long du délai d'à peu près
23 cinq heures pendant lesquelles on était au sol. Puis
24 c'est devenu plus en plus persistant vers la fin parce
25 que les gens en pouvaient plus d'être dans l'avion là.

1 Puis j'étais dans... j'étais à l'avant,
2 donc c'est vrai que la ventilation était pas mal mieux
3 là, mais j'avais un bébé, donc moi je la faisais
4 marcher dans l'avion. Puis quand on s'en allait vers
5 l'arrière de l'avion là, je suis d'accord avec
6 Monsieur et Madame Abraham, c'était extrêmement chaud,
7 c'était pas du tout acceptable comme condition. Donc
8 c'est évident que vers la fin de notre période
9 d'attente les gens demandaient de plus en plus à
10 savoir si on pouvait sortir de l'avion.

11 **M. STREINER:** Merci. Ce sont toutes les
12 questions des avocats de l'Office.

13 On va conclure cette session avec une
14 dernière question. We're going to finish off with one
15 final question for each of the witnesses who has
16 appeared on this Panel. Et c'est une question plus
17 générale, on a commencé avec une question un peu plus
18 générale, on conclut avec une question plus générale.

19 Selon vous, comment aurait-on pu
20 procéder différemment? Ça veut dire, est-ce que vous
21 avez des suggestions en ce qui concerne les processus,
22 les procédures pour une telle situation?

23 Madame Tremblay, on commence avec vous.

24 **Mme TREMBLAY:** Oui, merci. Ben
25 premièrement simplement pour vous le mentionner, dans

1 le document que j'ai préparé puis que vous avez aussi
2 avec vous j'en ai fait état de certaines propositions,
3 mais je vais vous les réitérer avec plaisir.

4 Premièrement, selon moi... puis encore
5 une fois là c'est vraiment pas à titre d'avocate,
6 c'est à titre personnel que je vous mentionne le tout,
7 donc je sais pas légalement parlant ça serait quoi les
8 vraies obligations. Mais premièrement, dans n'importe
9 quel vol d'Air Transat il me semble évident que
10 habituellement un vol se déroule bien, quand y a un
11 retard habituellement c'est un léger retard. C'est
12 pas un retard aussi important que ce que nous on a eu
13 ou du fait qu'on ait dû se déplacer vers un autre
14 aéroport.

15 Cependant, dans n'importe quel vol d'Air
16 Transat cette situation-là peut arriver, c'est pas
17 quelque chose d'impossible, au contraire. Donc
18 premièrement, il faut prévoir de la nourriture et des
19 rafraichissements en quantité suffisante,
20 principalement selon moi pour des personnes très
21 jeunes, donc des enfants, et des personnes plus âgées
22 ou des personnes malades qui ont besoin de manger.

23 La majorité des gens dans notre vol on a
24 été chanceux, on est des adultes. Même si c'était
25 extrêmement inconfortable pour nous la situation au

1 niveau de la nourriture puis des rafraichissements, on
2 était capable de survivre, ça l'a pas mis notre santé
3 en péril. Cependant, ça peut être le cas pour une
4 personne âgée, ça pouvait être le cas pour un enfant.
5 Puis dans tous les cas, tu veux que tes passagers...
6 t'offres un service, on paye extrêmement cher pour
7 faire ce type de vol-là, la moindre des choses c'est
8 d'offrir un service courtois, de base aux passagers.
9 Puis c'est de prévoir que si y arrive une urgence, y a
10 de la nourriture.

11 Puis je comprends que ça coûte plus cher
12 et tout ça, mais qu'ils prévoient de la nourriture non
13 périssable, puis de l'eau en quantité suffisante pour
14 qu'on soit capable de tenir quelques heures sans être
15 rationnés, ou du moins que les gens en classe
16 régulière se fasse également offrir de l'eau et de la
17 nourriture. Donc ça pour moi là c'est la première des
18 choses, c'est la chose la plus importante.

19 Deuxièmement, meilleures communications,
20 c'est incorrect de nous donner des informations qui
21 sont complètement dénudées de sens. Le pilote, ça se
22 peut pas qui soit en mesure d'évaluer que ça prend 45
23 minutes à obtenir un ravitaillement, alors que toutes
24 les personnes qui travaillent pour Air Transat qui
25 sont dans l'avion disent que c'est pas vrai que ça va

1 être 45 minutes, puis que ça va être deux heures. Moi
2 j'aime mieux recevoir la vérité dès le départ, puis
3 qu'on se fasse mettre au courant correctement de la
4 situation.

5 Puis le dernier point, ben un meilleur
6 traitement par la suite dans les médias puis
7 directement auprès des passagers. Quand moi je fais
8 une erreur - puis ça m'arrive là, l'erreur est humaine
9 - bien je la reconnais mon erreur. Puis quand c'est
10 mon erreur, ben je suis responsable de cette erreur-
11 là. Donc quand dans un dossier je fais une erreur,
12 ben je l'assume cette erreur-là. Air Transat a pas
13 fait ça.

14 Premièrement, dès le départ ils ont
15 complètement renversé le blâme... ben y ont minimisé
16 la situation puis y ont renversé le blâme totalement
17 sur l'aéroport d'Ottawa, sans même dire qu'eux autres
18 auraient pu s'améliorer. Ben moi je pense que ça
19 c'est la première des choses, d'être capable de
20 remarquer que la situation actuelle comment elle a été
21 gérée par Air Transat était pas optimale et que y a
22 toujours place à l'amélioration. Puis dès le départ
23 ils auraient dû dirent, « Nous allons travailler
24 ardemment dans les plus brefs délais à améliorer notre
25 réaction sur ce type de situation-là. » Je pense que

1 déjà là ça aurait été extrêmement apprécié.

2 Puis également, le fait d'avoir offert
3 un dédommagement à l'autre vol - donc celui qui était
4 en provenance de Bruxelles - mais pas pour notre vol
5 en alléguant - parce qu'on a appelé à Air Transat à ce
6 moment-là - donc en alléguant que la raison pour
7 laquelle on se faisait pas dédommager, c'est que nous
8 autres y a pas eu une fermeture intégrale de notre
9 système de ventilation, puis que dans l'autre vol y en
10 a eu un, donc c'est ce qui explique le dédommagement.
11 Ben je trouve ça complètement ridicule.

12 Y en avait pas d'air dans l'avion, y
13 faisait chaud, on n'a pas reçu la nourriture puis les
14 rafraichissements dans des proportions qui étaient
15 suffisantes. Les gens étaient malades, ils ont refusé
16 d'ouvrir la porte tout le long qu'on était dans
17 l'avion. Je pense que la moindre des choses c'est de
18 recevoir un dédommagement. Puis je parle pas juste
19 pour les gens en classe club qui ont payé plus cher,
20 je parle en général pour tous les passagers dans
21 l'avion.

22 Fait que moi je pense que ça là c'est
23 les quatre points les plus importants à améliorer.

24 **M. STREINER:** Merci, Madame Tremblay.

25 **Mme TREMBLAY:** De rien.

1 **MR. STREINER:** Mrs. Abraham, Mr.
2 Abraham, I would invite you to offer final comments on
3 the same question, namely what suggestions would you
4 have for how things could be done differently in a
5 situation like this? Do you have any recommendations
6 with respect to the procedures, the processes that
7 should be in place should such an event unfold again?

8 Mrs. Abraham.

9 **MRS. ABRAHAM:** I agree with her about
10 the communication, there was a lot of miscommunication
11 there. We were getting information from the pilot,
12 from the flight attendants that were very different.

13 Also they should be prepared for
14 emergencies. They should have -- as far as I'm
15 concerned contacted the airport and said, "We have all
16 these people onboard, can you bring them some
17 sandwiches", or something along that line or have food
18 onboard that's -- that they can serve to people and
19 make sure they have plenty of water.

20 I think she covered pretty much
21 everything else. Thank you.

22 **MR. STREINER:** Thank you, Mrs. Abraham.
23 Mr. Abraham.

24 **MR. ABRAHAM:** Yes, communication was a
25 big thing. Tell us the truth, number one. Don't be

1 giving us these announcements that are just
2 unrealistic for one thing. I know Ottawa Airport was
3 heavily criticized a few years ago because of a
4 situation where some planes got stranded and they
5 weren't able to help them. And I'm 100 percent sure
6 that in this situation the Ottawa Airport was there to
7 help, the boarding ladders were there. And yet we
8 read in the media that there were no boarding ladders
9 available, there was two of them right there.

10 I just feel that Air Transat is not
11 taking responsibility for this. When they need help,
12 they should ask for help. And they need to
13 communicate properly with people. Like for me, I'm
14 very sour on Air Transat right now. And I believe
15 what Madame Tremblay said, that compensation should be
16 in order.

17 For our own situation -- which I don't
18 know if you want to hear about it -- but we ended up
19 having to get a hotel room because we couldn't make it
20 home that night. It was too late and we were too
21 tired. And I'm going to be asking Air Transat for
22 compensation for that also, but -- on top of other
23 things, but we'll get to that at a later date. But
24 the communication was really bad.

25 As for the food, I'm going to make a

1 note to you people, we had our dinner many, many hours
2 before we landed, and then they came around afterwards
3 with this little box, there was like a pizza pop in
4 it, but it was hard as a rock, dried right out, like
5 you couldn't eat it. This was the only snack we got
6 for hours on that plane. And then after that we're
7 sitting on the airport for five hours. And it really
8 was basically five hours, like closer to five hours
9 than four hours that we sat on the runway with
10 absolutely no food. So we hadn't eaten in -- for a
11 long time and nothing was made available to us at all.

12 Like I said, they need to ask the
13 airport for help when they need help.

14 **MR. STREINER:** Okay. Thank you, Mr.
15 Abraham.

16 This concludes the first of our witness
17 panels. Mr. Abraham, Mrs. Abraham, I want to thank
18 you for coming and providing your testimony today. I
19 think with my colleagues' agreement that you are
20 released. I don't think that we'll have any further
21 questions for you after the break. And Madame
22 Tremblay, la même chose, merci d'avoir nous joindre
23 aujourd'hui.

24 **(WITNESSES ARE EXCUSED/LES TÉMOINS SONT LIBÉRÉS)**

25 **MR. STREINER:** And we will take a 15-
26 minute break now. On va prendre une pause de 15

1 minutes. And we will resume just around 11:16 with
2 the second passenger panel from Flight 157.

3 Thank you.

4 **MS. BARRETT:** All rise.

5 --- Upon recessing at 11:01 a.m./

6 La séance est suspendue à 11h01

7 --- Upon resuming at 11:19 a.m./

8 La séance est reprise à 11h19

9 **MS. BARRETT:** All rise. Please be
10 seated.

11 **M. STREINER:** Bonjour. On recommence
12 maintenant avec le deuxième panel de passagers... de
13 témoins. J'invite la greffière à inviter les témoins
14 à se représenter. Kizzy.

15 **MS. BARRETT:** Thank you, Mr. Chairman.

16 Will the witnesses from Flight TS157
17 please come forward? Thank you. If you could please
18 identify yourself in the language of your choice, dans
19 la langue de votre choix. And the microphone buttons
20 are on the front.

21 **M. JETTÉ:** Marc Jetté, en français.

22 **M. PASCAL:** Blaise Pascal, en français.

23 **M. de SCHIETERE:** Brice de Schieterere, en
24 français.

25 **Mme ZÉHIL:** Maryanne Zéhil, en français.

1 MS. BARRETT: Thank you. Merci.

2 --- BRICE de SCHIETERE, Affirmed/Sous affirmation
3 solennelle:

4 --- BLAISE PASCAL, Affirmed/Sous affirmation
5 solennelle:

6 --- MARC JETTÉ, Affirmed/Sous affirmation solennelle:

7 --- MARYANNE ZÉHIL, Affirmed/Sous affirmation
8 solennelle:

9 M. SHAAR: Merci.

10 M. STREINER: Merci, Me Shaar.

11 On commence avec des présentations par
12 chacun des témoins qui est ici. Je vais inviter
13 Monsieur de Schietere de faire la première
14 présentation de plus ou moins 10 minutes afin de nous
15 donner un peu de contexte en ce qui concerne les
16 évènements surtout après l'atterrissage du vol 157 à
17 Ottawa. Après que Monsieur de Schietere a fait sa
18 présentation, je vais inviter les autres témoins à
19 ajouter, à clarifier les faits que il va présenter.

20 Monsieur de Schietere, la parole est à
21 vous.

22 --- PRESENTATION BY/PRÉSENTATION PAR MR. BRICE de
23 SCHIETERE:

24 M. de SCHIETERE: Merci infiniment de me
25 donner cette occasion de m'exprimer ici. J'ai

1 transmis une chronologie par écrit ainsi qu'un certain
2 nombre de commentaires, je présume que tout le monde
3 en a disposition. Ma déposition était également
4 complétée d'un certain nombre d'enregistrements, pour
5 la plupart des enregistrements vidéo.

6 Je souhaite préciser que je suis en
7 contact avec un nombre relativement important de
8 passagers par les médias sociaux. Et certains des
9 enregistrements et des photographies qui ont été mis à
10 la disposition de l'Office transport Canada viennent
11 également d'autres passagers.

12 Comme c'était le cas pour le vol
13 précédent, l'avion a eu un vol sans encombre
14 particulière. Il a toutefois décollé avec 45 minutes
15 de retard de Bruxelles, donc nous accusions déjà un
16 certain retard au départ. À peu près au niveau de
17 Trois-Rivières l'avion s'est mis à faire un certain
18 nombre de cercles. Et le commandant de bord a annoncé
19 au bout d'un temps que nous... d'abord que nous
20 attendrions la fin de la tempête, ce qui ne devrait
21 pas signifier plus d'une trentaine de minutes
22 d'attente, et ensuite que nous irions atterrir vers
23 notre aéroport de diversion, si mon souvenir est
24 correct. L'expression « notre » m'avait frappé,
25 comprenant que par conséquence cela signifie que

1 Ottawa est un aéroport dans lequel Air Transat a
2 certaines habitudes et pratiques.

3 Environ vers 17h10 l'avion a atterri à
4 Ottawa. Y avait un certain nombre d'autres appareils
5 qui étaient également présents sur le pourtour de la
6 piste. Et notre avion est venu se ranger près d'un
7 endroit où j'avais identifié quelques autres
8 appareils, notamment d'Air France et d'Air Canada.

9 Mon souvenir est que l'air conditionné a
10 été coupé à ce moment-là avec l'extinction des
11 moteurs, immédiatement au moment donc où nous nous
12 sommes parqués dans ce coin, et que l'équipage a
13 distribué à cette occasion un verre d'eau. Au loin je
14 pouvais voir d'autres appareils manifestement en train
15 de faire le plein, dont un gros A380 d'Emirates.

16 Au bout d'un certain temps, probablement
17 30 minutes, une heure à peu près, j'ai du mal à
18 estimer le temps, le commandant de bord a fait une
19 annonce selon laquelle nous étions en seconde position
20 pour le plein de carburant. C'est quelque chose que
21 je n'ai pas enregistré, donc je serais reconnaissant
22 peut-être à d'autres témoins de confirmer qu'il a bien
23 dit « seconde », mais mon souvenir est très clair, il
24 a dit « seconde ». Et ça déjà fait l'objet ensuite de
25 quelques plaisanteries de la part d'autres passagers.

1 Environ vers 19h00 on a vu le premier
2 avion qui était plein de kérosène, donc l'appareil
3 d'Emirates qui a décollé. Et ensuite nous avons mis à
4 notre tour les moteurs en route mais pour nous
5 déplacer vers la zone de l'aéroport où j'avais aperçu
6 auparavant cet appareil. C'est ici que l'attente a
7 véritablement commencé. L'avion a de nouveau coupé
8 ses moteurs, a coupé l'air conditionné. En revanche,
9 les systèmes de divertissement à bord fonctionnaient.

10 Nous avons été parqués à cet endroit-là
11 avec deux autres appareils d'Air Transat, comme il a
12 déjà été mentionné. Je crois qu'il y a donc l'avion
13 de Rome et également un avion de Marseille. Et c'est
14 à peu près autour de 20h00 je l'estimerai que la
15 tension a commencé à monter dans la cabine. Nous
16 entendions assez régulièrement d'autres appareils
17 décoller et partir, sauf nous bien évidemment
18 puisqu'on était encore en position.

19 C'est à peu près à ce moment-là que le
20 commandant a annoncé que nous étions troisième en
21 attente pour le plein de kérosène. C'est là qu'il y a
22 donc eu un certain nombre de plaisanteries de
23 plusieurs passagers qui ont ironisé et protesté à
24 cette annonce.

25 Pendant toute cette période d'attente,

1 l'équipage ne s'est pas beaucoup montré. Et nous
2 avons vu les hôtesses passer ça et là dans les
3 corridors et puis au bout d'un moment s'asseoir, et en
4 fait attendre comme nous et se comportant
5 fondamentalement exactement comme des passagers.

6 Le sentiment que j'ai est que les
7 communications existaient entre le chef de cabine et
8 le commandant de bord. Nous avons eu des annonces qui
9 ont été du commandant de bord et du chef de cabine,
10 mais les hôtesses en revanche n'étaient pas aussi
11 actives.

12 Habitant à Ottawa et n'ayant aucun
13 bagage avec moi parce que j'étais juste entré à
14 Bruxelles pour le weekend voir ma famille, j'ai
15 demandé la possibilité de débarquer, et ce en fait
16 même avant l'atterrissage à Ottawa. Et cette
17 possibilité m'a été refusée mais pas directement,
18 simplement avec la réponse, « Ah oui, oui. Nous
19 allons vérifier et voir, je ne peux pas vous
20 répondre. » C'est la réponse que j'ai eue à deux
21 occasions.

22 À 20h30 - et ici il y a un fragment
23 d'annonce qui est dans le dossier - le commandant de
24 bord a expliqué que le plein serait retardé car
25 l'aéroport a servi d'autres avions et les camions sont

1 vides. Donc nous avons eu la même annonce que dans le
2 témoignage précédent. Et effectivement... bon, j'ai
3 pu voir qu'il y avait un camion qui était sous l'aile
4 de l'appareil. Une autre passagère m'a rapporté que
5 ce camion était parti puis était revenu plus tard,
6 mais c'est quelque chose que pour ma part je n'ai pas
7 vu. En tout cas, l'air conditionné était toujours
8 coupé.

9 À 20h40 l'équipage a annoncé - et pour
10 ceci vous avez un enregistrement - la distribution des
11 dernières boissons. Ils ont parlé de boissons
12 gazeuses, café et jus de fruits, ce qui dans ma
13 compréhension signifiait qu'il n'y avait plus d'eau.
14 Et l'équipage a également annoncé qu'il leur restait
15 quelques snacks à distribuer, et que ces snacks
16 seraient distribués en priorité aux enfants. Par la
17 suite les boissons, au sens boissons gazeuses, café et
18 jus de fruits, n'ont jamais été distribuées. En
19 revanche, les quelques snacks... et je crois que
20 c'était la même chose que dans le témoignage précédent
21 de la « junk food » ont été effectivement distribués.
22 Un enfant près de moi a reçu un petit paquet de chips
23 Pringle.

24 L'atmosphère à ce moment-là était
25 relativement étouffante dans l'appareil. Une autre

1 passagère m'a rapporté avoir essayé d'acheter de la
2 nourriture, je ne sais pas exactement à quel moment ça
3 s'est produit, et que l'équipage lui a opposé un refus
4 de vente expliquant que cette nourriture était
5 réservée à un autre usage.

6 À 20h51 j'ai envoyé un premier tweet
7 avec une petite vidéo et en posant la question à Air
8 Transat... en m'adressant directement à Air Transat et
9 en anglais, « Why not deplane? » considérant...
10 surtout étant européen et étant habitué à la
11 législation en Europe, que on aurait dû être débarqué
12 au bout de deux à trois heures passées dans cet
13 appareil.

14 Autour de 21h00 y a le retour du camion
15 du kérosène, et peu après l'éclairage a été coupé dans
16 la cabine sans avertissement préalable. C'est à ce
17 moment-là que la tension a certainement été la plus
18 forte. Vous avez aussi différents enregistrements qui
19 ont été faits par moi et par d'autres passagers, et
20 qui permettent d'entendre l'atmosphère à l'intérieur
21 de la cabine avec de nombreux enfants qui pleuraient
22 et criaient et s'inquiétaient, et certainement
23 également des passagers adultes qui s'inquiétaient.

24 L'explication qui a été donnée et que
25 vous avez aussi en enregistrement, est que le groupe

1 électrogène de l'appareil a été perdu à l'occasion du
2 remplissage. Et nous n'avons pas eu d'autre
3 explication, hormis la promesse que la situation
4 reviendrait bientôt à la normale, mais toujours pas
5 d'air conditionné bien sûr.

6 Donc là la tension était assez élevée
7 dans la cabine avec beaucoup de passagers très
8 nerveux. Et une fois le courant rétabli, j'ai vu un
9 certain nombre de passagers se lever pour aller à
10 l'avant de l'appareil interroger l'équipage. Je ne
11 l'ai pas fait moi-même, j'étais au siège 27A et je
12 suis resté à mon siège, mais j'ai vu plusieurs
13 personnes partir.

14 Peu après, j'ai remarqué donc un certain
15 nombre de véhicules équipés de gyrophares à
16 l'extérieur. Le camion de kérosène était toujours
17 placé sous l'aile gauche. Et dans le corridor sont
18 apparus des personnels... donc j'ai compris que
19 c'étaient des personnels médicaux ou des pompiers, et
20 également un policier en uniforme.

21 Nous avons tous autour - à chaque fois
22 que ces personnes se présentaient devant nous - poser
23 la même question qui est, « Pourquoi est-ce qu'on ne
24 peut pas sortir? » Et la réponse a été systématique
25 et en anglais « I can do nothing for you », indiquant

1 que la seule responsabilité incombait au commandant de
2 bord et que personne parmi les autorités présentes
3 dans l'appareil n'avait la faculté de prendre une
4 telle décision.

5 J'ai à ce moment-là indiqué d'ailleurs à
6 un des personnels de bord qu'il existait des
7 législations en Europe et aux États-Unis pour faire
8 débarquer les gens, mais sans grand succès. En
9 revanche, nous avons été très nombreux à demander à
10 boire et la promesse a été faite qu'on nous
11 apporterait à boire. Encore une fois, Air Transat
12 n'avait toujours pas distribué les boissons gazeuses,
13 café et jus de fruits.

14 Plusieurs personnes ont demandé
15 également à ouvrir les portes afin d'avoir une
16 circulation de l'air, notamment les gens qui étaient
17 dans les rangs derrière moi vers les rangs 30 étaient
18 assez pressants à ce sujet.

19 J'ai également ici des vidéos que j'ai
20 transmises dans le dossier où vous entendez une
21 certaine tension lorsque le chef de cabine demande aux
22 gens de bien vouloir s'asseoir, alors que la plupart
23 des gens refusent d'obéir.

24 Alors les portes ont été ouvertes avec
25 un membre d'équipage devant chacune. Je dois dire que

1 de la place où j'étais ça n'a fait aucune différence.
2 D'autres passagers, en revanche, m'ont fait part par
3 la suite que ça fait une différence pour eux. Ils
4 m'ont également fait part d'avoir été incommodés par
5 de fortes odeurs de kérosène.

6 Au bout d'un moment le personnel de
7 l'aéroport d'Ottawa est revenu à bord et a distribué
8 des bouteilles d'eau. Ça été une distribution assez
9 sympathique, un peu nonchalante en passant les
10 bouteilles de personne en personne. Des gens très
11 agréables avec beaucoup de sourires, et je dois dire
12 que leur présence a certainement été assez rassurante.
13 Mais nous n'avons eu qu'une seule bouteille d'eau
14 chacun, certaines personnes ont réussi à en avoir une
15 deuxième. Et puis la distribution étant un peu
16 lente... j'ai entendu des gens d'ailleurs qui se
17 plaignaient en disant, « Hey, ne nous oubliez pas. »
18 Mais finalement je crois comprendre que l'eau a été
19 distribuée partout. Pour ma part, je peux dire
20 qu'après avoir bu ma sensation physique a changé quand
21 même grandement. Mais encore une fois, aucune
22 nourriture n'a été distribuée ni par la compagnie
23 hormis les quelques snacks, ni par l'aéroport.

24 À un moment il y a un personnel de
25 l'aéroport d'Ottawa qui était à bord et qui a été

1 interpellé par un certain nombre de passagers,
2 notamment les gens derrière moi vers le rang 30, et
3 qui lui ont demandé pourquoi il n'y avait pas d'air.
4 Et ici je ne suis pas tout à fait certain de ce que
5 j'ai entendu, mais j'ai cru comprendre qu'il
6 expliquait que lui-même avait compris qu'il y avait un
7 problème technique lié à l'air conditionné. Et puis
8 il est reparti à l'avant de l'appareil, il est revenu
9 et a indiqué que c'était pas exactement un problème
10 technique, c'est quelque chose qui pouvait être résolu
11 et que c'est ce que lui avait expliqué le commandant.
12 Mais ici je ne suis pas sûr d'avoir tout très bien
13 compris, ne maîtrisant pas le langage technique pour
14 ce type d'affaire.

15 Nous avons également demandé à cette
16 personne pourquoi il n'y avait rien à manger. Et ce
17 monsieur - je crois qu'il fera partie de vos témoins
18 demain parce que son prénom est Adam, c'est peut-être
19 la même personne - a expliqué que la compagnie Air
20 Transat avait un accord avec une compagnie... en fait
21 un accord d'approvisionnement avec une compagnie à
22 l'aéroport d'Ottawa, et qu'il ne savait pas pourquoi
23 cette compagnie n'était pas intervenue.

24 C'est à ce moment-là que j'ai vu le chef
25 de cabine qui a monté le couloir vers 22h15 - enfin je

1 l'ai enregistré en fait à 22h12 sur un petit bout - et
2 pour ma part c'est la première fois que je l'ai vu
3 mais je peux me tromper, il est peut-être passé à
4 d'autres moments. En tout état de cause, cette
5 passagère qui était au rang 30 l'a interpellé et lui a
6 demandé pourquoi on ne pouvait pas débarquer. Et la
7 réponse a été un petit peu similaire à celle du
8 témoignage précédent. Il a expliqué que... d'une
9 manière disons très docte puis une peu professorale,
10 que ceci est un vol international et qu'il y a donc
11 des règles internationales, des procédures
12 internationales et que ce n'est pas possible. J'ai un
13 bout d'enregistrement de sa réponse même si il est
14 difficilement audible.

15 Ensuite, le commandant a annoncé vers
16 22h15 que nous serions en mesure de remettre les
17 moteurs en route bientôt avec... bon, un minutage un
18 petit peu différent sur la version française de la
19 version anglaise. Et j'ai entendu de mon siège une
20 séquence d'allumage et extinction... enfin ce qui m'a
21 semblé être une séquence d'allumage et extinction de
22 moteurs probablement quatre ou cinq fois avant que
23 finalement le moteur ne se mette à un rythme régulier
24 et que l'appareil ne puisse commencer à se mouvoir.

25 Je considère pour ma part qu'il n'y

1 avait toujours pas d'air conditionné. L'air
2 soufflait, mais c'était de l'air chaud. Et c'est
3 seulement lorsque nous étions en altitude que l'air a
4 commencé à se rafraîchir.

5 Je présume que j'aurai l'opportunité de
6 revenir plus tard avec peut-être quelques commentaires
7 concernant le comportement général de la compagnie,
8 donc je réserverai ces remarques peut-être pour les
9 questions que vous poserez.

10 **M. STREINER:** Vous avez un autre cinq
11 minutes.

12 **M. de SCHIETERE:** Ceci était...

13 **M. STREINER:** Vous avez encore cinq
14 minutes... oui, si vous le voulez.

15 **M. de SCHIETERE:** Merci beaucoup. Donc
16 par la suite j'ai essayé de contacter Air Transat par
17 différents moyens, par tweet, également par téléphone.
18 Ça été absolument sans succès puisqu'y avait aucune
19 réponse, aucune prise d'appel téléphonique de leur
20 part, hormis la mention de se référer à un formulaire
21 en ligne. Donc j'ai rempli un formulaire en ligne
22 leur demandant, « Quand vous avez l'intention de
23 contacter les passagers? » La réponse est arrivée le
24 7 août.

25 Je note, soit dit en passant, que j'ai

1 eu rapport d'un incident assez similaire qui s'est
2 déroulé le 4 août, en tout cas sur des vols en
3 provenance de Madrid et de Paris si j'ai bien compris.
4 En tout cas, sur le vol de Madrid je connais quelqu'un
5 qui a dû être évacué à Ottawa après être resté pendant
6 quatre heures. Donc je présume que la réaction du 7
7 août était destinée à des fins de communication et
8 nous a proposé 400 \$ Canadien. Une somme qui permet à
9 peine de couvrir les frais extérieurs que j'ai dû
10 apporter en raison de l'arrivée tardive de l'appareil,
11 ayant manqué la connexion de retour à Ottawa et ayant
12 dû passer une nuit à l'hôtel avec taxi, et cetera.

13 Le principal commentaire que je voudrais
14 faire est en relation avec l'appel des secours 911.
15 Et notamment, en ayant entendu le témoignage
16 précédent, je comprends que les conditions à bord de
17 l'autre appareil ont probablement été du même acabit,
18 voire pires que celles que nous avons rencontrées à
19 bord du nôtre, parce que au moins à bord du nôtre nous
20 avons eu une intervention extérieure qui nous a permis
21 une alimentation en eau. Nous avons aussi eu les
22 portes ouvertes. Et la présence de la police et de
23 l'aéroport d'Ottawa à bord a été évidemment
24 extrêmement rassurante.

25 Un autre aspect sur lequel je voudrais

1 insister, c'est que mon sentiment était que la
2 situation aurait pu dégénérer extrêmement rapidement
3 dans la cabine. Les passagers commençaient à être
4 vraiment énervés. Y avait vers ma droite des gens qui
5 se levaient, invectivaient un petit peu, on entendait
6 beaucoup d'enfants crier et pleurer. Et la plupart
7 des passagers - notamment après l'extinction des feux
8 - donc essayaient d'aller à l'avant pour chercher de
9 l'information. Donc je crois à ce titre, que le fait
10 que nous ayons eu une intervention, a permis en tout
11 état de cause de ramener chacun disons à des... à un
12 comportement civilisé à l'intérieur de l'appareil.

13 Ce que je regrette pour ma part dans
14 cette intervention, c'est qu'en fait elle a en un sens
15 tout à fait exclu la possibilité de débarquer de
16 l'appareil. Bon je comprends que c'est une politique
17 d'Air Transat de ne surtout pas débarquer ses
18 passagers après le témoignage précédent, mais en tout
19 état de cause nous aurions mérité d'être débarqué quoi
20 qu'il en soit. Et je regrette également que
21 l'aéroport d'Ottawa n'ait pas apporté plus d'eau et
22 n'ait pas apporté de nourriture à bord.

23 Et mon sentiment général sur cette
24 affaire est que chacun était en fait un peu cantonné
25 dans une sorte de besogne qu'ils réalisaient avec un

1 rôle très précis et un peu limité, mais qu'il n'y
2 avait pas d'autorité avec une vision d'ensemble sur
3 l'affaire et qu'il puisse avoir une estimation du
4 potentiel que pouvait représenter cette affaire. On a
5 eu beaucoup de chance qui ait pas eu de malaises
6 importants. Y a eu quelques petits malaises dans
7 l'appareil, mais pas de malaises importants. Mais je
8 crois que le potentiel était là pour une situation qui
9 aurait pu être plus grave, en tout cas dans mon
10 esprit.

11 Donc à ce titre je dois dire que les...
12 à la fois la compensation reçue et les différents
13 propos tenus dans les médias par la compagnie Air
14 Transat, ont été je trouve assez choquants.

15 Et le dernier commentaire est qu'il y a
16 eu aucune phrase d'excuse de la part de l'équipage au
17 moment où nous sommes revenus à Ottawa (sic), rien.
18 Ça été le discours classique de « Voilà, vous êtes
19 arrivé à Montréal. » Ils nous ont indiqué que nous
20 aurions du personnel qui pourrait nous attendre pour
21 les gens qui avaient des problèmes de connexion et qui
22 devaient se rendre à différents bureaux. Ça n'a pas
23 été le cas pour moi parce que j'ai directement
24 débarqué ici, donc je ne peux pas juger si c'était
25 exact ou non. Mais il n'y a eu aucune excuse. Et le

1 fait en outre que la lettre de Service de
2 communications soit arrivée plus d'une semaine par la
3 suite, est un autre facteur que je trouve anormal en
4 terme de comportement.

5 Voilà, c'étaient les remarques
6 préliminaires que je souhaitais apporter.

7 **M. STREINER:** Merci, Monsieur de
8 Schietere. Maintenant j'invite Monsieur Pascal à
9 offrir des informations supplémentaires qui vont nous
10 aider à comprendre la situation, à clarifier les faits
11 et l'information que le premier témoin a offerts.

12 **--- PRESENTATION BY/PRÉSENTATION PAR MR. BLAISE**

13 **PASCAL:**

14 **M. PASCAL:** Merci de m'avoir accordé la
15 parole. Comme vous le dites, je vais pas revenir sur
16 les faits que Monsieur de Schietere a déjà évoqués,
17 mais quelque part on a les mêmes pressentiments.

18 D'abord, le vol TS157 a été retardé dès
19 le départ de Bruxelles d'une heure. Pendant le vol il
20 n'y avait aucun problème. Le cauchemar a commencé
21 lorsqu'on était arrivé à l'aéroport d'Ottawa. On est
22 arrivé vers 17h00, puis lors de l'atterrissage le
23 commandant de bord nous a dit que on va atterrir à
24 Ottawa pour faire le plein d'essence et puis repartir
25 dans une durée de approximativement de plus ou moins

1 30 minutes. Tout le monde se disait, « Trente (30)
2 minutes c'est abordable, ce sont des conditions que on
3 ne maîtrise pas, ce sont des conditions
4 météorologiques. »

5 Arrivés sur le tarmac... sur la piste
6 d'atterrissage on a attendu, aucune communication. On
7 est resté là-bas, rien... dans l'avion il faisait
8 chaud. Puis moi j'étais avec ma famille qui était
9 composée de mon épouse, de mes deux enfants, un de
10 deux ans et sept mois et un autre de six ans. Celle
11 de six ans...

12 **M. STREINER:** Plus de volume si c'est
13 possible.

14 **M. PASCAL:** Celle de six ans...

15 **M. STREINER:** Parfait, merci.

16 **M. PASCAL:** La fille de six ans elle
17 avait un malaise dès le départ à cause de la fatigue,
18 et puis elle me demandait de l'eau. Je suis allé deux
19 fois en arrière de la cabine et j'ai demandé de l'eau.
20 Puis c'est à partir de ce moment... comme y avait
21 beaucoup de mouvement pour chercher de l'eau, on
22 devait faire une ligne pour demander de l'eau, à ce
23 moment y a une annonce qui a été faite pour nous
24 demander de nous asseoir afin qu'on puisse servir de
25 l'eau à tous les passagers qui en voulaient. On a

1 servi quelques... je dirais comme le disait le
2 témoignage précédent, un verre d'eau... la moitié
3 d'eau et c'est tout ce qu'on a eu comme
4 rafraichissements à ce moment.

5 Le cauchemar a continué parce que toutes
6 les annonces que le commandant de bord nous disait
7 c'était, « Dans 30 minutes on va décoller. » Mais ces
8 30 minutes devenaient de plus en plus... je pense...
9 je sais pas si on utilisait la même heure ou quoi,
10 parce que les 30 minutes se sont étendues jusqu'à cinq
11 heures.

12 Entre temps, y a un moment où le
13 commandant de bord a dit que nous étions le troisième
14 avion pour être ravitailler. Et puis tout le monde se
15 disait, « Mais auparavant c'était le deuxième,
16 maintenant le troisième avion, comment? » Tout le
17 monde y ont ri en disant « Mais c'est pas possible. »

18 J'étais à côté d'une porte de sortie.
19 J'étais assis dans la place 37C, c'était juste auprès
20 de deux portes de sortie. Tout le monde était agité,
21 je voyais le mouvement des personnes lorsqu'elles se
22 déplaçaient. On posait des questions aux hôtesses.
23 La seule réponse qu'on avait de la part des hôtesses
24 c'était, « On ne sait pas, on va s'informer. »

25 Et puis tout le monde se disait, « Mais

1 est-ce que... l'information vient d'où? » On se
2 posait la question, d'abord le commandant de bord nous
3 annonce que dans 30 on va... dans 30 minutes on va
4 décoller. Est-ce que c'est une information de son
5 appréciation ou bien c'est une information qu'il
6 reçoit de la part des autorités aéroportuaires
7 d'Ottawa ou bien d'une autre autorité? On n'a pas eu
8 cette réponse.

9 Vers 21h00 le courant a été coupé dans
10 tout l'appareil, c'était tout noir. Tout le monde...
11 comme y avait de l'angoisse déjà dans l'avion, et la
12 coupure d'électricité a augmenté l'angoisse et
13 l'anxiété dans tout l'appareil.

14 Je me rappelle un couple de parents qui
15 étaient en train de consoler leur enfant qui pleurait.
16 Il pleurait tellement que tout le monde dans l'avion
17 regardait, essayait de faire quelque chose pour
18 l'aider. Mais malheureusement, ce qui m'a vraiment
19 choqué et étonné, les deux hôtesses qui étaient tout
20 près de cette situation - elles étaient juste assises
21 l'une à côté de l'autre côté - assistaient comme si
22 c'est normal que l'enfant pleure de façon que on a
23 déshabillé l'enfant. Elles n'ont fait aucune sorte
24 d'assurance pour rassurer les parents. Ce sont les
25 passagers qui ont dû donner le reste des bouteilles

1 d'eau pour qu'on puisse verser sur l'enfant parce que
2 elle transpirait puis on ne pouvait pas la calmer.
3 Tout ce scénario se passait en présence des hôtesses
4 qui étaient juste assises à regarder le scénario et ne
5 disaient rien.

6 Moi, mon enfant me disait « Mais papa,
7 comment se fait-il que on est déjà à Ottawa et puis on
8 ne sort pas? » Je lui disais « Faut attendre. » Mais
9 avec la coupure d'électricité complètement, tout a
10 basculé, tous les enfants ont commencé à pleurer. De
11 l'aile du devant à l'arrière, on entendait que des
12 pleurs d'enfants. C'était comme dans un truc
13 d'abeilles où les abeilles... comme le bruit des
14 abeilles, tous les enfants pleuraient et ça ne faisait
15 rien aux hôtesses, elles étaient juste calmes là.

16 Heureusement, au moment où les agents de
17 sécurité de l'aéroport d'Ottawa sont rentrés dans
18 l'avion, c'est là où on a vu le changement d'autant,
19 parce que eux ils sont intervenus de façon courtoise
20 en s'adressant aux personnes... aux passagers de façon
21 courtoise, et on nous demandait de s'asseoir parce que
22 on devait ouvrir les portes.

23 Les portes de l'avion ont été ouvertes
24 au moment où les agents de sécurité de l'aéroport
25 d'Ottawa sont montés dans l'avion. C'est là où les

1 portes de secours ont été ouvertes. Nous, qui étions
2 assis à côté de ces portes, on a senti un petit
3 relâchement parce que on pouvait avoir de l'air frais
4 qui venait de l'extérieur, alors qu'avant à
5 l'intérieur on était dans un bocal fermé, il n'y avait
6 pas de circulation d'air. C'était toutes les odeurs
7 de 336 passagers, plus même je pense. C'était
8 vraiment un environnement insoluble. Par exemple,
9 pour les personnes qui ont des problèmes de
10 respiration, elles pouvaient avoir des complications.

11 C'est à ce moment-là que on demandait à
12 une des hôteses qui étaient assises devant nous...
13 puis on lui demandait, « Mais qu'est-ce qui se passe?
14 La situation... vous ne voyez pas que tout le monde
15 est agité? » Elle disait, « Oui, je le vois. » Elle
16 disait, « Mais je ne sais pas qu'est-ce qu'on peut
17 faire. »

18 Et puis elle-même elle se comportait
19 comme passager. Elle a dit, « Ça fait sept ans que je
20 travaille, mais je n'ai vu une situation pareille. »
21 Et puis on lui a demandé, « Mais est-ce que vous... en
22 telle situation, qu'est-ce que vous faites? » Elle a
23 dit, « On essaie de faire qu'est-ce qu'on peut. » Et
24 moi personnellement je lui ai demandé, « Mais qu'est-
25 ce que vous faites? Vous êtes assise là-bas depuis

1 « Mais c'est longtemps, est-ce qu'on va partir? »
2 Parce que je lui avais dit que dans quelques minutes
3 on va décoller. À chaque fois c'était 30 minutes
4 puis... « Est-ce qu'on va partir? » J'ai dit, « Mais
5 attendez quelques minutes, on va encore attendre
6 quelques minutes. » Tout ce temps-là, aucune annonce
7 pour rassurer les passagers. C'était juste de nous
8 dire, « Dans 30 minutes on va décoller. » Alors que
9 dans les faits, il n'y avait rien qui se passait.

10 C'est au moment où lorsqu'on remplissait
11 le carburant... les portes étaient ouvertes, nous qui
12 étions juste à côté des portes on sentait comme de
13 l'essence qui nous incommodait. Mais comme on avait
14 hâte de partir on se disait vraiment, « Comme on a
15 resté depuis 17h00, ça vaut pas la peine de continuer
16 comme ça, on va encore attendre pour que l'essence
17 soit remplie dans notre avion pour qu'on puisse
18 repartir. »

19 Au moment où l'avion allait décoller,
20 comme l'a mentionné Monsieur de Schietere, y a eu une
21 manœuvre de rallumer les moteurs pendant deux ou trois
22 fois, de ce que je me rappelle. Deux fois ça n'a pas
23 marché. Une troisième fois ça n'a pas marché. C'est
24 la quatrième fois que les moteurs se sont mis en
25 marche. À ce moment-là moi je me disais, « Maintenant

1 ce n'est plus le problème de carburant, c'est donc un
2 problème technique. » Heureusement que tout s'est
3 bien passé pendant le vol jusqu'à Montréal. Arrivés à
4 Montréal, je pense que c'était une annonce enregistrée
5 parce que il n'y a pas eu d'excuse pour nous dire que
6 on s'excuse pour ce qui s'est passé. C'est juste
7 qu'on nous a dit que « Merci d'avoir volé avec Air
8 Transat, bon retour à Montréal. » Merci.

9 **M. STREINER:** Merci, Monsieur Pascal.

10 Et maintenant je passe la parole à
11 Monsieur Jetté, et s'il vous plaît pas de répétition,
12 mais des informations supplémentaires. Monsieur
13 Jetté.

14 **--- PRESENTATION BY/PRÉSENTATION PAR MR. MARC JETTÉ:**

15 **M. JETTÉ:** J'ai bien écouté les deux
16 témoignages, ça bien résumé notre expérience. Plus
17 fort un peu?

18 **M. STREINER:** Le volume.

19 **M. JETTÉ:** Comme ça c'est bien?

20 **M. STREINER:** On a besoin de plus de
21 son.

22 **M. JETTÉ:** Est-ce que c'est bien comme
23 ça?

24 **M. STREINER:** Plus.

25 **M. JETTÉ:** Plus encore, je me rapproche.

1 Comme ça ça va?

2 **M. STREINER:** Parfait, merci.

3 **M. JETTÉ:** Les deux témoignages sont
4 très fidèles à la soirée qu'on a vécue. Moi ce que
5 j'aimerais rajouter c'est quand on a... c'est moi qui
6 a fait l'appel 911 pour faire amener les services
7 d'urgence. Puis j'ai vraiment vu un monsieur de
8 l'aéroport d'Ottawa monter dans l'avion puis dire
9 qu'il était en négociation avec Air Transat pour nous
10 faire débarquer et que y avait de la place pour nous,
11 qui avait l'air climatisé. Qu'il négociait avec Air
12 Transat puis qu'il nous disait, « On essaie, ils
13 veulent pas vous faire débarquer, mais on essaie fort
14 de vous faire débarquer. On va bien s'occuper de
15 vous, on a de la place et tout. » Ça c'est
16 honnêtement l'information que j'avais pas entendue
17 ici.

18 Aussi ce que je voudrais mentionner...
19 on mentionne beaucoup, « Il manquait d'eau, il
20 manquait de nourriture, tout ça », mais je pense les
21 passagers... on parle pas de la claustrophobie des
22 gens. C'est beau la nourriture, mais même si tu me
23 donnes à boire je veux pas passer la nuit ici non plus
24 là. C'est un élément que je trouve que... je voyais
25 beaucoup tout alentour de moi des gens y capotaient, y

1 étaient comme pris dans un ascenseur là. C'était...
2 c'est pas juste de l'eau, je veux dire c'était la
3 liberté qu'ils voulaient. Tu sais, on était vraiment
4 coincé là. C'est l'élément que je voulais rajouter.
5 Ça va pour moi. C'est... en terme de choses
6 nouvelles, c'est tout ce que j'ai à dire.

7 **M. STREINER:** Merci, Monsieur Jetté. On
8 va poser des questions après les témoignages.

9 Donc maintenant, Madame Zéhil, es-tu là?
10 Parfait, par Skype.

11 **Mme ZÉHIL:** Oui, je suis là.

12 **M. STREINER:** Donc encore une fois, des
13 informations supplémentaires dans plus ou moins cinq
14 minutes, et après ça on va tourner aux questions. La
15 parole est à vous.

16 **--- PRESENTATION BY/PRÉSENTATION PAR MRS. MARYANNE**

17 **ZÉHIL:**

18 **Mme ZÉHIL:** D'abord j'aimerais remercier
19 Monsieur Jetté d'avoir composé le 911 ce jour-là à
20 bord de l'avion d'Air Transat. J'aimerais aussi
21 répondre au premier témoin et corroborer
22 qu'effectivement y a eu une première annonce au début
23 de notre prise en otage à Ottawa qui disait que nous
24 étions deuxième ou troisième en file pour faire le
25 plein. Et plusieurs heures plus tard, genre trois ou

1 quatre heures plus tard, on nous a dit de nouveau que
2 nous étions deuxième en file.

3 J'aimerais dire aussi que moi j'avais un
4 chien qui était dans la soute de l'avion, et donc j'ai
5 été par la force des choses obligée d'aller très
6 souvent à l'avant de l'avion pour m'adresser au
7 pilote, au commandant, au directeur de vol. Et je me
8 souviens très bien que lorsque je suis rentrée dans le
9 cockpit du pilote je m'étais rendue compte qui avait
10 l'air conditionné, et je m'étais... c'est la remarque
11 suivante, « Il peut pas comprendre ce que nous vivons
12 nous à l'arrière, puisqu'il a l'air conditionné. »

13 Et effectivement, je suis d'accord avec
14 Monsieur Jetté que c'est beau on n'avait pas d'eau, on
15 n'avait pas de nourriture, c'était correct, on peut
16 quand même... je pouvais supporter tout cela. Mais
17 c'est surtout l'étouffement, c'est surtout la chaleur,
18 c'est surtout ce sentiment de vraiment de prise en
19 otage.

20 Je voulais aussi dire que... c'est ça,
21 le pilote m'avait dit quand je suis allée le
22 rencontrer dans le cockpit - et j'y suis retournée à
23 plusieurs reprises - il m'avait dit qu'il avait lancé
24 six appels à l'aéroport d'Ottawa au sujet de mon
25 chien. Alors je ne sais pas si c'est vrai ou pas,

1 discussions entre les représentants de l'aéroport et
2 l'équipage. Avez-vous d'autres détails? Avez-vous
3 entendu les sujets, les...

4 **M. JETTÉ:** Non, c'était plutôt les
5 représentants de l'aéroport sont venus à bord de
6 l'appareil puis ils parlaient avec les passagers, pas
7 avec l'équipage.

8 **M. STREINER:** Pas avec l'équipage...

9 **M. JETTÉ:** Non, ils parlaient avec nous
10 puis...

11 **M. STREINER:** ...avec les passagers
12 seulement?

13 **M. JETTÉ:** ...ils nous calmaient en nous
14 disant qu'ils étaient en négociation pour nous faire
15 descendre.

16 **M. STREINER:** O.k., je comprends. Merci
17 de la clarification.

18 Donc on commence avec une question plus
19 générale pour tous les témoins, et c'est la même
20 question que j'ai posée au premier panel de passagers.
21 Avez-vous reçu des explications de l'équipage
22 concernant la situation en général ou spécifiquement
23 en ce qui concerne les aliments et les boissons?

24 Qui voudrait commencer? Oui, Monsieur
25 de Schietere.

1 **M. de SCHIETERE:** Merci infiniment.

2 Nous n'avons pas eu d'information selon laquelle il y
3 avait un rationnement. C'est la conclusion que nous
4 en avons tirée après l'annonce selon laquelle y aurait
5 distribution de jus de fruits, café et boissons
6 gazeuses, et l'annonce selon laquelle il y a aurait
7 distribution de quelques snacks en priorité pour les
8 enfants. Mais c'est le seul moment où à ma
9 connaissance une annonce spécifique ait été faite au
10 sujet de l'alimentation à bord.

11 **M. STREINER:** D'autres témoins?

12 Monsieur Pascal.

13 **M. PASCAL:** Par rapport à
14 l'alimentation, la seule annonce qui a été faite
15 c'était vers la fin lorsque... comme je vous l'avais
16 mentionné auparavant, que à force de voir que il y
17 avait une longue chaîne qui se dirigeait vers
18 l'équipage pour demander de l'eau, on a lancé une
19 annonce disant que... de nous asseoir pour servir tout
20 ce qui restait comme snack ou nourriture et qu'on
21 allait commencer par les enfants. C'est la seule
22 annonce qu'on nous a... que nous avons eue.
23 Concernant la situation qui prévalait, en dehors de
24 ces attentes, il n'y a aucune autre communication que
25 nous avons reçue de la part de l'équipage. Merci.

1 **M. STREINER:** Merci. Monsieur Jetté,
2 quelque chose à ajouter?

3 **M. JETTÉ:** Non, ça va.

4 **M. STREINER:** Et Madame Zéhil?

5 **Mme ZÉHIL:** Moi j'aimerais dire que les
6 hôtesses étaient très humaines et très gentilles,
7 elles étaient... en tout cas l'expérience que j'ai eue
8 a été très concluante avec les hôtesSES. Et moi je ne
9 me rappelle pas qui ait eu d'annonce sur les jus. Je
10 me rappelle qu'il y avait eu une annonce pour l'eau,
11 qu'ils allaient passer pour distribuer de l'eau. Et
12 puis par la suite qu'ils allaient passer distribuer
13 des friandises qui restaient - parce qu'ils avaient
14 dit qu'il n'en restait pas beaucoup - prioritairement
15 aux enfants. C'est tout ce que j'ai dans mon
16 souvenir.

17 **M. STREINER:** Merci, madame.

18 Maintenant je tourne à Monsieur Barone.
19 Monsieur Barone, avez-vous des questions?

20 **M. BARONE:** Est-ce que les toilettes
21 fonctionnaient sur le vol à bord?

22 **M. JETTÉ:** Oui, les toilettes
23 fonctionnaient bien pour moi jusqu'à la fin là.

24 **M. STREINER:** Monsieur Pascal?

25 **M. PASCAL:** Les toilettes fonctionnaient

1 jusqu'au moment où on nous a dit de s'asseoir pour
2 qu'on ouvre les portes, et on avait demandé à toute
3 personne de ne plus se déplacer parce que c'est
4 constitué un danger dans l'avion.

5 **M. STREINER:** O.k. Monsieur de
6 Schieterere?

7 **M. de SCHIETERE:** Oui, je confirme ce
8 que Monsieur Pascal vient de dire. Je veux juste
9 rajouter sur les boissons que j'ai enregistré
10 l'annonce sur les cafés, et cetera, et que vous avez
11 ça dans le dossier, donc l'annonce a bien été faite.

12 **M. STREINER:** Merci. Et Madame Zéhil,
13 autre chose à ajouter? Oui.

14 **Mme ZÉHIL:** J'aimerais juste... oui,
15 j'aimerais juste ajouter que les deux toilettes qui
16 étaient complètement à l'arrière du vol ont été
17 bloquées quand on a ouvert les portes, et ça parce que
18 ils craignaient de... parce que les portes étaient
19 vraiment collées aux portes de toilettes. Voilà.

20 **M. STREINER:** Merci. Et maintenant je
21 tourne à Monsieur Fitzgerald.

22 **M. FITZGERALD:** Si la possibilité de
23 quitter l'avion avait entraîné un retard additionnel,
24 incluant la nuitée pour tous les passagers, cela
25 aurait-il été une option pour vous?

1 **M. JETTÉ:** Nous c'était vraiment notre
2 option, c'était notre préoccupation. On sentait
3 que... moi mes filles capotaient ben raide, on était
4 en situation d'urgence, on se foutait de nos bagages.
5 J''ai demandé à deux ou trois reprises aux hôtesses de
6 l'air si c'était possible de quitter. Elles se sont
7 un peu moquées de moi en voulant dire que ça se
8 faisait pas, ça se faisait pas, y avait aucune rampe
9 disponible. Quand on m'a amené à l'avant pour
10 m'interroger pourquoi j'avais fait 911, je voyais qui
11 avait une rampe de déjà installée par où les services
12 montaient et descendaient, fait que je trouve ça un
13 petit peu drôle qu'on me dise que c'était impossible
14 de descendre. Fait que oui, pour nous c'était
15 vraiment la solution. On voulait s'en aller, on
16 voulait sortir de l'avion, c'était tout ce qui
17 comptait pour nous.

18 **M. STREINER:** Monsieur Pascal.

19 **M. PASCAL:** C'était une bonne
20 possibilité pour nous parce que déjà on était dans la
21 région. On avait même demandé si on pouvait
22 débarquer, mais on n'avait pas été entendu. Donc si y
23 avait la possibilité de quitter l'appareil, avec
24 l'angoisse qu'on vivait c'était comme je dirais une
25 libération qu'on allait accueillir.

1 **M. STREINER:** Monsieur de Schietere.

2 **M. de SCHIETERE:** C'était de loin mon
3 option préférée de pouvoir débarquer parce que
4 j'habite à Ottawa, donc c'était évidemment beaucoup
5 plus facile. Mais même en dehors de cet aspect, je
6 préférais nettement être en attente dans un hall
7 d'aéroport conditionné et avec bien sûr toute
8 l'alimentation utile même si je dois l'acheter, ou
9 j'aurais nettement préféré être mis dans un bus pour
10 être amené à Montréal si c'était la nécessité.

11 **M. STREINER:** Merci. Et Madame Zéhil.

12 **Mme ZÉHIL:** Moi je me rappelle de m'être
13 fait la remarque que si on nous sortait, j'allais
14 louer une voiture et rentrer à Montréal. Je voulais
15 plus me retrouver dans un avion, donc bien sûr que je
16 voulais absolument sortir de l'avion. Donc c'était la
17 solution idéale pour moi... ça aurait été la solution
18 idéale. Voilà.

19 **M. STREINER:** Merci. Maintenant je
20 tourne à Air Transat, les représentants d'Air Transat.
21 Avez-vous des questions pour les témoins?

22 **M. BUSSIÈRES:** Merci, Monsieur le
23 président. Non, nous n'avons pas de questions.
24 Toutefois, si la possibilité de faire une déclaration
25 nous était allouée on l'apprécierait.

1 **M. STREINER:** Avant la... pendant la
2 pause, oui.

3 **M. BUSSIÈRES:** Merci.

4 **M. STREINER:** O.k. Et maintenant je
5 pose la question aux autres avocats et participants
6 ici. Avez-vous des questions à poser aux passagers
7 ici?

8 **Mme POWELL:** J'ai une question...

9 **M. STREINER:** Oui, madame.

10 **Mme POWELL:** ...pour Monsieur Jetté
11 juste pour clarifier le...

12 **M. STREINER:** Juste... excusez-moi,
13 juste veuillez vous identifier.

14 **Mme POWELL:** Bonjour. Christine Powell,
15 avocate pour... the Ottawa International Airport
16 Authority. Je voulais demander une question à propos
17 du commentaire de Monsieur Jetté à la communication
18 qu'il a eue avec qu'est-ce qu'il a identifié comme un
19 membre de l'aéroport. Ça me durait peut-être 30
20 secondes.

21 **M. STREINER:** Vous pouvez la poser.

22 **--- QUESTIONS BY THE OTTAWA AIRPORT AUTHORITY/**

23 **QUESTIONS PAR L'AUTORITÉ AÉROPORTUAIRE D'OTTAWA:**

24 **Mme POWELL:** Alors je voulais juste
25 confirmer que le commentaire que vous avez fait à

1 propos de négociations avec Air Transat, c'était tu...
2 t'as dit un « membre de l'aéroport », est-ce que c'est
3 possible que c'était un membre de Services d'urgence?

4 **M. JETTÉ:** Non, je crois que c'est
5 vraiment un membre de l'aéroport. Il avait une
6 chemise orangée puis c'était écrit « Aéroport ». Il
7 semblait être de type asiatique, les cheveux noirs.
8 Il est monté dans... puis il est venu monter nous dire
9 ça qui avait de la place pour nous. Je suis pas mal
10 sûr que c'était quelqu'un de l'aéroport.

11 **Mme POWELL:** O.k. Alors il indiquait
12 aux passagers que c'était possible et...

13 **M. JETTÉ:** Que y était en... qui était
14 en position... qui avait des choses à nous offrir, qui
15 avait un espace climatisé, qui attendait juste le o.k.
16 d'Air Transat puis ça venait pas et ça venait pas.
17 C'est ça qu'il nous a dit à toute notre rangée de
18 bancs à nous. Ça nous a beaucoup calmés, mais
19 finalement c'est jamais arrivé.

20 **Mme POWELL:** Merci, c'est tout.

21 **M. STREINER:** Merci, madame. Merci,
22 Monsieur Jetté.

23 D'autres questions des participants, des
24 représentants? Non.

25 Les avocats de l'Office, avez-vous des

1 questions supplémentaires? Pas de questions.

2 Donc le panel a une dernière question
3 générale pour tous les témoins ici. Et encore une
4 fois, c'est la même question générale qu'on a posée au
5 premier panel. Selon vous, comment aurait-on pu
6 procéder différemment? Ça veut dire, avez-vous des
7 suggestions concernant les processus ou les procédures
8 qu'il faut implémenter dans une telle situation?

9 Je commence avec Monsieur de Schietere,
10 puis après ça on va inviter les autres témoins à
11 répondre.

12 **M. de SCHIETERE:** Merci de votre
13 question. Je distinguerais deux choses, y a disons
14 durant le déroulement de l'évènement et il y après
15 l'évènement que j'aurais des suggestions à faire.

16 Pendant le déroulement de l'évènement il
17 est clair - et je rejoindrais le commentaire de Madame
18 Tremblay - que on s'attendrait à ce que les avions
19 soient équipés d'une certaine réserve pour faire face
20 à de telles situations et être en mesure de fournir à
21 leurs passagers une alimentation minimale, et en tout
22 cas certainement de l'eau.

23 Toutefois, je voudrais ajouter que de
24 mon point de vue on ne peut pas décemment garder des
25 passagers durant une trop longue durée dans une cabine

1 sans air climatisé et ensoleillé. Alors, est-il
2 possible d'obliger les compagnies aériennes à mettre
3 en œuvre l'air conditionné? Peut-être.

4 Je crois, en tout état de cause, qu'il
5 est utile de regarder également la législation qui
6 existe dans d'autres pays, que ça soit l'Union
7 européenne ou aux États-Unis, qui obligent un
8 débarquement au bout d'un certain laps de temps.
9 Fondamentalement, rester dans une telle cabine est une
10 forme de torture et quelque chose qui est une
11 expérience particulièrement désagréable et avec un
12 potentiel à risques.

13 Le troisième commentaire que je ferais
14 et qui est directement lié à l'évènement et que j'ai
15 fait précédemment, je pense que l'aéroport d'Ottawa
16 aurait pu aussi nous fournir davantage puisqu'il n'y
17 avait rien à bord de l'appareil. Nous aurions aimé...
18 enfin en tout cas j'aurais aimé avoir peut-être plus
19 d'eau, en tout cas certainement, et peut-être
20 également un peu de nourriture de leur part si la
21 décision était prise de nous garder coûte que coûte à
22 bord de l'appareil.

23 En ce qui concerne les suites qui y sont
24 données, il est clair que dans une telle
25 circonstance... je pense pour ma part que le contrat

1 qui nous associait avec Air Transat est rompu. Le
2 contrat n'est pas juste d'être déplacé d'un point A à
3 point B, en l'occurrence on a même passé par un point
4 C, mais c'est aussi que ça se passe dans des
5 conditions humaines et avec une obligation de soins de
6 la compagnie.

7 Je note d'ailleurs que la compagnie a un
8 règlement à ce sujet mais qui est un peu sibyllin,
9 puisqu'il donne toute la décision au commandant de
10 bord d'aller contre le règlement. Bon, je ne suis pas
11 juriste mais je suis quand même un petit peu surpris
12 et ironique à ce sujet.

13 En tout état de cause, pour moi, le
14 minimum que la compagnie devrait nous proposer par la
15 suite, être le remboursement intégral du billet
16 d'avion, plus des compensations pour le retard
17 occasionné et la gêne, plus le remboursement aux frais
18 réels. Ce qui a été offert à l'heure actuelle - comme
19 je le mentionnais précédemment - permet à peine de
20 couvrir mes frais réels.

21 **M. STREINER:** Merci. Monsieur Pascal.

22 **M. PASCAL:** Comme vous le dites, la
23 première suggestion que j'apporterais c'est ça devrait
24 être une bonne communication entre l'équipage et les
25 passagers, parce que durant toute la corvée qu'on a

1 vécue on a remarqué que y avait une mauvaise
2 communication entre l'équipage et les passagers.

3 L'autre aspect que je voulais qu'on
4 améliore, c'est que Air Transat devait considérer les
5 passagers comme des personnes humaines, non pas des
6 bagages ou des choses inertes. Ça c'est malcommode de
7 voir comment on a été traité sans aucune excuse de la
8 part d'Air Transat, même dans toutes les
9 communications que ça soit dans les médias ou dans le
10 courriel qu'on a envoyé pour la compensation de 400 \$.
11 Dans le fond, on voit qu'il n'y a aucun regret
12 comme... il n'y a aucune excuse de la part des
13 passagers. C'est comme si c'est quelque chose qui
14 passe en dehors de leur contrôle, donc ils se
15 débarrassent de toutes les incidences qui s'en sont
16 passées.

17 Une autre chose que... l'expérience
18 vécue par les passagers, y compris moi-même et ma
19 famille, laisse des séquelles dans la vie d'une
20 personne. À titre d'exemple je vous donne l'exemple
21 de ma fille, jusqu'à présent lorsque je lui dis qu'on
22 pourrait encore aller en vacances en Europe, la seule
23 réponse qu'elle me dit c'est, « C'est longtemps et
24 puis pas avec cet avion. » Ça, en tant qu'humain,
25 vous voyez que c'est un trauma qu'elle a eu par

1 rapport à cette expérience. Donc avoir les
2 compensations d'Air Transat sans même excuses, ça
3 me... pour moi, c'est un manque de respect envers les
4 passagers. Merci.

5 **M. STREINER:** Merci, Monsieur Pascal.
6 Monsieur Jetté.

7 **M. JETTÉ:** Moi j'irais dans le même
8 sens. Moi aussi ça eu des grandes conséquences chez
9 mes filles. Elles veulent plus du tout jamais prendre
10 l'avion. Y ont fait des cauchemars pendant une
11 semaine. Je sais pas si les miennes sont plus
12 sensibles que les autres, mais ça vraiment pas été
13 facile notre retour à la maison après. On dirait que
14 tout notre voyage a été comme... je sais pas, personne
15 se rappelle du voyage, tout le monde se rappelle de
16 l'expérience traumatisante de la fin.

17 Puis tout ça... on vit tout ça sans zéro
18 excuse, même dans le courriel qu'ils nous disent
19 qu'ils nous remettent 400 \$, c'est pas de leur faute,
20 ils prennent aucun blâme. Si ça se reproduit demain,
21 ça va se passer pareil si on suit leur logique. Je
22 trouve ça... ils se défilent assez bien. C'est ça ma
23 réponse.

24 **M. STREINER:** Merci, Monsieur Jetté. Et
25 Madame Zéhil à Montréal.

1 **Mme ZÉHIL:** Moi j'aimerais dire que je
2 le sais pas si Air Transat a proposé à tous les
3 passagers 400 \$, parce que moi j'ai jamais reçu une
4 proposition dans ce sens ni un chèque. Donc... et je
5 sais que d'autres passagers non plus. Donc je sais
6 pas pourquoi Air Transat a décidé de faire ce geste
7 envers quelques uns et pas envers les autres.

8 Et par rapport à changer certaines
9 choses si possible, moi je pense que une compagnie
10 aérienne qui a des intérêts économiques ne devrait pas
11 décider de débarquer des passagers en défrayant des
12 coûts supplémentaires. Je pense que ça devrait être
13 une loi qui institue cette obligation pour la sécurité
14 des passagers.

15 **M. STREINER:** Merci, madame. Et je
16 voudrais remercier tous les témoins de leurs
17 présentations et de leurs réponses aux questions.

18 **(WITNESSES ARE EXCUSED/LES TÉMOINS SONT LIBÉRÉS)**

19 **M. STREINER:** Je comprends que Air
20 Transat a demandé quelques minutes de parole afin
21 d'offrir une déclaration plus générale. On va
22 considérer cette requête pendant la pause de lunch et
23 on va répondre quand on recommence.

24 Donc c'est la fin du matin, on va
25 prendre une pause de lunch d'une heure et 15 minutes,
26 on va recommencer à une heure et demie. Merci

1 beaucoup.

2 **MS. BARRETT:** All rise.

3 --- Upon recessing at 12:15 p.m./

4 La séance est suspendue à 12h15

5 --- Upon resuming at 1:29 p.m./

6 La séance est reprise à 13h29

7 **MS. BARRETT:** All rise. Please be
8 seated.

9 **MR. STREINER:** Welcome back, ladies and
10 gentlemen and welcome to those that have just joined
11 us over the course of the lunch break. We are now at
12 the start of the first afternoon of the first...
13 pardon me, the afternoon of the first day of our oral
14 hearing into the July 31st Air Transat tarmac delays
15 here in Ottawa. We will begin the afternoon with
16 appearances by representatives of the Ottawa
17 Macdonald-Cartier International Airport, and I will
18 turn the hearing over to our Registrar Ms. Barrett.

19 **MS. BARRETT:** Thank you, Mr. Chairman.

20 Will the witnesses for Ottawa
21 International Airport please come forward? If you
22 could please identify yourself and your role in the
23 language of your choice, dans la langue de votre
24 choix. And if you could please speak closely to the
25 microphone so that the Panel members are able to hear

1 you. Thank you.

2 **MS. POWELL:** Good afternoon, I'm
3 Christine Powell, counsel for the Airport Authority.

4 **MR. WHITEHORNE:** Good afternoon, my name
5 is Adam Whitehorne and I'm an operations responder
6 with the Airport Authority.

7 **MR. BELL:** Good afternoon, I'm Ian Bell.
8 I'm the Vice President of Operations and
9 Infrastructure with the Ottawa Airport Authority.

10 **M. LAROCHE:** Bonjour, mon nom est Marc
11 Laroche. Je suis le président-directeur général de
12 l'aéroport d'Ottawa.

13 **MS. BARRETT:** Thank you. Mr. Chairman.

14 **--- ADAM WHITEHORNE, Affirmed/Sous affirmation**
15 **solennelle:**

16 **--- IAN BELL, Affirmed/Sous affirmation solennelle:**

17 **--- MARC LAROCHE, Affirmed/Sous affirmation**
18 **solennelle:**

19 **M. SHAAR:** Merci. Thank you.

20 **MR. STREINER:** Madam.

21 **MS. POWELL:** We've prepared an opening
22 statement that's going to be presented by Monsieur
23 Laroche, and afterwards the Ottawa Airport Authority
24 witnesses are more than happy to answer any question
25 the Panel may have.

1 **MR. STREINER:** Thank you, Ms. Powell.

2 Monsieur Laroche, are you going to
3 present your opening statement in English or in
4 French?

5 **MR. LAROCHE:** Mr. Chair, I'm going to be
6 doing it in both languages.

7 **MR. STREINER:** That's fine. Do you have
8 a preferred language in terms of questioning?

9 **MR. LAROCHE:** Not at all, Mr. Chair, at
10 your convenience.

11 **MR. STREINER:** Okay, that's fine. Then
12 we will hand the floor over to the Ottawa Macdonald-
13 Cartier International Airport for the opening
14 statement. And after that, as we did this morning,
15 the Panel will pose any questions it has immediately
16 after presentation by Monsieur Laroche and any
17 comments that his colleagues wish to make. We will
18 then turn the floor over to Air Transat, should they
19 wish to pose any questions. We will then invite any
20 other counsel or participants in the room who wish to
21 pose questions, to make that request of the Panel.
22 And finally, counsel for the Agency, should they see
23 any gaps in the evidentiary record, may pose questions
24 to you in order to address those gaps.

25 Monsieur Laroche, the floor is yours.

1 --- OPENING STATEMENT BY/REMARQUES D'OUVERTURE PAR MR.

2 MARC LAROCHE:

3 **M. LAROCHE:** Good afternoon, my name is
4 Marc Laroche and I am the President and CEO of the
5 Ottawa International Airport Authority. I am pleased
6 to have the opportunity to address the Panel to ensure
7 clarity where the Ottawa Airport Authority's actions
8 of July 31st are concerned.

9 Tout d'abord, je tiens à souligner que
10 je comprends très bien la frustration et la colère des
11 passagers qui ont été touchés par la déviation de
12 leurs vols lors de la soirée en question. Après les
13 retards et de longs vols outre-Atlantique, je suis
14 certain que chacun des passagers aurait nettement
15 préféré arriver plus rapidement à sa destination.

16 L'administration se fait un honneur et
17 un devoir d'assurer un excellent service à la
18 clientèle, et nous sommes d'accord qu'il est
19 inacceptable que des passagers aient dû attendre dans
20 un aéronef dans des conditions laissant nettement à
21 désirer, comme cela s'est produit le 31 juillet. Nous
22 espérons que cette enquête aidera à trouver des
23 solutions pour éviter qu'une telle situation se
24 reproduise.

25 Second, I also want to stress that

1 safety is the Airport Authority's first priority.
2 During an irregular operation, or IROP, such as the
3 one that occurred on July 31st, we must respect Nav
4 Canada's decision to divert aircraft to our airport,
5 and work with them to facilitate getting the aircraft
6 on the ground and in the best position to meet their
7 needs while we receive unexpected guests. It's safer
8 to have aircraft on the ground in Ottawa, rather than
9 circling or being diverted to an airport further away
10 in what may be a low fuel situation.

11 Airport Authorities in Canada are
12 private not for profit corporations that were
13 established to manage and operate airports in
14 accordance with ground leases with the Minister of
15 Transport. They are responsible for operating their
16 respective airports in a safe, efficient, cost
17 effective and financial viable manner. They provide
18 major infrastructure to facilitate air carrier
19 movements and passenger processing; enforce airport
20 safety regulations; provide emergency response and
21 services; and a central command in the form of an
22 Airport Operations Centre. However, Airport
23 Authorities are not responsible for aircraft
24 marshalling; refueling; catering; and baggage
25 handling. Many of the items that are at the heart of

1 the issue before the Panel today.

2 All of these tasks fall within the
3 purview of the airlines or their contracted ground
4 handlers or agents. The scope of these services is
5 detailed under contract directly with the carriers.
6 The Authority is not privy to the terms of these
7 contractual arrangements. However, they have been
8 included in various testimonies submitted to this
9 Panel.

10 Not only is the Authority not
11 responsible for these tasks, it does not own ground
12 equipment such as air stairs; portable ground power or
13 air conditioning units; baggage tugs or fuel trucks;
14 nor does it have employees who are trained to operate
15 these pieces of equipment.

16 It is not that the scope of the
17 Authority's responsibilities has been confirmed -- it
18 is of note that the scope of the Authority's
19 responsibility has been confirmed in the various
20 written testimonies provided by Air Transat, First Air
21 and ASIG.

22 Sans reprendre en détails le déroulement
23 de ces évènements et les interventions de
24 l'administration ce soir-là, j'aimerais, si vous me le
25 permettez, vous résumer comment les opérations

1 developed to demonstrate the number of aircrafts on
2 the airfield from both the regular and irregular
3 operations that evening.

4 Parking positions for the diverted
5 aircraft were carefully determined by the Authority
6 staff and air traffic control based on size, aircraft
7 servicing requirements, and the information that was
8 provided by various parties at the time.

9 We liken the task of parking these very
10 expensive assets as a game of Tetris, where unknown
11 pieces of a puzzle drop quickly and must be properly
12 fitted into available space based on the specific
13 configuration of the individual pieces. This analogy
14 should not minimize the importance of ensuring safety
15 and security of the aircraft by careful placement to
16 prevent damage.

17 I refer to our submission to visualize
18 the number of aircraft, the order in which they
19 arrive, where they were parked during the IROP, and
20 movement that took place as place freed up.

21 The Air Transat aircrafts were purposely
22 parked together to facilitate efficient servicing by
23 their ground handler and refueler.

24 Les vols ont pu commencer à repartir
25 vers Toronto à 16h59, et à Montréal à 18h40. Le

1 dernier vol dérouté à repartir a été le vol 157 d'Air
2 Transat à 22h59. The shortest stay was 60 minutes and
3 the longest was five hours and 51 minutes.

4 I also want to be very clear that gates
5 were available, or could be made available on short
6 notice, to the plane passengers at the terminal
7 throughout the entire event. Although photographs of
8 empty gates with timestamps were presented to the
9 inquiry officer on August 15th, 2017, we have
10 resubmitted these photographs along with further
11 photographs of empty gates and the Authority's gating
12 chart for that evening, in order to corroborate this
13 fact as our statement in that respect those items --
14 as uncorroborated in the CTA's investigator report.

15 **MR. STREINER:** Mr. Laroche, could I just
16 ask you to pause for a moment. When I say you've
17 resubmitted, to whom have you provided copies of those
18 -- of that documentation?

19 **MR. LAROCHE:** The Registrar identified
20 them.

21 **MR. STREINER:** The Registrar has copies
22 of that documentation?

23 **MR. LAROCHE:** Yes, they do.

24 **MR. STREINER:** Ms. Powell, you've got
25 copies of the material?

1 time -- okay, let's go -- we've passed that. Though
2 none of the passengers were deplaned, Authority staff,
3 including the Operations Responder and Emergency
4 Response Services team, was required to board an
5 aircraft due to calls to the city's 911 dispatch for a
6 reported medical emergency.

7 While onboard, these Airport Authority
8 employees were concerned with the high temperature of
9 the aircraft and passengers' request for drinking
10 water. These concerns were addressed by these
11 employees who requested that all doors be opened and
12 by distributing Authority supplied bottled water. It
13 should be noted that the Airport Authority does not
14 board aircraft unless permitted to. On July 31st we
15 boarded Transat 157 only in response to the 911 calls
16 received by the City of Ottawa, which indicated
17 medical emergencies onboard.

18 It should also be noted that the
19 Authority does not offer catering service during
20 regular or irregular operations. These services are
21 arranged by the airline with a third party provider.

22 Le rôle des administrations des
23 aéroports lors d'opérations irrégulières dues à des
24 déroulements, consiste à puiser dans leur formation et
25 leurs compétences précises pour s'assurer que

1 l'aéroport demeure ouvert et que les opérations
2 régulières se poursuivent. Tout cela dans l'optique
3 d'éviter que de plus en plus de passagers voient leurs
4 vols retardés ou annulés.

5 Notre rôle est de faciliter tout le
6 soutien dont peut avoir besoin un transporteur ou son
7 fournisseur de services au sol à mesure que se
8 déroulent les opérations irrégulières.

9 Perhaps most importantly, an Airport
10 Authority has no jurisdiction with respect to a flight
11 being gated or offloaded. As noted in Air Transat's
12 tariff:

13 "The aircraft at all times
14 shall be under the exclusive
15 control of the pilot in
16 command whose orders shall be
17 strictly complied with. The
18 carrier should have protocols
19 for diversions and further
20 should assure that their
21 pilots and contracted third
22 party refuelers and ground
23 handlers are fully aware of
24 these practices. The airline
25 has an obligation to ensure

1 its pilots understand the
2 protocols and contractual
3 relationship so that, if
4 required, they can act on
5 them." (As read)

6 We note instances in submitted
7 statements and media statements, that Air Transat was
8 under the mistaken belief that the refueler and ground
9 handlers are somehow under the control of the
10 Authority. I must reiterate that this is not the
11 case.

12 In its submission, First Air, the ground
13 handler contracted by Air Transat, includes a copy of
14 their contract with Air Transat, which details
15 staffing levels, equipment requirements and service
16 standards that further demonstrate this point.

17 Regardless of these roles and
18 restrictions, on the night in question our staff
19 reached out multiple times to Air Transat's ground
20 handler in an effort to understand the airline's plan
21 and to ensure they knew that a gate and other support
22 was available as needed.

23 We would have been happy to inform the
24 refueler of the critical low fuel condition affecting
25 Transat 157, in the same way we informed them of KLM's

1 imminent crew time out. No such concern was ever
2 expressed, and specifically before Air Transat flights
3 were described by the ground handler to the Authority
4 employees who were working on the tarmac as gas and
5 go.

6 Additionally, reference has been made to
7 an Air Canada aircraft being refueled on the taxiway.
8 While this activity is rarely allowed, permission was
9 sought by the carrier and granted due to the level of
10 accreditation of their staff with respect to airside
11 operations.

12 Les lignes aériennes sont responsables
13 de veiller sur le bien-être de leurs clients. Mais
14 par mesure de précaution, l'administration a instauré
15 son propre programme de soins à la clientèle. Par
16 l'entremise de ce programme, l'administration peut
17 déployer certaines ressources au besoin.

18 Le 31 juillet, l'administration a activé
19 plusieurs volets de ce programme, y compris le
20 déploiement d'autobus sur l'aire de trafic se tenant
21 prêts à transporter les passagers jusqu'à l'aérogare
22 et à la livraison de bouteilles d'eau à l'aéronef. La
23 responsable du programme s'est tenue prête à apporter
24 de l'aide sur demande. Aucune aide n'a été demandée,
25 mais notre équipe était prête à apporter son

1 assistance.

2 It should be noted that despite the
3 assistance available to passenger care plan normal
4 delay times will degrade, as the Air Transat director
5 of flight safety recognized in his submitted remarks.
6 CBSA, CATSA, US CBP and other agencies that operate as
7 the airport do not have sufficient staff on the ground
8 to handle large diversions on a 24/7 basis.

9 Furthermore, Ottawa's Airport terminal
10 is not designed to receive a sudden and unpredictably
11 large amount of international travelers if all or
12 several of the diverted airlines make the decision to
13 deplane.

14 Il est aussi important de noter que tel
15 que le directeur de la Sécurité des vols et les deux
16 capitaines de vols ont indiqué dans leurs témoignages:

17 « Faire débarquer les
18 passagers des vols Transat
19 507 et Transat 157 aurait eu
20 pour résultat que le
21 personnel navigant aurait
22 atteint la durée maximale de
23 vol autorisée à cause du
24 temps requis pour faire
25 débarquer les passagers, les

1 faire passer aux douanes
2 canadiennes, les enregistrer
3 à nouveau et leur faire
4 passer la sécurité. » (Tel
5 que lu)

6 I hope my remarks have helped clarify
7 the roles and relationship between the various parties
8 involved in the events of July 31st, in particular that
9 the Airport Authority is not responsible for many of
10 the activities at heart of this inquiry. We do not
11 provide ground services such as refueling. We do not
12 have equipment such as air stairs and GPUs, and we are
13 not responsible for deplaning passengers.

14 I would like to conclude by commending
15 Authority staff for going above and beyond to provide
16 assistance and ensure the safety and security of all
17 visiting aircraft and passengers.

18 As an Air Emirates pilot described in a
19 note he sent to the Authority the following day, he
20 was -- quote:

21 "...quite impressed by the
22 level of knowledge and
23 support that your staff gave
24 us." End of quote. (As
25 read)

1 Given that this pilot was maneuvering
2 the largest commercial aircraft, an Airbus 380, at an
3 unfamiliar airport with no issues, I would say that is
4 high praise.

5 Maintenant je me fais un plaisir de
6 répondre aux questions de la Commission. Merci.
7 Thank you.

8 **M. STREINER:** Merci, Monsieur Laroche.

9 Before we proceed to the questions of
10 the new evidence and to some questions from the Panel,
11 I'd like to just invite the other two witnesses from
12 the Airport, Mr. Bell and Mr. Whitehorne, if you could
13 please just indicate for the record what your
14 involvement with experience of the events in question
15 was, and also any additional information that you'd
16 like to offer before we turn to questions.

17 So let me start with Mr. Bell.

18 **MR. BELL:** All right. My role relative
19 to this, the Airside Operations and Terminal
20 Operations reports to me. I wasn't on the ground on
21 the night of, but was in contact at one point with our
22 operations manager and worked after to help pull
23 together our timelines and information that we've
24 provided to the CTA.

25 **MR. STREINER:** Thank you, Mr. Bell.

1 And Mr. Whitehorne.

2 **MR. WHITEHORNE:** In these documents I
3 was referred to as the Operations Responder, so I was
4 the gentleman that was on the tarmac throughout this
5 event on July 31st.

6 **MR. STREINER:** Thank you. And I
7 understand from the facts that neither of you offered
8 additional evidence and that you're not interested in
9 offering any additional testimony now. You'll respond
10 to questions, correct?

11 **MR. BELL:** That's correct.

12 **MR. WHITEHORNE:** That's correct.

13 **MR. STREINER:** Okay. So before we turn
14 to some questions from the Panel, let me turn back to
15 Ms. Powell. And if you could please, Ms. Powell,
16 briefly describe the additional evidence that you'd
17 like to table today.

18 **MS. POWELL:** Actually I think -- I just
19 have a summary of it, which is visual and documentary
20 evidence that gates were available at the airport from
21 six o'clock onward on July 31st, 2017. But perhaps Mr.
22 Bell can provide explicit detail on what it is that if
23 required we could present to corroborate that
24 information.

25 **MR. STREINER:** Mr. Bell.

1 **MR. BELL:** What we have -- I believe in
2 the information we provided to Jean-Michel during the
3 investigation included some video and some time
4 stamped photographs of one of the gates that was open
5 through the period. We've just prepared some
6 additional time stamped photographs of an additional
7 gate through the period, as well as our actual gate
8 schedule from the end of the day, which would indicate
9 where we had some openings. It's -- you know, again
10 it doesn't show that there was a gate available 100
11 percent of the time, but what it -- you know, I could
12 certainly walk through and give an indication of how
13 we would be able to clear gates if that's required.

14 And again, we brought that with the
15 intent that, you know, if there was any dispute or
16 debate of whether or not we could have provided a
17 gate, that we could add this -- some additional
18 information.

19 **MR. STREINER:** Thank you to both of you
20 for the explanations. I think before the Panel makes
21 a decision of whether to admit the evidence, given
22 that Air Transat actions and tariff are the focus of
23 this inquiry, I'll invite Air Transat counsel to
24 respond to the request to bring forward additional
25 evidence. Counsel.

1 **Mme RENAUD:** Monsieur le président, on
2 n'a pas d'objection, on est là pour que la lumière
3 soit faite sur les évènements. Cependant, on aimerait
4 réserver notre droit de regarder et peut-être de poser
5 des questions additionnelles parce qu'on n'a pas vu
6 ces nouvelles diapositives là.

7 **M. STREINER:** O.k. Merci beaucoup de la
8 réponse. In that case, you may distribute or work
9 with staff to have the additional evidence distributed
10 to the Panel members and also to counsel for Air
11 Transat.

12 **MS. POWELL:** In terms of timing, would
13 you like that done now?

14 **MR. STREINER:** If you're planning to
15 refer to that evidence in the context of questioning -
16 - of questions and answers. I see head shaking.

17 **M. LAROCHE:** Oui. Mr. Chair, we're not.
18 We were just again addressing the statement that
19 uncorroborated evidence -- we just want to corroborate
20 the evidence. So if you have no questions on it, we
21 intend not to introduce new elements.

22 **MR. STREINER:** Okay. So to avoid
23 unnecessary disruption, we won't distribute it now.
24 If the matter comes up in the course of questioning,
25 then well have the evidence distributed. Otherwise,

1 we'll deem it entered into the record. Copies will be
2 provided to Air Transat at the break as well as to the
3 Panel, and then we can decide whether or not Air
4 Transat wishes to pose any questions on it.

5 **MS. POWELL:** That's agreeable.

6 **MR. STREINER:** With that I will open the
7 questioning for our Ottawa Airport Panel.

8 **--- QUESTIONS BY THE PANEL/QUESTIONS PAR LE PANEL:**

9 **MR. STREINER:** It's our understanding
10 from the evidentiary record before us that about 20
11 flights were diverted to the Ottawa Airport as a
12 result of the closure of the Ottawa -- pardon me, of
13 the Toronto and Montreal airports on the 31st. Could
14 you describe to us how common a scenario like this is,
15 how often would you see in general the diversion of a
16 significant number of flights? And is 20 flights a
17 particularly high number?

18 **MR. LAROCHE:** Mr. Chair, they happen on
19 a regular basis, but when you're getting into the
20 number of 20 diverted flights, it is higher than
21 usual. I will refer to my Vice President of
22 Operations who has a better sense of how often it
23 happens in a year, but this year was particularly bad
24 with the weather.

25 **MR. STREINER:** Thank you. Mr. Bell.

1 **MR. BELL:** Given the fact that both
2 Montreal Airport and Toronto Airport closed at the
3 same time lead to a much higher number of diversions
4 than we would normally expect or would normally
5 receive. Typically, a diversion event would involve
6 one or the other airports. We would typically see
7 anywhere from one to maybe half a dozen aircraft as a
8 typical diversion event.

9 In this case, with both airports closed,
10 what you would expect is that, you know, some of the
11 carriers that might have -- let's say Montreal's
12 closed, some of the carriers that might have Toronto
13 as an alternate airport weren't able to go there, so
14 they're coming to Ottawa as an alternate now. The
15 same with Toronto, the ones that might have had
16 Montreal as an alternate airport are now coming to
17 Ottawa. So it's very unusual really to have a
18 situation where you have both Montreal and Toronto
19 closed at the same time so very unusual then.

20 Further to that, I would say that the
21 addition of the A380 -- we've had the A380 I think
22 three times in our history. It is actually outside of
23 what our airport is normally certified to handle.
24 We're really a Code E airport, which would include
25 aircraft like 777s and A330s, but the A380 is one

1 higher and really can only land with special
2 provisions in a diversion, so it creates yet a further
3 challenge. And on the ground it easily would have
4 taken the place of about four other large aircraft.
5 So this is a very unique event.

6 **MR. STREINER:** And just as a follow-up,
7 could you -- could one of you describe the sorts of
8 resources, plans, procedures that you have in place to
9 deal generally with an unusual event of this nature,
10 and in particular with an unusual event where the
11 numbers significantly exceed what you might normally
12 see, as happened on the 31st of July?

13 **MR. BELL:** All right. I mean
14 essentially in part what we have is a staffed Airport
15 Operations Centre that's in place 24 hours a day with
16 an Operations Manager who has experience and training
17 in dealing with this type of a regular operations. We
18 have an Operations Responder on who facilitates or
19 moves out to the airfield to help park the aircraft.
20 They have a good general knowledge of the airfield and
21 use that knowledge to basically prioritize where the
22 aircraft go.

23 And you have to understand that it
24 changes frequently, it changes from day to day. We
25 have gate closures as a result of construction. We

1 have runway closures as a result of construction. All
2 of these things impact our capacity, and ultimately
3 the ability to provide aircraft with an area on the
4 apron where they can be at least serviced.

5 So in this event -- I think it's in our
6 documentation -- at roughly 5 o'clock we received
7 about 10 aircraft. We were certainly at the point
8 where we were -- we considered -- basically we had
9 filled all of the locations where you would normally
10 service an aircraft, and we reached out to the tower
11 to let them know that we felt we were at capacity.
12 But you know, following that we continued to receive
13 additional aircraft.

14 **MR. LAROCHE:** We've had diversions
15 higher than 20, Mr. Chair, as a matter of fact. And
16 so we never know what to expect, but we've been up to
17 29-30 aircrafts diverted at a time in my last four
18 years.

19 **MR. STREINER:** One final question on
20 this and then I'll turn to my colleagues to see if
21 they have any additional questions. So you described
22 a situation which is highly dynamic, highly fluid,
23 unpredictable where the airport is one player among
24 several. So who in that dynamic situation, on behalf
25 of the airport, is trying to keep all of the pieces

1 moving and trying to make sure that the puzzle fits
2 together?

3 **MR. BELL:** That's the Operations Manager
4 who leads that.

5 **MR. STREINER:** Okay. Thank you, Mr.
6 Bell.

7 Mr. Barone, questions?

8 **MR. BARONE:** Thank you, Chairman.

9 Mr. Laroche, you indicated in your
10 remarks that you had several different types of wide
11 body aircraft, correct, come in?

12 **MR. LAROCHE:** That's correct.

13 **MR. BARONE:** And they included 787s and
14 330s, the largest of which was a 380. And Ms. Powell,
15 you referred to the evidence of the gates that were
16 available during that time period after 6 o'clock;
17 correct?

18 **MS. POWELL:** Yes, we have additional
19 evidence ---

20 **MR. BARONE:** Thank you.

21 **MS. POWELL:** --- to support that
22 position.

23 **MR. BARONE:** So I haven't seen that
24 document, but in general, given the aircraft types
25 like the 787, 330, 200s, 300s, et cetera that were on

1 the tarmac, did you have enough gate capacity during
2 that time interval to accommodate all the aircraft
3 that were diverted, in particular the international
4 ones? And had they wanted to deplane and had they
5 been able to access that available gate capacity,
6 would you have been able to handle it?

7 **MR. LAROCHE:** Absolutely not. Most
8 aircrafts are gas and go, what we call, so they do not
9 want to deplane. So that's normal in a large
10 diversion. It is the exception that wants a gate and
11 we're ready for one or two exceptions. But as I
12 indicated and as indicated in the testimony of Air
13 Transat, service will degrade, you know.

14 CBSA for example for processing
15 passengers, they don't have the staff on for large
16 diversions. Basically they look at the schedule and
17 staff in consequences. So when there's diversions we
18 handle very well one or two aircrafts that decide to
19 deplane. But if they were all to decide deplaning, we
20 would be in a situation where we are providing minimum
21 service and we would be calling probably a ground
22 halt, because we would be overwhelmed. But again, in
23 diversions most of them are gas and go.

24 Ian.

25 **MR. BELL:** Yeah, and the only thing I

1 would add to that is at the time we would have had two
2 gates that could have handled an aircraft of this size
3 and buses. And in our case buses -- we have two buses
4 that would process one flight basically at about the
5 pace CBSA would be able to take that one flight.
6 That's sort of the limit of the capacity we have for
7 these aircraft.

8 **MR. LAROCHE:** And I would add, those
9 buses were purchased expressly to give us flexibility
10 in case of diversions. As a normal course we do not
11 use buses at Ottawa Airport. So we specifically
12 bought those buses for emergency situations, and
13 situations where for example we had a large aircraft
14 that was diverted in the middle of the night, and most
15 aircrafts were parked at our gates, and we had to
16 deplane on a non-terminal parking spot. And yes, that
17 service is not our preferred solution, but again, in a
18 situation we have some capacity.

19 **MR. BARONE:** Thank you. Chairman,
20 supplementary? Thank you. You refer in your comments
21 about the different protocols and how different
22 parties are interrelated through those protocols and
23 they should understand the differences and all that.
24 Are there any protocols in place between air carriers
25 and the Airport Authority should an air carrier wanted

1 to disembark from an international flight into your
2 terminal?

3 **MR. LAROCHE:** I take it -- it's the same
4 -- it would go the same ---

5 **MR. BARONE:** An irregular operation.

6 **MR. LAROCHE:** It would go the same route
7 as a regular operation as a protocol, but I'll let Ian
8 answer that in detail.

9 **MR. BELL:** The relationship would
10 typically be between the Airport Authority and the
11 ground handler. Typically the ground handler would
12 reach out to us and say that, you know, either the
13 aircraft's timed out or there's something going on and
14 that they would request a gate.

15 **MR. BARONE:** Those are all my questions,
16 Mr. Chairman.

17 **MR. STREINER:** Thank you, Mr. Barone.
18 Mr. Fitzgerald, any questions?

19 **MR. FITZGERALD:** Just one quickly. I
20 see in your testimony that you say you brought bottled
21 water to Air Transat 157. I'm just wondering under
22 what conditions can food or refreshments be offered to
23 passengers on a flight that has not yet cleared
24 Canadian Customs?

25 **MR. LAROCHE:** So we have an emergency

1 plan and basically we stock some -- I think we have
2 6,000 bottles of water, 600 snacks, 20 bottles of food
3 for children, we have diapers and all that just in
4 case we are asked. We are not the first line of
5 request by an airline. They have typically caterers
6 to do that. And in fact, usually they do contact
7 caterers to get more water or get more food. So that
8 is our answer. That's what we can provide in an
9 emergency situation, that's what we have in stock.

10 For example, once the passengers are in
11 the terminal and maybe the process times are slow, so
12 we are giving them water and giving them snacks once
13 they're deplaned. But we're -- typically we're not
14 going on aircrafts and providing food. That would
15 only be in an exceptional case. As for doing it for
16 international flights, is there a difference in ---

17 **MR. BELL:** Yeah, typically -- it's the
18 carrier or the ground handler that would typically
19 board an aircraft, and I believe ultimately it's a
20 question for CBSA. But I believe that it would be the
21 ground handler that would provide those things other
22 than in an emergency like we had here. They could
23 arrange for catering, they could bring it onboard. If
24 the Airport Authority were to sort of bring it onboard
25 without the ground handler participating in that, we

1 would have to get approval from CBSA.

2 **MR. STREINER:** Thank you.

3 That concludes Panel questioning for the
4 moment. We will now turn the floor over to Air
5 Transat who have an opportunity to pose questions to
6 you. Again to reiterate, once Air Transat has
7 concluded, we will offer the same opportunity to
8 others in the room who may wish to pose questions, and
9 they will need to make the request to do so of the
10 Panel.

11 So counsel for Air Transat, the floor is
12 yours.

13 **--- QUESTIONS BY AIR TRANSAT/QUESTIONS PAR AIR**

14 **TRANSAT:**

15 **Mme RENAUD:** Merci, Monsieur le
16 président.

17 So I will be referring -- asking my
18 questions in English, some specifically for Mr.
19 Whitehorne, the others are directed more generally at
20 the Panel. You mentioned just now that you've had
21 diversions over -- of over 20 aircrafts in the past.
22 And if I heard correctly, one of them was 29 diverted
23 aircrafts. Was that within a two-hour period?

24 **MR. LAROCHE:** Can anyone answer, Mr.
25 Chair?

1 **MS. RENAUD:** So if information is
2 provided on the question I just asked, I would also
3 like to know the information you have of how much time
4 was spent by aircrafts on the ground when those --
5 large diversions of over 20 aircrafts occurred.

6 You mentioned in your submission on the
7 first page, which is actually page 2, that the
8 majority of diverted aircrafts on July 31st departed
9 within three hours of arrival. Why do you use three
10 hours as a standard? It's the fourth paragraph of the
11 first page in the introduction, the third sentence:

12 "All of these were on
13 schedule, the majority of the
14 aircrafts were serviced and
15 departed within three hours
16 of arrival." (As read)

17 **MR. LAROCHE:** Confirming that three
18 hours is the term, we just use three hours -- we look
19 at three hours because I think it's the Customer Bill
20 of Rights, and the United States has a three-hour
21 delay for example on tarmac. So we were inspired by
22 that, but there's no hard and fast rule of why three
23 hours.

24 **MS. RENAUD:** Okay. But since this
25 inquiry deals with a tariff clause that refers to

1 delays exceeding 90 minutes, how many diverted
2 aircrafts departed within 90 minutes of arrival on
3 July 31st?

4 **MR. LAROCHE:** We'll look at our log
5 sheet and we'll give you an answer. It'll take us a
6 couple of minutes to get the information.

7 **MR. STREINER:** That's fine. If you
8 prefer, if it's going to take a few minutes to take
9 note -- you can take note of the question, we can take
10 a short pause in half an hour or so and then you can
11 do the math.

12 **MR. LAROCHE:** At your convenience,
13 Chair, we can do it after.

14 **MR. STREINER:** Why don't we do that
15 afterwards to keep the flow going?

16 **MS. RENAUD:** Yeah, if I can tell you,
17 it's one.

18 **MR. STREINER:** Ah!

19 **MS. RENAUD:** Can you tell me otherwise?

20 **MR. LAROCHE:** We'll check it at the
21 break and come back.

22 **MS. RENAUD:** Okay. And you can correct
23 that if I'm wrong, so ---

24 **MR. BELL:** If I can, I just ---

25 **MR. STREINER:** Mr. Bell.

1 **MR. BELL:** --- my records would indicate
2 two. However, one we have as an hour and 26 minutes,
3 so ---

4 **MS. RENAUD:** And which record are you
5 referring to?

6 **MR. BELL:** I'm just looking at -- this
7 is information that we got from Nav Canada, but it's
8 the Air Canada Flight 895 that we have on the ground
9 at 1 hour and 26 minutes.

10 **MS. RENAUD:** Is this something that's
11 been produced in your material? If you can refer me
12 to the -- I'm just going from what you have produced
13 in the record, so if that's not the exact information
14 it would be useful to know.

15 **MR. BELL:** I'd have to confirm, but I
16 believe it is. I'm looking at a summary sheet from
17 the timeline that we provided.

18 **MR. STREINER:** Mr. Bell, is the document
19 titled? Just so that we can all make sure we're
20 looking at the same piece

21 **MR. BELL:** It's our Appendix 1, Detailed
22 Timeline.

23 **MR. STREINER:** All right.

24 **(SHORT PAUSE/COURTE PAUSE)**

25 **MS. RENAUD:** I was looking at Appendix
26 3, which has the time on the ground sorted out by

1 arrival time and sorted out by total time on the
2 ground. So 90 minutes would be -- okay, right, so
3 there are two. Okay, so two of them. All right,
4 let's agree ---

5 **MR. STREINER:** Agreed.

6 **MS. RENAUD:** --- that two of them
7 managed to depart within 90 minutes. And how many of
8 these 18 other aircrafts that did not depart within 90
9 minutes deplaned their passengers?

10 **MR. BELL:** No aircraft deplaned on that
11 night.

12 **MS. RENAUD:** No aircrafts deplaned,
13 okay. And how many aircrafts departed within more
14 than three hours of arrival?

15 **MS. POWELL:** I'm just going to Appendix
16 3, which basically lists all this information.

17 **MS. RENAUD:** After more than three
18 hours, yeah. Sorry, my question -- let me rephrase my
19 question.

20 **MR. STREINER:** Yes.

21 **MS. RENAUD:** How many aircrafts departed
22 within more than three hours of arrival?

23 **MR. STREINER:** Just to be clear,
24 counsel, what you're asking is departed after a tarmac
25 delay of ---

1 **MS. RENAUD:** More than three hours.

2 **MR. STREINER:** --- three hours or
3 longer?

4 **MS. RENAUD:** Yes.

5 **(SHORT PAUSE/COURTE PAUSE)**

6 **MR. BELL:** Eight.

7 **MS. RENAUD:** Eight. And how many of
8 these aircraft deplaned their passengers?

9 **MR. BELL:** No aircraft deplaned.

10 **MS. RENAUD:** No aircraft deplaned. And
11 if the eight aircraft that had to wait at least three
12 hours had decided to deplane their passengers, how
13 many passengers do you estimate would have entered the
14 terminal?

15 **MR. BELL:** Well, you know, I don't have
16 that information but a lot.

17 **MS. RENAUD:** A lot. If I suggest about
18 2,100 passengers; does that sound about right?

19 **MR. LAROCHE:** We don't have that
20 information, we can try to find it, but we don't have
21 it immediately obviously.

22 **MS. RENAUD:** It would be useful to have
23 an estimate of how many passengers, because then I
24 would like to know how long it would have taken to
25 deplane these passengers that had had to wait more
26 than three hours on the ground.

1 **MR. STREINER:** Again, information which
2 is factual and can be provided should be submitted to
3 the Agency as soon as possible after this hearing.

4 **MS. RENAUD:** Okay. And my next
5 questions are directed at Mr. Whitehorne. Mr.
6 Whitehorne, how many years have you been working as
7 Operational Responder?

8 **MR. WHITEHORNE:** Three years with the
9 Airport Authority.

10 **MS. RENAUD:** Did you ever have to deal
11 with an event like this one, that is 20 diverted
12 aircrafts within a two-hour span?

13 **MR. WHITEHORNE:** I can't speak to the
14 two-hour span. However, I have worked in diversion
15 events when we had upwards of 20 aircraft.

16 **MS. RENAUD:** How many times?

17 **MR. WHITEHORNE:** I believe once.

18 **MS. RENAUD:** When we get the
19 information, can you let us know which of the -- which
20 of the events -- when we get the response to the
21 undertaking -- that you were involved in?

22 **MR. WHITEHORNE:** I can get that
23 information.

24 **MS. POWELL:** I believe the undertaking
25 was simply for the diverted flights of 29 and whether

1 or not that happened within -- or the question was
2 over what time period and how long on the ground. It
3 wasn't a question or an undertaking for the number of
4 diversions greater than 20. So unless those two
5 happen to coincide ---

6 **MS. RENAUD:** So then let me rephrase.
7 Can you tell us when you were involved with a
8 diversion involving more than 20 aircrafts, and how
9 long the aircrafts spent on the ground? Mr.
10 Whitehorne specifically.

11 **MS. POWELL:** I don't understand how
12 that's relevant to the scope of this particular
13 inquiry with regards to Air Transat's tariff, Mr.
14 Whitehorne's specific experience.

15 **MR. STREINER:** Counsel, relevance?

16 **MS. RENAUD:** It's relevant for the
17 experience in handling the event on that night, and
18 the vast experience of the employees of the Authority
19 to deal with what happened that evening, which is
20 alleged in the submission.

21 **MS. POWELL:** So I would suggest she asks
22 questions about what happened that evening.

23 **MR. STREINER:** To be clear, counsel, are
24 you objecting to the request to submit the information
25 on Mr. Whitehorne's prior experience?

1 **MS. POWELL:** I don't see that it's
2 relevant, but if the Panel adjudicates otherwise we
3 will obviously provide it. But at this point in time,
4 I think it's outside of the focus.

5 **MR. STREINER:** Okay. We'll just take a
6 moment to confer.

7 **(SHORT PAUSE/COURTE PAUSE)**

8 **MR. STREINER:** Okay. We will allow the
9 request and ask that the information be submitted.
10 The Panel of course notes that it will give
11 appropriate weight to evidence based upon the
12 relevance of that evidence to the questions that are
13 before the Agency.

14 **MS. POWELL:** I would ask that the
15 specific undertaking be repeated to make sure that we
16 are providing the appropriate answer.

17 **MR. STREINER:** Counsel, please repeat
18 the undertaking request.

19 **MS. RENAUD:** So it's to give details of
20 the event where Mr. Whitehorne was involved where
21 there were over 20 diverted aircrafts within a short
22 time period, the date, the number of aircrafts and how
23 long they spent on the ground.

24 **MS. POWELL:** Thank you.

25 **MS. RENAUD:** So on the afternoon of July
26 31st, 2017 around 3 p.m. you started -- the Ottawa

1 Airport started getting diverted flights destined for
2 Toronto. How many diverted flights from Toronto
3 arrived at the Ottawa Airport?

4 **MR. BELL:** Six.

5 **MS. RENAUD:** And you state in your
6 submission at page 5 that around 5 p.m. the Authority
7 contacted ATC to advise that the airport was close to
8 maximum capacity. And I quote your last paragraph:

9 "Mr. Laframboise contacted
10 ATC to advise that the
11 airport was close to maximum
12 capacity." (As read)

13 How did you evaluate that you were close
14 to maximum capacity?

15 **MR. WHITEHORNE:** Mr. Chairman, myself
16 and the Operations Manager who she's referring to,
17 Gilles Laframboise, had a conversation over the
18 telephone and it was to the nature of how many more
19 aircraft could we take and where could we put them.
20 Due to construction happening on taxiway Bravo, which
21 would normally be an alternate place for us to put the
22 aircraft, it caused an issue with the aircraft getting
23 onto either the inactive runway or onto that taxiway.

24 So after that conversation, I voiced my
25 concern that we weren't going to be able to take very

1 many more unless we started to put them on active
2 taxiways or in areas that would not ensure the
3 efficient flow of aircraft.

4 **MS. RENAUD:** And did someone advise the
5 airlines that the airport was getting close to maximum
6 capacity?

7 **MR. BELL:** That's not something we would
8 typically do, we inform Nav Canada, so no.

9 **MS. RENAUD:** Okay. And how many
10 aircrafts arrived after you considered that you were
11 at maximum capacity?

12 **MR. BELL:** Roughly 10.

13 **MS. RENAUD:** Roughly 10. And did you
14 consider declaring a ground stop at that point?

15 **MR. LAROCHE:** At the Ottawa Airport we
16 were informed that diverted airports (sic) were
17 coming, so our best solution was to receive them
18 because our normal operations were proceeding and we
19 could receive more aircraft. And we felt it's better
20 for an aircraft with a low fuel situation to be able
21 to land. And again, that has always been our
22 approach. Nav Canada is aware of our capacity, they
23 know how many gates we have, and if they're saying
24 that we're diverting aircrafts to Ottawa, I'm certain
25 that they're taking that into consideration.

1 **MS. RENAUD:** I'm still on page 5 on your
2 submissions, you refer to diverted aircrafts from
3 Toronto in the second paragraph as saying, "Some
4 announced and some not." What does that mean?

5 **MR. BELL:** What that means is that we
6 did receive some phone calls from ground handlers in
7 advance of the aircraft actually arriving. There were
8 a couple of flights that we weren't aware of at all
9 other than when we saw them land.

10 **MS. RENAUD:** That's what you mean -- the
11 next sentence which says, "Several foreign carriers
12 were only identified as diversions when they landed";
13 is that what you mean?

14 **MR. BELL:** That's correct.

15 **MS. RENAUD:** How is that possible that
16 an aircraft lands at the airport and you're not
17 informed? Does Nav Canada not advise the airport of
18 arrivals?

19 **MR. LAROCHE:** Nav Canada typically
20 advises, but on diversions it is arriving as they come
21 and we do not direct traffic on our runway.

22 **MS. RENAUD:** I would refer to Appendix 4
23 of your submission, which contains an Incident Report
24 Detail View from Mr. Laframboise of a few pages. Do
25 you have that, Mr. Bell? It's page 4 of -- is it 6 or

1 8? I'm sorry, my eyes are bad, 4 of 6.

2 **MR. STREINER:** Counsel, could you repeat
3 for the Panel which Appendix you said?

4 **MS. RENAUD:** I'm in Appendix 4.

5 **MR. STREINER:** Appendix 4.

6 **MS. RENAUD:** Details, yeah. The
7 Incident Report Detail View, it's page 4 of 6.

8 **MR. STREINER:** Got it.

9 **MS. RENAUD:** Okay. It's a little
10 difficult to find, I would go around the middle of the
11 page, you see it talks about:

12 "When the arrival of Emirates
13 A380 was announced, Birdman
14 was contacted to inspect the
15 runway and taxiways after the
16 landing." (As read)

17 Do you see where I am? The phrase after
18 that:

19 "Several foreign carriers
20 arrived without any prior
21 notice until caught on CCTV
22 on the runway." (As read)

23 So you didn't know aircrafts were
24 arriving until they showed up on the TV screen?

25 **MR. WHITEHORNE:** So to provide an

1 example of this, Air France -- I can't recall the
2 flight number, however it's a 777 aircraft, it's quite
3 large, it landed on the runway and the only way that I
4 knew that it was on the ground was because it taxied
5 off at the end of the runway. I saw it there,
6 contacted our Operations Centre to ask if they were
7 indeed aware that they were receiving this aircraft,
8 and this large aircraft at that, to which they advised
9 they weren't. At that point we had to make the
10 decision where we were going to put this large
11 aircraft. It took several minutes consulting with the
12 Airport Operations Centre and then decided to put it
13 on the runway. That's an example of one of the
14 aircrafts that we received without any notice, not any
15 from Nav Canada or the airline or its ground handler.

16 **MS. RENAUD:** So are you saying there's
17 little contact with Nav Canada with the airport?

18 **MR. WHITEHORNE:** Absolutely not. We
19 were in full contact with the tower throughout this
20 event. At the point in which Air France landed, it
21 was quite busy on the ground and they did advise --
22 myself being in a staff vehicle number 21 -- that this
23 aircraft had landed. I advised them just to hold it
24 for a second while I -- that's at the -- at which
25 point I contacted our Operations Centre to see if they

1 were aware of this aircraft. So yes, we are in
2 contact with Nav Canada, we weren't made aware of this
3 aircraft's arrival.

4 **MS. RENAUD:** So you get unannounced
5 flights -- unannounced aircrafts from Toronto and you
6 get unannounced international aircrafts that you don't
7 see until you see -- that you don't know you have
8 until you see them on the television, and you're
9 telling the Agency that you were in the control of the
10 situation?

11 **MR. LAROCHE:** That's the nature of an
12 irregular operation. And irregular, being that we are
13 receiving aircrafts that we are not normally -- that
14 are not normally scheduled and that we do not normally
15 prepare for unless we are given an advance. That is
16 the nature of an IROP. This is not the first IROP
17 that we receive aircraft and we're advised either when
18 they're on the ground or just before they touch.

19 **MS. RENAUD:** You mentioned in your
20 opening statement that safety was your first priority.
21 Is this a safe way to operate an airport when you
22 don't know what aircrafts are arriving?

23 **MR. LAROCHE:** Aircrafts arrive and Nav
24 Canada's responsibility is to get the aircraft on the
25 ground. We provide the runway. Nav Canada provides

1 the direction to get that aircraft on the ground. So
2 I don't understand your question on what you mean by
3 operation. If the operation is how Nav Canada
4 operates, I would defer that question to Nav Canada.

5 **MS. RENAUD:** Okay. I now have questions
6 that involve the slides that were produced. I don't
7 know if these slides are no longer valid. I'm not
8 sure it's a proper time to ask -- like I'm not sure
9 how you want to go about this.

10 **MR. STREINER:** So the slides of course
11 are before the Agency as well as with those
12 testifying. And counsel, have the slides been
13 rendered in any way invalid as a result of the new
14 evidence or is the new evidence simply supplemental to
15 the slides that we received?

16 **MS. POWELL:** It's supplemental.

17 **MR. STREINER:** I think, counsel, you can
18 proceed.

19 **MS. RENAUD:** Okay. So I can continue,
20 all right. So let's take in the PowerPoint
21 presentation that's -- where I refer to that you
22 provided on August 15, the slide that shows the
23 positioning of aircraft at 5:30.

24 **MS. POWELL:** Are we looking at Appendix
25 2?

1 **MS. RENAUD:** Of your submission? I
2 don't know, you tell me.

3 **MR. STREINER:** I assume, counsel, you're
4 referring ---

5 **MS. RENAUD:** Yes.

6 **MR. STREINER:** --- to the PowerPoint
7 presentation titled "TS157 Incident"?

8 **MS. RENAUD:** Yes, that -- yes, but it's
9 the same, I think it's been reproduced as Appendix 2
10 of the submission, so yes. Okay. So on page 5 of
11 your report, you say that the initial complication was
12 the arrival of the Emirates A380 at 4:13. Looking at
13 that slide, can you explain, Mr. Whitehorne, what you
14 had to do to get the A380 to the north staging area
15 and near the deicing facility?

16 **MR. WHITEHORNE:** As a ---

17 **MS. RENAUD:** Where did it land and how
18 did it get there?

19 **MR. WHITEHORNE:** Okay. My understanding
20 is that it landed on runway 32. It would have went
21 down to the end of the runway and taxied off there, at
22 which point the tower would have called to ask for the
23 parking position for this aircraft, being Nav Canada.
24 And we provided them with direction to bring it in
25 taxiway Kilo, which is the northern most taxiway on

1 that diagram, and parked in the position which
2 illustrates there.

3 **MS. RENAUD:** Okay. And why was the A380
4 brought to this area?

5 **MR. WHITEHORNE:** Due to the size of the
6 aircraft, it's one of the only parking areas for it
7 and one of the only options at that time.

8 **MS. RENAUD:** And it looks to me -- so we
9 see it near the deicing facility -- it looks like
10 there's a lot of space available behind the A380.
11 Would there have been room for additional aircrafts
12 behind the 380 at Hangar 14?

13 **MR. WHITEHORNE:** I personally wouldn't
14 have been comfortable putting anything behind it, as
15 when this aircraft starts up and moves, it's one,
16 quite heavy; and two, uses a lot of thrust to get
17 around. And further to that, I don't think this
18 number in a red box provides, you know, an adequate
19 picture of the actual size of this aircraft.

20 **MS. RENAUD:** We have a picture, we have
21 -- the preceding slide.

22 **MR. WHITEHORNE:** Let me also further add
23 to that, when myself and the Airport Operations Centre
24 made the decision to put this large aircraft in front
25 of Hangar 14, we also have to think of the way this

1 aircraft is going exit or get out. The only option
2 would have been to have the aircraft move forward to
3 where all the other aircrafts are parked and exit at a
4 taxiway called Charlie-Charlie, or to maneuver 180
5 degrees and go out the way that it came in. That's
6 one of the other things that we had to consider when
7 parking this aircraft.

8 **MS. RENAUD:** I'm sorry, I think I didn't
9 understand. So there was -- to get it out would be
10 moving forward or ---

11 **MR. WHITEHORNE:** Yeah, that's correct.
12 You've indicated the deicing bay, if you look at the
13 deicing bay the closest to the bottom of the page, the
14 Emirates aircraft would have had to taxi through that
15 bay. And then the aircrafts indicated on that
16 diagram, Air Canada 85, Air Canada 1963, et cetera,
17 would have had to be -- would have to have been moved
18 out of the way for it to exit at that taxiway.

19 The other option which I referred to, it
20 would have to complete a 180-degree turn and exit to
21 the left of that UAE241 comment.

22 **MS. RENAUD:** Excuse me, just one minute.

23 **(SHORT PAUSE/COURTE PAUSE)**

24 **MS. RENAUD:** So how did the 380
25 eventually come out, was it forward or doing a 180?

26 **MR. WHITEHORNE:** It was forward.

1 **MS. RENAUD:** It was forward. When was
2 that decision made?

3 **MR. WHITEHORNE:** I can't recall the
4 exact time when that decision was made. However, it
5 was made based upon the information we had from the
6 ground handler that was present at the time.

7 **MS. RENAUD:** Okay. Can we have an
8 undertaking of when you were advised of that decision
9 that it would be moving forward as opposed to doing a
10 180?

11 **MS. POWELL:** We're not certain if that
12 information is available, but we'll make best efforts
13 to locate it.

14 **MR. STREINER:** That's fine. If the
15 information is available, please submit it. If it's
16 not, please let us know that it wasn't answerable.

17 **MS. RENAUD:** Thank you. And if diverted
18 aircrafts had been brought behind the A380 to that
19 area, they would have been closer to the fueling
20 facility and would have -- this would have expedited
21 refueling; wouldn't it?

22 **MR. WHITEHORNE:** My assumption would be
23 yes, it may help expedite it.

24 **MS. RENAUD:** Okay. So after 5 p.m.,
25 after the Authority had advised that it was close to

1 maximum capacity, Flight TS157 arrived after declaring
2 an emergency with critically low fuel. And you state
3 in your submission that once the emergency was
4 declared, then the airport's Emergency Response
5 Services took position in the event of a crash
6 landing. That's on page 6 of your report. So you
7 knew that the TS157 was critically low on fuel?

8 **MR. WHITEHORNE:** That's a specific
9 question for myself if I was aware?

10 **MS. RENAUD:** You were the Airport
11 Authority.

12 **MR. STREINER:** I think the question is
13 directed at yourself or more generally, if not
14 yourself, whether anybody from the Airport Authority
15 can confirm if airport staff were aware?

16 **MR. WHITEHORNE:** So yes, I know our
17 Airport Operations Centre was aware of a low fuel
18 emergency as something that we consider a one-Charlie,
19 and which is our internal policy or SOP to respond to
20 something like this was declared. However, personally
21 I wasn't made aware of it until it was on the ground,
22 as I was assigned to these diversions and working the
23 tarmac.

24 **MS. RENAUD:** Okay. And did the
25 Authority know how much fuel was left in the aircraft?

1 **MR. LAROCHE:** Sorry, could you repeat
2 the question?

3 **MS. RENAUD:** The question was TS157
4 landed on critically low fuel, was the Authority aware
5 of how much fuel was left on the aircraft?

6 **MR. BELL:** I don't believe we were.

7 **MS. RENAUD:** You weren't. Yet you state
8 that it would be reasonable to assume that TS157 had
9 sufficient fuel to keep the systems running. On what
10 basis did you assume that they had sufficient fuel to
11 keep the systems running?

12 **MR. LAROCHE:** On the assumption that the
13 pilot, if he's in a critical fuel situation, normally
14 will contact his ground handler and advise him of
15 that. And sometimes -- like it happened in this event
16 -- when there is an emergency situation, the ground
17 handler contacts the person on the ramp to say,
18 "Listen, could you do something?"

19 **MS. RENAUD:** And did you take that
20 assumption, Mr. Whitehorne, into account when you
21 decided to send the Air Transat aircraft to park on
22 Runway 7, which is all the way at the other end?

23 **MR. WHITEHORNE:** Yeah, as indicated, I
24 wasn't aware of the amount of fuel or low fuel
25 situation. As I said earlier, I was assigned to the

1 tarmac. I knew that there was something going on
2 because emergency vehicles were out, but that can be a
3 number of things.

4 **MS. RENAUD:** Were you aware of the
5 possibility of a crash landing and that the airport's
6 Emergency Response Services had taken position in that
7 event for that particular flight?

8 **MR. WHITEHORNE:** Yeah, so my awareness
9 was yes, the vehicles were out with their lights on,
10 so in and those staging positions would indicate
11 there's some sort of issue with the aircraft.

12 **MS. RENAUD:** Did someone specifically
13 from the Airport Authority advise you that Flight 157
14 had arrived after declaring an emergency?

15 **MR. WHITEHORNE:** At that time, no.

16 **MS. RENAUD:** Okay. Your submission
17 refers -- and it was repeated in the opening statement
18 -- that the positioning of diverted aircrafts is like
19 a game of Tetris, and that's on page 4. When you
20 positioned the aircrafts after the arrival of the
21 flights diverted from Montreal, what plan did you have
22 in mind?

23 **MR. WHITEHORNE:** So my overall thinking
24 in regards to when these diverts come in, again is
25 done in association with the AOCC, or Operations

1 Centre, would be to park -- one, as many aircraft as
2 we can on a fueling area, being that secondary apron.
3 In addition to that we would consider such things as
4 their ground handler. So in the case of Air Canada,
5 we would try to keep all Air Canada aircrafts
6 together, same with WestJet, same with Air Transat.

7 In addition to that, we would also have
8 to think of the way that these aircrafts are fueled,
9 from let's say the right wing or the left wing. In
10 addition to that, there's also fuel vents on these
11 aircrafts, so you'd have to take that into account,
12 they can't be over grass when fueling. And finally,
13 like I indicated earlier, what route they're going to
14 be taking to go in and out, because the aircraft
15 that's at the back may be the first one out depending
16 on the airline.

17 **MS. RENAUD:** So my question was directed
18 specifically at the events on July 31. Did you have a
19 specific plan in mind?

20 **MR. BELL:** So I think you're referring
21 to where we would we park additional aircraft after
22 the 20th, so in other words if we had a 21st, is that
23 what you ----

24 **MS. RENAUD:** No, when you were ---

25 **MR. LAROCHE:** Mr. Chair, if I understand

1 the question, do we have a specific plan for a
2 specific divert of 20 aircrafts with a portion of them
3 coming from Montreal and a portion of them from
4 Toronto with size that we don't know? No, we don't
5 have a specific plan. We have general ways of dealing
6 with diversions, that's how we do it.

7 **MS. RENAUD:** My question was not for
8 dealing with over 20 diversions. It was when you
9 position the aircrafts after the arrival of the
10 flights that were diverted from Montreal, so after 5
11 p.m., did you have a specific plan in mind? It's
12 5:08, 5:10, 5:15, these aircrafts are coming in, did
13 you have a plan in mind when you were directing them
14 to specific positions?

15 **MR. WHITEHORNE:** So the reason that we
16 directed Transat 157 and the other aircrafts that were
17 arriving after that time to the runway, was the fact
18 that we did not have enough room for those particular
19 sizes of aircraft on that secondary apron.

20 **MS. RENAUD:** Did you take into
21 consideration the order in which the diverted
22 aircrafts would be departing from the Ottawa Airport?

23 **MR. WHITEHORNE:** As previously
24 indicated, I don't know what aircraft is going to be
25 released by the airline Operations Centre at what

1 time. I parked the aircrafts based upon when they
2 landed and the space available.

3 **MS. RENAUD:** Did any aircrafts have to
4 be moved after being parked initially, due to the wing
5 -- the wings of the A380 being over the grass and not
6 being allowed to fuel in that way?

7 **MR. WHITEHORNE:** Sorry, could you repeat
8 the question?

9 **MS. RENAUD:** Did any aircrafts have to
10 be moved after being parked initially, due to the fact
11 that their wings were over the grass and that
12 prevented them from being fueled?

13 **MR. WHITEHORNE:** So yes, I am aware.

14 **MS. RENAUD:** Now, we would like to look
15 at the positioning of aircrafts at 7 p.m., which is
16 slightly more than 90 minutes after the two Air
17 Transat flights landed. Seven o five (7:05), is that
18 it?

19 **MR. STREINER:** Counsel, is it the 7 p.m.
20 or the 7:05 to 7:35 p.m. slide that you're referring
21 to?

22 **MS. RENAUD:** I have 7 p.m. in my notes.
23 Just one minute. Yes, the 7 p.m., my apologies.

24 **MR. STREINER:** Thank you.

25 **MS. RENAUD:** So everybody has the slide?

1 All right. If the Transat -- the Air Transat pilots
2 had asked for a gate at that point, where would you
3 have sent them?

4 **MR. BELL:** The specific gate would
5 ultimately be determined by the Operations Manager.
6 To my knowledge, at this point Gate 17 would have been
7 the preferred gate.

8 **MS. RENAUD:** Gate 17?

9 **MR. BELL:** Yeah, 17A.

10 **MS. RENAUD:** Okay. Is that gate able to
11 accommodate a wide body aircraft?

12 **MR. BELL:** Yes, it is.

13 **MS. RENAUD:** Is that gate suitable for
14 international arrivals?

15 **MR. BELL:** Yes, it is.

16 **MS. RENAUD:** Okay. Thank you. On page
17 6 you say that the Authority staff determined that
18 they would move the four Air Transat aircrafts to the
19 space north of the deicing pad, which was the only
20 available approved refueling area. And that's on page
21 6 of your submission. So, if we had sent the aircraft
22 to a gate, that would not have allowed the TS157 and
23 other flights to be refueled; is that right?

24 **MR. LAROCHE:** No, you can refuel at a
25 gate.

1 **MS. RENAUD:** You can refuel, but it says
2 that the space where they were moved were the only
3 available approved refueling area.

4 **MR. LAROCHE:** Exactly. It should also
5 indicate -- yes, we can refuel at a gate. We took
6 that as granted that airlines know that they can get
7 refueling at the gates. It's done every day.

8 **MS. RENAUD:** Okay. With respect to the
9 role of the Airport Authority, you stated repeatedly
10 in your submission and in your opening statements that
11 it is not your role to refuel aircrafts or to provide
12 aircrafts with catering services; is that correct?

13 **MR. LAROCHE:** That is correct.

14 **MS. RENAUD:** And this done pursuant to
15 service contracts between air carriers and their
16 service providers; is that correct?

17 **MR. LAROCHE:** That is correct.

18 **MS. RENAUD:** Okay. You also stated that
19 the service contracts between carriers and their
20 providers provide for priority of service between
21 airlines that use the same service providers; is that
22 correct?

23 **MR. LAROCHE:** Can you repeat the
24 question?

25 **MS. RENAUD:** On page 3 of your

1 submission -- I can quote the exact statement, it's
2 the third paragraph. You state in the third
3 paragraph, the last sentence:

4 "An airline and its crews
5 would be aware of these terms
6 and protocols in place with
7 respect to receiving these
8 services as well as priority
9 of service between airlines
10 that use the same service
11 providers." (As read)

12 Right?

13 **MR. LAROCHE:** Exactly. If an airline --
14 and again, we do not have a copy of the contracts as a
15 normal of course of things between the airline and the
16 refueler, we rent space for refueling enterprises, but
17 we do not have the contracts. So when we're saying
18 "service", we're talking about levels of service in
19 the general principle, the details to be worked out
20 between the airlines and the refueler.

21 **MS. RENAUD:** Okay. You also state on
22 page 4, 4th paragraph that the Authority staff does not
23 get involved in fueling, but is available on request
24 to provide such things as contact information for
25 other service providers if a carrier is having trouble

1 getting equipment or services; right?

2 **MR. LAROCHE:** Exactly. For example, in
3 carriers that do not normally come to the Ottawa
4 Airport, we'll sometimes ask the Operations Centre for
5 that type of information, or if they don't have it,
6 from when they contact directly their operations. So
7 we do provide that information if asked.

8 **MS. RENAUD:** Okay. And on page 8 you
9 say that the Authority -- again, un, deux, trois,
10 quatre, cinquième paragraphe -- cinquième paragraphe
11 complet, you say:

12 "The Authority is aware that
13 the fueling consortium has a
14 fueling protocol in place
15 during regular and irregular
16 operations that has been
17 agreed to by its members."

18 (As read)

19 Correct?

20 **MR. LAROCHE:** That's correct.

21 **MS. RENAUD:** Okay. So why did the
22 Authority get involved in getting fuel immediately for
23 the diverted KLM aircraft, as you state on page 8 of
24 your submission?

25 **MR. LAROCHE:** It's to our interest when

1 information is provided to provide that information to
2 others so they can be aware of that. Again, it's our
3 interest that aircrafts do not time out if it can be
4 avoided. And that's part of our normal practice to
5 try to expedite to get to normal operations as quickly
6 as possible, so we will provide that information.

7 **MS. RENAUD:** Sorry, that was pretty
8 expeditious. They got fuel within 15 minutes; right?

9 **MR. LAROCHE:** Again, that's -- we
10 provide the information. We do not determine the
11 priority, we do not ask them to be -- what priority,
12 we provide that information that a crew was going to
13 be timing out.

14 **MS. RENAUD:** Well how did that occur?
15 Can you give us details? Did KLM contact the
16 Authority directly?

17 **MR. BELL:** The Swissport -- the ground
18 handler for KLM contacted us and made us aware that
19 they were going to time out, and asked if we could let
20 the fueler know basically. So we did reach out to the
21 fueler to let them know that KLM was looking to time
22 out.

23 **MS. RENAUD:** And when you contacted the
24 fueler, did you -- or when you were contacted by
25 Swissport, did you ask if other aircrafts were close

1 to time out?

2 **MR. BELL:** Specifically at that time --
3 Adam can maybe comment, but we wouldn't reach out to
4 all the other carriers. We would believe that if
5 anybody was looking for fuel, they would bring that to
6 our attention or that the fueler would already be
7 aware of it.

8 **MS. RENAUD:** But you intervened in the
9 protocol in place, as you mentioned, to get fueling
10 for KLM. Did you ask if other aircrafts had
11 emergencies that needed to be attended to?

12 **MR. BELL:** Well I think -- Adam may want
13 to chime in on this, but I think the record shows we
14 did ask a number of times of -- certainly of Air
15 Transat and Air Transat's ground handler whether or
16 not there was any -- basically any need for fuel or
17 whether they wanted to come to a gate. We were always
18 told "Gas and go." So there wasn't anything brought
19 to our attention.

20 **MS. RENAUD:** No, but I asked when the
21 Authority contacted the consortium of the -- sorry,
22 I'm getting the terms mixed up, the refuelers, did you
23 -- you were intervening in the protocol in place, did
24 you ask if others had emergencies that needed to be
25 attended to that you were -- that would be replaced by

1 KLM if you intervened?

2 **MR. LAROCHE:** No, we did not.

3 **MS. RENAUD:** Your submission refers in
4 various places ---

5 **MS. POWELL:** Actually before we go on, I
6 think Mr. Whitehorne would like to speak to a couple
7 of those issues.

8 **MS. RENAUD:** Certainly.

9 **MR. STREINER:** That's fine. And I'm
10 just going to remind witnesses to get close enough to
11 their mics, we can hear you but it's a little soft and
12 that could be true for others in the room as well.

13 Mr. Whitehorne.

14 **MR. WHITEHORNE:** Thank you. In regards
15 to KLM aircraft that you're referring to, I want
16 something to be clear. The ground handler, in this
17 case being Swissport, did reach out to the Airport
18 Authority Duty Manager and he did make a phone call to
19 the fueling provider to advise that they were going to
20 time out. Okay.

21 In addition to that, I was dispatched to
22 the aircraft to see if I was able to assist. They
23 Duty Manager indicated to me that there was some sort
24 of issue with fueling. So when I attended to the
25 aircraft, the pilot indicated -- or the captain

1 indicated that they were close to time out and he was
2 wondering if I could do anything to assist with
3 getting a fueler -- or a fuel truck over to his
4 aircraft, or at least someone that he could speak with
5 because he -- at that point he didn't have any contact
6 with any sort of fueler.

7 So at that point I advised that I would
8 go find the fueling supervisor, his first name is
9 Ross, I'm sorry I don't know his last, he's with ASIG
10 Fueling, which is the fueling -- the main fueling
11 provider at the airport. When I was on my way to go
12 see if I could find this fueling supervisor to tell
13 him that they were going to time out, I also made a
14 call to the Fueling Operations Centre, so the
15 gentleman who answers the phone, and he told me that
16 he wasn't able to provide any time for when that fuel
17 truck was going to get to KLM.

18 Throughout my journey trying to find
19 this fueling supervisor -- at that point he was in one
20 of the trucks assisting the other fuelers fueling
21 aircraft -- I found him and he told me that he had
22 sent one right away to the KLM aircraft. So my
23 involvement would have only been advising this fueling
24 supervisor that KLM was going to time out if not. It
25 was the interest of the pilot to reach out both to the

1 Airport Authority and to his ground handler to
2 expedite this process or try to.

3 However, I have no authority to expedite
4 the process, but I will gladly pass that information
5 on, to which I would have done for Air Transat if they
6 would have advised of the situation on the ground.

7 **MS. RENAUD:** What time was it when you
8 intervened with the refueler?

9 **MR. WHITEHORNE:** I don't recall the
10 exact time. However, the information I was receiving
11 on three separate occasions from the First Air staff,
12 which is the service provider for Transat at Ottawa,
13 was that they were gas and go.

14 **MS. RENAUD:** But weren't all the
15 aircrafts gas and go?

16 **MR. WHITEHORNE:** Not necessarily.
17 However, in KLM's case because they were going to run
18 out of time on the pilots, they elected to reach out
19 and advise us of the situation, to which both myself
20 and the Operations Manager tried to assist.

21 **MS. RENAUD:** But it was the ground
22 handler that contacted you you said before?

23 **MR. WHITEHORNE:** Yeah, that's
24 affirmative.

25 **MS. RENAUD:** Or was it KLM?

1 **MR. WHITEHORNE:** So the way that
2 communication normally happens is because the pilots
3 don't necessarily have a telephone number for myself
4 or the Operations Manager, my understanding is that
5 they contacted their ground handler who then contacted
6 us. Then the Operations -- and by us I mean the
7 Airport Operations Centre -- then the Operations
8 Manager contacted me, to which I responded to the
9 aircraft and spoke with the pilot to see what exactly
10 was the situation.

11 **MS. RENAUD:** And when you intervened
12 with ASIG, could this have interrupted the fueling
13 sequence with respect to the time of arrival of the
14 aircraft?

15 **MS. POWELL:** Could you repeat the
16 question, please?

17 **MS. RENAUD:** When you intervened with
18 ASIG, could you have interrupted the fueling sequence
19 that was in place for refueling aircrafts on the first
20 come, first served basis?

21 **MR. LAROCHE:** I think you would have to
22 ask that question to ASIG, because we -- ASIG does not
23 inform us of the sequence and they are going to be a
24 witness, so I defer that question to them. I don't
25 know their sequence.

1 **MS. RENAUD:** But Mr. Whitehorne, you
2 were the one ---

3 **MR. STREINER:** Just a ---

4 **MS. RENAUD:** --- who intervened, what
5 conversation took place between you and ASIG?

6 **MR. WHITEHORNE:** In regards to ASIG, I
7 spoke with the fueling supervisor Ross who was in one
8 of their fuel trucks. As I arrived I said -- I said
9 hello to Ross and indicated that KLM just called the
10 Operations Centre, to which in interrupted me and said
11 "Yeah, we've got a fuel truck on the way over." That
12 was our interaction.

13 **MR. STREINER:** And counsel, just a note
14 that ASIG will be appearing later this afternoon, so
15 questions relating to their operations can be directed
16 to their witness.

17 **MS. RENAUD:** I'm just trying to
18 understand Mr. Whitehorne or other representatives of
19 the airport. So if all you did was sort of confirm
20 what was going to be done, why do you say that you
21 contacted the consortium to advise of the situation
22 and succeeded in delivering within 15 minutes the fuel
23 to the aircraft? Did you or did you not intervene?

24 **MR. BELL:** We certainly made the fueler
25 aware of the situation that KLM was going to time out,

1 whether or not they did anything with that
2 information, we don't know. I will say that certainly
3 our experience in dealing with the carriers -- we've
4 always basically been under the impression that
5 collectively the carriers are interested in making
6 some arrangements to prioritize aircraft that either
7 have an emergency or timing out.

8 But you know, these are the types of
9 things that are decided by the fuel consortium
10 ultimately, that it's in everyone's best interest that
11 if an aircraft is going to time out, that they try to
12 do what they can to get that aircraft fueled so that
13 aircraft has an opportunity to get off the ground.

14 So what I'm basically saying is it
15 really is somewhat past practice in this regard that
16 we pass this information on to the fueler, and then
17 it's up to the fueler and the consortium ultimately to
18 be deciding on the priorities and who gets fueled
19 next.

20 **MR. LAROCHE:** And I would refer, Mr.
21 Chair, to testimony -- one of the testimonies by Air
22 Transat, where ASIG informs that the priority of the
23 fueling of the four Air Transat planes is being
24 directed by either Montreal Operations Centre, their
25 tail number for example, because we do not determine

1 which aircraft of Air Transat would get fuel first.
2 In fact, TS157 did not get the fuel first, although I
3 imagine Air Transat knew it was in the most critical
4 position for fueling. That was not determined by us,
5 it was not determined by refueler. Based on what I
6 read, it was determined on some other basis.

7 **MS. RENAUD:** I'm just trying to
8 understand what you write in your submission at page
9 8. First, you say:

10 "The Authority staff
11 intervened and managed to get
12 KLM fuel delivered within 15
13 minutes." (As read)

14 And you continue by saying:

15 "If the crew of the TS157 had
16 indicated that it was in dire
17 need of fuel, you would have
18 done something." (As read)

19 So did you or did you not do something
20 to get the KLM aircraft refueled faster? And were you
21 or were you not in a position to get the TS157
22 refueled faster?

23 **MR. LAROCHE:** When asked, we're in a
24 position to provide that information to the refueler
25 for him to make the optimal decision. In the case of

1 Transat, we were not asked for that, so we do not
2 provide that information. That is our answer.

3 **MS. RENAUD:** Why would the crew contact
4 the Authority when they are dealing with their ground
5 handler to obtain fuel?

6 **MR. LAROCHE:** Again, we are there as --
7 if they contact us we will pick up the phone. We're
8 not going to say it's not our responsibility to an
9 airline that's contacting us. We're there to assist
10 and that's -- when I say "Our team goes over and
11 above", that's what we try to do. We don't look at
12 who's supposed to be doing what.

13 So if an information for example is
14 provided to us, we will try to assist. That does not
15 mean we take responsibility for the order of
16 refueling. It does not mean we take responsibility on
17 which the airline -- what he does with his contracted
18 air ground handler. We will provide the information.
19 And in this case with KLM, either the Duty Manager or
20 the OM, Mr. Whitehorne, looked in the best interest of
21 everyone to provide that information to the refueler.

22 So that is certainly a practice that I'm
23 going to continue to encourage, because sometimes
24 information between even the pilot and their ground
25 handler there's issues. We've seen in the testimony

1 by Air Transat that he was calling repeatedly his
2 ground handler, and he indicates that there was no
3 answer. So yes, we will intervene when asked.

4 **MR. WHITEHORNE:** Mr. Chairman, may I add
5 to that?

6 **MR. STREINER:** Go ahead.

7 **MR. WHITEHORNE:** So in regards to KLM,
8 the ground handler did approach the -- or did contact
9 the Operations Centre, and in turn I delivered that
10 message to the fueling provider, so -- I also spoke
11 with the captain. What I'm trying to get at here is
12 if they -- Transat would have indicated to me at any
13 such time that there was any issue with fuel or that
14 they weren't able to get in contact with the fueling
15 provider, I would have extended that same courtesy.

16 **MS. RENAUD:** So is it normal procedure
17 for the crew to contact the Authority directly?

18 **MR. WHITEHORNE:** No, it's not.

19 **MS. RENAUD:** Okay. So -- it's your
20 suggestion, I'm asking the question because in the
21 submission of the Authority it is suggested that the
22 crew should have contacted the Authority directly.
23 Wouldn't it create chaos if all crew members started
24 contacting the Authority directly?

25 **MR. LAROCHE:** We are referring to -- in

1 a critical situation when you're not getting answers
2 or not being provided what is expected, yes, please do
3 reach out to the Airport Authority. It doesn't mean
4 that in the future we're going to be taking care of
5 refueling, but we will certainly ask the refueler
6 consortium what are the issues because we're getting
7 more and more information where you're not delivering
8 what seems to be expected from the airlines. And in
9 this situation, KLM provided information and we just
10 handed that information over.

11 **MS. RENAUD:** Mr. Whitehorne, did you
12 intervene that day on July 31st on behalf of other
13 airlines with the refueler?

14 **MR. WHITEHORNE:** The only call that I
15 made on behalf of anyone else was an Airbus 319 or
16 maybe it was possibly a 320, it was parked on the
17 secondary apron. The pilot indicated to me that he
18 was on the ground for quite a bit of time and he was
19 not getting information from either his company or
20 from the fueling provider. So I made the initial call
21 -- that was before this KLM incident -- to the fueling
22 provider to see if they had a number -- like what
23 position they were in line for fueling, to which they
24 answered "I'm sorry, we don't provide any of that
25 information" and that was it. I relayed that

1 information on to the pilot and the ground handler.

2 **MS. RENAUD:** And was that your only
3 intervention with the refueler that day on behalf on
4 an airline?

5 **MR. WHITEHORNE:** That's correct.

6 **MS. RENAUD:** Okay. Your submission
7 refers in various places to priority refueling and
8 emergency refueling. Can you define these terms?
9 What do you mean by them?

10 **MR. LAROCHE:** Can you repeat the
11 question, please?

12 **MS. RENAUD:** Your submission refers in
13 various places to priority refueling and emergency
14 refueling for aircrafts. Do they mean the same thing
15 or what do they mean?

16 **MS. POWELL:** Can you refer to us a
17 specific paragraph, please?

18 **MS. RENAUD:** Okay. This is the one
19 place where I didn't take -- make specific notes. I
20 know that there's one on page 7 in the paragraph after
21 the quote of 4.8.2, the last sentence:

22 "The pilot in command would
23 be aware that it may take
24 significant time for
25 refueling and that a request

1 for priority refueling should
2 be made if required." (As
3 read)

4 Let me find the emergency refueling.

5 **MR. LAROCHE:** So I'll read that
6 paragraph in its entirety:

7 "It is the carriers that have
8 direct services contract with
9 these service providers,
10 ground handlers, aircraft
11 catering and fuelers for
12 example. These contracts
13 would specify the service
14 standards required for
15 handling the aircraft,
16 priority for fueling and
17 handling, procedures and
18 protocols during the regular
19 and irregular operations
20 among other things." (As
21 read)

22 So what we're indicating in that
23 paragraph -- that's what we expect that in the
24 contract between the fueller and the airline they're
25 going to address these situations. They're going to

1 address what kind of equipment they have, you know,
2 what kind of level of service. And if they don't,
3 which -- you know, I don't have a copy of the
4 consortium with the airline, I don't know even if Air
5 Transat is part of that consortium or if they buy
6 their fuel from another service provider, they're the
7 ones who have that contract. But I imagine the
8 contract between the refueler will talk about what
9 kind of service we're going to give you in a normal
10 circumstance and in an IROP.

11 And priority was basically -- again,
12 it's -- you know, if there's -- the sequence of events
13 in an IROP, what we were told by the fuel consortium
14 is that it's typically first come, first served. But
15 that's all we have as information, it's typically
16 first come, first served.

17 **MS. RENAUD:** So why did you intervene
18 then if it's first come, first served? Why did you
19 intervene to ask for priority?

20 **MR. LAROCHE:** We didn't ask for
21 priority. We provided information to the ground
22 handler, so that he knows that there's an aircraft
23 with a crew that's going to time out, that's what we
24 provide. We don't intervene, we provide information.

25 **MR. BELL:** If I may, I think I had

1 stated earlier that certainly our understanding based
2 on past practice is that the carriers collectively do
3 try to make an effort to try to fuel aircrafts that
4 are close to timing out, so that's why we do it. You
5 know, this isn't the first event, so we provide the
6 information.

7 **MS. RENAUD:** Okay. So to your counsel's
8 question, on page 7 it talks -- we just talked about
9 priority refueling. On page 8 you talk about
10 emergency refueling, and that's the fourth paragraph
11 after, "However, emergency refueling can be arranged
12 if necessary." So what's the difference between
13 priority and ---

14 **MR. LAROCHE:** So basically what we're
15 saying in that paragraph -- and we say this is what
16 happened. So we're just saying that in an emergency
17 situation we were provided that information, it
18 appears that KLM got fuel very quickly. That is not
19 our decision. That is the refueler's decision to go
20 fuel KLM. Again, we're providing the information
21 that's being provided to us.

22 **MS. RENAUD:** Okay. So the crew of an
23 aircraft being close to timing out you'd qualify as an
24 emergency? This is what it says here.

25 **MR. LAROCHE:** That's how we wrote it,

1 yes.

2 **MS. RENAUD:** Okay. And a flight landing
3 due to critically low fuel, would that qualify as an
4 emergency or a priority?

5 **MR. LAROCHE:** Absolutely, it's a one-
6 Charlie. And if the pilot indicates to his ground
7 handler that he needs assistance, we will provide that
8 information if he doesn't do it directly with the
9 refueler also.

10 **MS. RENAUD:** Okay.

11 **MR. LAROCHE:** In the same paragraph we
12 also indicate, you know, what is the priority that
13 we're informed of for airlines that are part of the
14 fuel consortium and not part of the fuel consortium.
15 And I think that's an important aspect on determining
16 priority. If you're not part of the fuel consortium,
17 the fuel consortium will give priority to the members
18 that are part of the fuel consortium.

19 **MS. RENAUD:** Yeah, they would be
20 following the protocol in place. Without the
21 Authority's intervention, that's what they would be
22 doing; correct?

23 **MR. LAROCHE:** Again, I would defer that
24 question to ASIG. I'm not going to speak for ASIG.

25 **MS. RENAUD:** Okay. Getting back to page

1 7 where you comment -- you give your opinion on the
2 exercise of the pilot's discretion. And as we just
3 said, you say that the pilot in command would be aware
4 -- and it's the same paragraph we referred to right
5 after the quote from the tariff:

6 "The pilot in command would
7 be aware that it may take
8 significant time for
9 refueling given his position
10 and that a request for
11 priority refueling should be
12 made if required." (As read)

13 How, in your view, can the pilot be
14 aware that it may take significant time for refueling?

15 **MR. LAROCHE:** The way we -- why we
16 indicated that is if an aircraft arrives and it's
17 diverted and there's 20 aircrafts and amongst them a
18 bunch of them that are -- several of them are gas and
19 go, I would think that they would be aware that
20 there's going to -- you're not necessarily going to be
21 the next aircraft being refueled. That's the --
22 that's what we meant by that paragraph.

23 When there's a large diversion -- the
24 number of refueling trucks are made for normal
25 operations and probably a bit more capacity, but when

1 there is a large capacity and a large demand, it's
2 just like anything else going to expect the same level
3 of service, you're going to have delays. And that's
4 what I was trying to say. When there's a large number
5 of aircrafts like there was on that day, the regular
6 operations and the irregular operations refueling, I'm
7 certain was a critical factor in getting it done.

8 **MR. WHITEHORNE:** If I can add to that.

9 **MS. RENAUD:** How is the ---

10 **MR. WHITEHORNE:** The pilot being on a
11 runway would -- I would assume draw a conclusion that
12 they're not going to be the first to be refueled.
13 They were sitting on Runway 07 behind another very
14 large 777. So my assumption would be that the pilot
15 could draw that conclusion that they're not going to
16 be the first one to get a fuel truck parked out there.

17 **MS. RENAUD:** Not the first one, but how
18 would he know how many are ahead of him?

19 **MR. LAROCHE:** By asking ---

20 **MS. RENAUD:** How does a pilot ---

21 **MR. LAROCHE:** By asking his ground
22 handler who contacts the refueler. It is a legitimate
23 question to ask. The Airport Authority is not able to
24 provide that answer.

25 **MS. RENAUD:** And how can a pilot keep

1 track of his sequence when the sequence is changed by
2 the Authority?

3 **MR. LAROCHE:** The sequence is not
4 changed by the Authority. I know you keep repeating
5 that, but it's not, it's the refueler. And I keep
6 repeating my answer. It is the refueler that
7 determines the priority.

8 **MS. RENAUD:** But the Authority chooses
9 the position.

10 **MR. LAROCHE:** The Authority does not.
11 Mr. Chair ---

12 **MR. STREINER:** Answer the question,
13 Monsieur Laroche.

14 **MR. LAROCHE:** The Authority -- as I
15 repeated many times, Mr. Chair -- does not choose the
16 priority of fueling.

17 **MR. STREINER:** So I'm just going to step
18 in for a moment. The line of questioning has started
19 to get a little bit repetitive, so I will ask counsel
20 if you could continue to move forward. Also we have
21 about a half an hour left in the time set aside for
22 the appearance of the Airport Authority's
23 representatives, that can be extended if there's
24 additional questioning required, but counsel for Air
25 Transat, can you give us a sense of the number of

1 questions and the amount of time you think you're
2 still going to require?

3 **MS. RENAUD:** Not very long, Mr.
4 Chairman.

5 **MR. STREINER:** Okay. Please proceed.

6 **MS. RENAUD:** You referred in your
7 statement, and on page 4 of your submission, to the
8 Passenger Care Response Plan that the Authority has.
9 How did you disseminate that plan, informed people of
10 the existence of your plan?

11 **MR. LAROCHE:** The SOP is an internal SOP
12 that we provide for basically when we are in that type
13 of operations, and it relates to our actions that we
14 undertake. For example, when the passengers of an
15 aircraft that has been diverted, especially an
16 international, is determined -- that deplanes, then we
17 have measures to try to accommodate them as best
18 possible, even though the processing may be a bit
19 longer.

20 **MS. RENAUD:** So how would the plan have
21 been helpful in this case?

22 **MR. LAROCHE:** I guess the plan indicates
23 -- for example, we had opportunities to assist. For
24 example, provide water. We have 6,000 bottles of
25 water and we have 600 snack kits, we have baby food,

1 we have diapers. We can get access to -- we've even
2 asked -- when a pilot would ask "Did we have food?"
3 We got pizza joints opened and delivered pizza to the
4 aircraft. When asked we will do our best -- utmost to
5 accommodate. So that's the spirit of our SOP, do what
6 you can to help the passenger and the airlines in an
7 irregular operations. So that's -- and the airlines
8 who work at the -- who come to our airport on a
9 regular basis would likely know that we're there to
10 assist.

11 **MS. RENAUD:** Say that the plan was ---

12 **MR. BELL:** If I can ---

13 **MS. RENAUD:** I'm sorry.

14 **MR. BELL:** Sorry, if I can just add
15 quickly. The statement of Suzanne Carrier, our
16 Program Manager for Emergency Management, does
17 indicate:

18 "The Ottawa International
19 Airport in collaboration with
20 air carriers established a
21 working group in the spring
22 of 2015 to formalize the
23 response to passenger care."

24 (As read)

25 So we would have been working at this

1 point with the Airport Operators' Committee at the
2 airport when we developed the plan.

3 **MS. RENAUD:** Well if I look at that
4 statement -- it's really the last paragraph, you said
5 "The plan was activated on July 31st." Concretely,
6 what did you do to activate the plan?

7 **MR. BELL:** Essentially, in this case for
8 us to activate the plan was basically -- Suzanne
9 Carrier, who is the Program Manager, she's put on
10 notice and she's available, ready to go. Our
11 Operations Manager -- it's basically -- at this point
12 it's a standby, we know we may need these things and
13 we start to look at what additional resources we'll
14 need to address it if required.

15 **MS. RENAUD:** And was this plan
16 communicated to the aircrafts on the ground?

17 **MR. BELL:** It wouldn't be under this
18 circumstance that we've activated this plan at this
19 point, because at this point we haven't actually
20 needed to do anything with it.

21 **MS. RENAUD:** Okay. And Ms. Carrier in
22 her report said that in addition to being informed and
23 being put on standby, she spoke to her manager by
24 telephone and discussed the potential consequences of
25 deplaning passengers from the diverted flights. What

1 potential consequences of deplaning passengers were
2 discussed?

3 **MR. BELL:** Well you know, I can't speak
4 to the specifics of that conversation, but what I can
5 say typically when you have aircraft in a diversion
6 deplane, it can mean some pretty lengthy delays for
7 the passengers as they come off the aircraft, they
8 have to go through Customs. Large aircraft, lot of
9 people, it can take some time to get through Customs.
10 Depending on whether or not there's a plan to re-board
11 and fly, they would have to go through the process of
12 re-checking in. The baggage would have to come off;
13 the baggage would have to be re-screened. They would
14 have to go through pre-board screening back into the
15 hold room, and then be basically re-boarded.

16 More likely the plane and the crew would
17 time out, in which case it's possible that they'd be
18 in the airport for a period of time, until either
19 buses came or there was a need to put people up in
20 hotels or whatever. So that's our experience with
21 dealing with aircraft that ultimately deplane.

22 **MS. POWELL:** Okay, but ---

23 **MR. LAROCHE:** That's happened before.

24 **MS. RENAUD:** But the fact that ---

25 **MR. LAROCHE:** I would add that -- and

1 that Operation Plan is put in place because that
2 happens. Recently it was an Air Qatar on the 4th of
3 August, it was a 777, deplaned, they were going to
4 Montreal. So we advised everyone, "Okay, we're going
5 to get a large influx of people." And then transport
6 was arranged by Air Qatar to get the people to
7 Montreal by bus. Those are decisions that the airline
8 makes.

9 So we're there to assist them.
10 Sometimes we have to provide information to the
11 passengers, sometimes they're distraught. So we'll
12 have people in the terminal providing information
13 sometimes, because there's no one else to provide that
14 type of information. Sometimes the information that
15 they are asking was, "Can I get an hotel room? Where
16 do I go?" Those are the types of information we will
17 provide if we can. Again, we want to take care of the
18 passenger once he's in the terminal.

19 **MS. RENAUD:** Monsieur Laroche, you
20 referred to this Qatar flight on August 4. How long
21 did the Qatar deplaning take?

22 **MR. BELL:** Could you just give me a
23 second? I believe I might have that timeline. All
24 right, the buses began to load at 1746 and the last
25 crew arrives in the Canada Customs at 2037.

1 **MS. RENAUD:** Twenty thirty ---

2 **MR. BELL:** The last passenger at 1839.
3 So there's a bit of a gap before the crew, so
4 passengers essentially from 1746 to 1839.

5 **MS. RENAUD:** Okay. And is that just
6 deplaning or going through Customs as well?

7 **MR. BELL:** That's deplaning.

8 **MS. RENAUD:** That's deplaning and then -
9 - okay, thank you.

10 **MR. BELL:** That's right.

11 **MS. RENAUD:** Only. Thank you. And
12 Monsieur Laroche, you referred to the thank you note
13 from Emirates, which is at Appendix 5 of your
14 submissions. You must have been really proud to
15 receive this thank you note?

16 **MR. LAROCHE:** I'm proud for the staff
17 that operates during those times when it's a fluid and
18 dynamic situation that they're able to assist as best
19 they can. I think it's a testimony. So yes, I am
20 proud of all my employees and the way they work.

21 **MS. RENAUD:** Okay. And Emirates must
22 have been really thankful because the email was dated
23 August 1st, which is less than 24 hours after the
24 events; right?

25 **MR. LAROCHE:** It's a statement.

1 **MS. RENAUD:** At 143. So in the email
2 the pilot who writes or the flight's -- the captain
3 who writes says in an alternate paragraph:

4 "The person was really
5 helpful, he organized to have
6 several aircrafts
7 repositioned and also
8 provided information and
9 input for alternative ways to
10 solve the matter. Plus once
11 we were taxiing out he
12 provided crucial directions
13 in order to avoid damages to
14 ground equipment and other
15 aircraft." (As read)

16 This is quite the first class service
17 that Emirates got for their aircraft.

18 **MR. LAROCHE:** We provide the same
19 service to all airlines, not to any one in particular.
20 I think the pilot was referring to he's aware that we
21 don't get Airbus 380s every day in Ottawa.

22 **MR. BELL:** Yeah, I think that's fair.
23 Again, an A380 at the Ottawa Airport is very unique.
24 It is above our certification in terms of the size.
25 So it requires quite a bit of attention to try to

1 basically route it through and to get it out.

2 **MS. RENAUD:** But this is in the middle
3 of this major disruption caused by the 20 diverted
4 aircrafts; right?

5 **MR. LAROCHE:** So we agree that the
6 person he's probably referring to is Adam, and he did
7 an outstanding job.

8 **MS. RENAUD:** Okay. And you state on
9 page 2 of your submissions that the role of the
10 Airport Authority is to give -- to do a number of
11 things, operate in a safe efficient way and to grant
12 equitable access to all carriers. How come the other
13 aircrafts, including the TS157 that you knew was
14 critically low on fuel, didn't get the same first
15 class service as the Emirates' aircraft?

16 **MR. LAROCHE:** I would suggest that Air
17 Transat have a discussion with their ground handler,
18 they're the ones who have the contract with, and ask
19 that question.

20 **MS. RENAUD:** I have no further
21 questions. Thank you.

22 **MR. STREINER:** Thank you, counsel.

23 We now open the floor to requests from
24 counsel or other participants in this hearing, should
25 anybody wish to pose questions to the panel of

1 witnesses from the Ottawa Macdonald-Cartier
2 International Airport. Are there any requests to pose
3 questions?

4 **MS. POWELL:** I just -- Mr. Whitehorne
5 would like to just clarify one point as it concerns
6 the parking of the A380 and the treatment, given that
7 he was there.

8 **MR. STREINER:** Mr. Whitehorne.

9 **MR. WHITEHORNE:** Thank you. The two
10 things that I wanted to add was first in regards to
11 assisting this aircraft out of the parking position.
12 At that time, they were repainting the lines in that
13 area and the positions in the ground which would
14 indicate through that deicing bay, Bay 1, 2, 3, et
15 cetera, they were -- outlines et cetera were painted,
16 but the numbers in the bay were not. So I provided
17 direction by positioning my aircraft on the proper
18 line that the pilot was supposed to use.

19 Secondly, the counsel indicated earlier
20 in regards to why I didn't have aircraft park behind
21 Emirates in front of Hangar 14. At the time in which
22 he parked it and thereafter, we were putting aircrafts
23 quite a bit in front of it and in front of the other
24 hangar. I knew that the only option for this A380 may
25 be to do a 180-degree turn, as I described earlier, my

1 concern was that the thrust from this aircraft would
2 either cause damage to the hangar blowing out windows,
3 damage to our signage. So if I think that there's
4 going to be damage to either the signage or the
5 building, I would never put an aircraft behind it.
6 That's all I have to add. Thank you.

7 **MR. STREINER:** Thank you. Before I
8 bring it back to the Panel, I think we have a few
9 final questions for our witnesses. Let me just ask
10 Agency counsel whether in terms of ensuring the most
11 complete possible record whether you have any
12 questions?

13 **--- QUESTIONS BY AGENCY COUNSEL/QUESTIONS PAR L'AVOCAT**

14 **DE L'OFFICE:**

15 **MR. SHAAR:** Yes, just two quick
16 questions. Mr. Bell, you'd mentioned that there were
17 no requests to deplane on the evening of the 31st. So
18 what kind of obstacles would that present the CBSA,
19 CATSA, if they had request -- if they had received a
20 request to deplane on the evening in question?

21 **MR. BELL:** I can't talk specifically for
22 CBSA or CATSA. But a single aircraft -- and I'll give
23 some rough timelines, you know, deplaning basically
24 for Qatar. A large aircraft if it's, you know, 777
25 with 300+ people on board it would take -- it could

1 take an hour, an hour and a half to process through
2 Canada Customs. It would be a heavy load on the
3 airport at a time when we're already busy. It would
4 be busy, it would be slow.

5 **MR. SHAAR:** So given where Air Transat
6 flights 157 and 507 were parked, first on the runway
7 and then the taxiway and later in front of Hangar 14,
8 was it a viable option for Air Transat to make the
9 request to deplane?

10 **MR. BELL:** If I take that -- if you look
11 at where they're located and when they're located out
12 on Runway 7 or even on the taxiway, so 157 on the
13 runway and 507 on the taxiway, reasonably you would
14 only deplane there under an emergency condition. You
15 wouldn't deplane there; you'd want to move to a better
16 location.

17 Deplaning on the apron area, that's west
18 of Hangar 14, you could deplane in that area by bus to
19 the terminal. You wouldn't be able to just deplane
20 onto the apron area. You'd have to basically come
21 down a set of stairs, get on a bus and go to the
22 terminal. So you'd preferably go to a gate if
23 possible.

24 **MR. SHAAR:** And what are the chances of
25 moving Flight 157 considering the condition or the

1 amount of fuel it had remaining?

2 **MR. BELL:** Moving 157 at what time?

3 **MR. SHAAR:** Before it managed to refuel.

4 **MR. BELL:** When it was on the runway, it
5 could have been relocated I would say at that point.
6 Once it got to the hangar, apparently it was quite low
7 on fuel and ultimately we believe ran out.

8 **MR. SHAAR:** Okay. Thank you.

9 **MR. LAROCHE:** Counsel, just to clarify
10 your question. If Air Transat had asked to deplane,
11 our preferred scenario is to bring them to a gate. If
12 a gate is not available, we will attempt to make a
13 gate before we let people off on the tarmac. So if
14 you're saying at 7 o'clock if Air Transat had asked
15 for a gate, we would have made a gate available. I
16 don't know exactly what time, but we will try to do
17 that because we do not want to use our buses if we
18 don't have to. If we have the possibility to bring
19 the aircraft to the terminal, that is a much better
20 scenario than deplaning by bus.

21 **MR. SHAAR:** Thank you.

22 **MR. STREINER:** Okay. A few final
23 questions from the Panel, I will start.

24 I want to circle back to the emergency
25 supplies that you have on hand, the water and the

1 snacks, et cetera. Can you just describe what steps
2 an airline would have to take in order to access those
3 supplies? How would that actually look in practice if
4 a aircraft found itself -- if an aircraft crew found
5 the aircraft was short of supplies, how would they be
6 able to then access those that are held by the
7 airport?

8 **MR. LAROCHE:** Again, usually the
9 aircraft would contact the Duty Manager.

10 **MR. BELL:** Yeah, you'd typically expect
11 the ground handler to contact -- or the carrier
12 depending, to contact our Operations Manager and look
13 for that type of assistance. If we were trying to get
14 those supplies out to an aircraft, we would be
15 basically working with a ground handler on an
16 international flight, in particular to get those
17 supplies to the ground handler so the ground handler
18 could bring them onboard.

19 **MR. STREINER:** Thank you.

20 Mr. Barone, do you have any further
21 questions?

22 **MR. BARONE:** Yes, I do, Chairman. Thank
23 you. I just wanted to -- Mr. Laroche and in
24 particular after Mr. Whitehorne as well, because you
25 say in your testimony you're not responsible for

1 aircraft marshalling, refueling, catering, et cetera,
2 baggage handling, understood. However, this Panel
3 also would like to understand and have clarification
4 with respect to all the roles of the players, because
5 no one was all acting in isolation that day. So
6 understanding as well that -- and let's say 380 is not
7 a regular visitor to YOW; correct?

8 **MR. LAROCHE:** That's correct.

9 **MR. BARONE:** So in that situation you
10 did -- because of the taxi lines were not clear or
11 whatever -- you did, as a courtesy, provide taxiing
12 instructions to -- whether it was 1432 or 0725;
13 correct?

14 **MR. WHITEHORNE:** Yeah, that's correct.
15 We had a conversation prior to the aircraft even
16 moving. So I don't provide taxi directions by any
17 means, that's Nav Canada. However, because of that
18 nature it's technically uncontrolled that time of
19 year, I assisted with directing him to the appropriate
20 line. And I will add though Swissport, who's the
21 ground handler, was assisting with wing walking. So
22 they were ensuring that the wings wouldn't make
23 contact with anything.

24 **MR. BARONE:** So your role essentially,
25 from what I understand here today given your

1 testimony, is more a facilitative role? You do
2 facilitate some of those elements in terms of
3 positioning for refueling and positioning obviously
4 given the size of the Airbus 380 and so on. You have
5 a facilitative role, is that essentially your ---

6 **MR. LAROCHE:** That would be a great
7 characterization; we're there to help where we can.
8 And in the refueling -- we do have aircrafts that
9 arrive here and basically the refueler has plans for
10 airlines that are not part of the fuel consortium in
11 Ottawa because it happens. And they -- I don't even
12 know the details of that, but it works. It works
13 99.99 percent of the time because they get fuel. The
14 only circumstance -- I don't think there's a
15 circumstance that an aircraft did not get fuel at our
16 airport.

17 **MR. STREINER:** Thank you, Mr. Barone.
18 Mr. Fitzgerald, any questions?

19 **MR. FITZGERALD:** Yes, I have two
20 questions. First, looking at page 4 of Mr. Laroche's
21 testimony when he talks about an Air Canada aircraft
22 being refueled on the taxiway, is that Air Canada 865
23 on Taxiway Charlie C?

24 **MR. BELL:** That's right. That's
25 correct.

1 **MR. FITZGERALD:** At the time that he was
2 refueling were his wings over the grass?

3 **MR. BELL:** No, they would not have been.

4 **MR. FITZGERALD:** Okay. Thank you. One
5 more question. We've seen in other testimony that Air
6 Canada 318 arrived at Ottawa at 7:15, got gate
7 clearance at 8:17, and eventually arrived at the gate
8 at 8:42 to deplane its passengers. Can you tell the
9 Panel what circumstances may have contributed to the
10 aforementioned flight exceeding 90-minute timeline
11 before it could actually deplane its passengers?

12 **MR. BELL:** Sorry, I'm not sure, what are
13 you referring to?

14 **MR. FITZGERALD:** It's Flight 318 and the
15 calculations are taken from your timeline on -- I
16 believe it's Exhibit -- it's Appendix 1, your detailed
17 timeline. If you just follow that flight through, you
18 realize that it lands at 5:15, it gets to the gate at
19 8:17, it actually arrives -- gets into the gate at
20 8:42, so that's about a three and a half hour delay.
21 And I'm just wondering if you can tell us why it
22 wasn't able to meet the 90-minute timeline, given that
23 it was in fact a domestic flight with none of the sort
24 of the international issues we're hearing here.

25 **MR. BELL:** My understanding of that

1 flight -- and again we don't have all the details,
2 that would be a question for Air Canada -- but our
3 understanding on the night of was that there might
4 have been some mechanical issues with that aircraft.
5 I believe since then Air Canada has let us know that
6 they might have gotten caught up in either a further
7 ground delay in Montreal or their ability to get a
8 slot into Montreal, and that would be why it was on
9 the ground for as long as it was. But again, I don't
10 have that, that's an Air Canada question.

11 **MR. FITZGERALD:** Thank you.

12 **MR. STREINER:** The Agency would like to
13 thank the panel of witnesses from the Ottawa
14 Macdonald-Cartier International Airport. I indicated
15 in my opening comments this morning that in some
16 instances we would ask witnesses to stay over the
17 break in case the Panel had any follow-up questions
18 for them. I think in this case, colleagues, that we
19 will release you now. I don't anticipate -- given the
20 extensive questioning that's taken place -- that there
21 will be any further questions after the break. So
22 again, thank you for your presence.

23 For others in the room, we will take a
24 break now until 4 o'clock, at which point we will
25 resume with testimony from ASIG. Thank you.

1 **MR. LAROCHE:** Thank you, Mr. Chair.

2 **(WITNESSES ARE EXCUSED/LES TÉMOINS SONT LIBÉRÉS)**

3 **MS. BARRETT:** All rise. You can be
4 seated.

5 --- Upon recessing at 3:38 p.m./

6 La séance est suspendue à 15h38

7 --- Upon resuming at 4:01 p.m./

8 La séance est reprise à 16h01

9 **MS. BARRETT:** All rise. Please be
10 seated.

11 **MR. STREINER:** Ladies and gentlemen, we
12 will now begin the final round of testimony for Day
13 one of this two-day oral hearing. The testimony will
14 be from two representatives of the Aircraft Services
15 International Group, ASIG. And I will invite the
16 Registrar now to call them forward.

17 **MS. BARRETT:** Will the witnesses for
18 Aircraft Services International Group please step
19 forward? Thank you. Please identify yourself and
20 your role in the language of your choice, dans la
21 langue de votre choix.

22 **MR. ROBILLARD:** Matthew Robillard and
23 I'm a dispatcher for Fueling Operations.

24 **MR. JOPLING:** I'm Mike Jopling the
25 Manager.

26 **MS. BARRETT:** Excuse me, Mr. Jopling, if

1 you could just speak a little bit closer into the
2 microphone, please.

3 **MR. JOPLING:** Mike Jopling, Manager.

4 **MS. BARRETT:** Perfect, thank you.

5 **--- MATTHEW ROBILLARD, Affirmed/Sous affirmation**

6 **solennelle:**

7 **--- MICHAEL JOPLING, Affirmed/Sous affirmation**

8 **solennelle:**

9 **MR. SHAAR:** Thank you.

10 **MR. STREINER:** So gentlemen, just to
11 give you a sense of how the hearing is organized, we
12 will give you an opportunity to present any evidence
13 that you want to at the outset. My colleagues and I
14 on the Panel here, who ultimately need to render a
15 decision in this case, it may then ask you some
16 questions. We will then allow Air Transat counsel to
17 pose questions to you. After that, we'll ask if
18 there's any other counsel or participants in this
19 hearing in the room who wish to pose questions, and
20 then it will come back to the Agency for any final
21 questions. So it is a process of trying to illuminate
22 the facts of the events that we're looking into here
23 today.

24 So with that let me invite you to make
25 any opening statements or presentations that you'd

1 like to make. Let's start with Mr. Robillard.

2 **MR. ROBILLARD:** I have no opening
3 statement, so whichever questions you want to ask me,
4 I'm here.

5 **MR. STREINER:** That's fine. Mr.
6 Jopling.

7 **MR. JOPLING:** Yeah, I don't have
8 anything to open with either.

9 **--- QUESTIONS FROM THE PANEL/QUESTIONS PAR LE PANEL:**

10 **MR. STREINER:** So then on behalf of the
11 Panel, let me ask you if you could please describe the
12 events of July 31st from what you're aware of the train
13 of events, the incidents during the period where
14 flights were diverted into Ottawa International
15 Airport. We're not asking you to provide information
16 that you've gathered from the media, but rather to let
17 us know what you personally experienced as that day
18 and evening unfolded.

19 Mr. Robillard.

20 **MR. ROBILLARD:** I guess I could describe
21 the day as chaotic. I'm a single one-person
22 dispatching unit for fueling, so on top of our
23 scheduled flights, with the additional diversions it
24 made for an interesting day.

25 **MR. STREINER:** What would you -- how

1 would you qualify -- to the extent that you can -- the
2 difference in the workload between a regular evening,
3 a non-chaotic evening where there were no diversions,
4 and the evening that we're talking about?

5 **MR. ROBILLARD:** I guess if it's a clear
6 day and flights are more or less on time, it's fairly
7 smooth. But if the weather is bad, depending on
8 certain specific times of which the diversions might
9 be coming down or other flights, it could definitely
10 put quite a stressful load at a specific time ranging
11 from one hour to whenever it finishes.

12 **MR. STREINER:** And were you on duty for
13 the entire period in question? In other words, what
14 we understand to be the period where there was the
15 greatest pressure on the system from 4 or 5 o'clock in
16 the afternoon through until late that evening.

17 **MR. ROBILLARD:** Yes. Yes, I was.

18 **MR. STREINER:** Before I move on to one
19 or two other questions and invite my colleagues to do
20 so, Mr. Jopling, anything to add on those questions in
21 terms of the events of the specific evening and the
22 relative workload compared to a regular day?

23 **MR. JOPLING:** It was a busy time, it's
24 during the rush period and you have all these extra
25 wide body flights. It's an event that in my 18 years

1 I've only actually seen something like this happen a
2 couple of times. So it's very rare, hard to handle
3 with one person kind of running the show. You have a
4 couple people outside trying to relay information, but
5 it's still a very difficult thing to do and something
6 that rarely happens.

7 **MR. STREINER:** Thank you. I wonder if
8 you could just explain to the Panel and others in the
9 room a little bit about the process of refueling. So
10 who actually brings the requests forward? How when
11 requests come forward do you prioritize if you have
12 multiple requests at the same time? Could you just
13 sort of enlighten us on the operations?

14 **MR. JOPLING:** Specifically for
15 diversions or for the entire operation?

16 **MR. STREINER:** Let's start with
17 generally. So how would it work on a regular day?
18 And then how would it change, if at all, in a
19 situation where workloads were increased as a result
20 of diversions?

21 **MR. JOPLING:** A regular day-to-day the
22 airlines always provide us with fuel loads, whether
23 it' be through their own operations or through a
24 ground handler that they use. They provide us with
25 the fueload, the aircraft number, a flight number, and

1 our dispatchers will assign fuelers to go out and do a
2 certain amount of flights. They go out, they fuel the
3 flights. When they get low on fuel -- yeah, it's all
4 scheduled stuff. When they run out of fuel or have
5 time to come back and fill up the truck, they fill up
6 the truck, they take breaks throughout.

7 And as long as -- like Matt said
8 earlier, as long as everything is going smoothly then
9 there's -- you don't really have to change anything up
10 and that's it, you do your first run, come back for
11 your lunch, do your second run after that and that's
12 your day, it's pretty tame.

13 **MR. STREINER:** And how would that change
14 on a day like the one in question, where you suddenly
15 had a much more -- a much larger number of flights
16 than anticipated asking for refueling services?

17 **MR. JOPLING:** Well that particular night
18 we kind of doubled our fuel volume, so it put a lot of
19 pressure on us to keep our fuel trucks full. You
20 know, it can take 20-30 minutes to fill up our truck
21 and then you go out and you do two flights and you
22 drain the truck again, then you've got to come back
23 and fill it up.

24 He's getting hundreds of phone calls
25 from all the airlines panicking that they're going to

1 have crew time outs or "When are we going? When are
2 we going?" He's got calls from the fuelers over the
3 radios; he's got calls to make over the radio. So
4 he's constantly on the radio or the phone and it's
5 kind of stressful for him I would think.

6 **MR. STREINER:** Sounds pretty stressful.
7 Just to be clear, you've said it twice but I just want
8 to make sure we understand, you've referenced getting
9 calls from multiple sources, airlines, ground
10 handlers. Would that be typical? In other words, who
11 would be reaching out to you saying "Fuel is
12 required", would it typically come through from one
13 source or would you typically be getting those sorts
14 of calls and requests from different sources?

15 **MR. JOPLING:** Generally it's one source
16 for each airline. It just depends if that airline has
17 their own operations centre at the airport. Or in a
18 case like Transat where they use a ground handler, I
19 guess they would refer to the ground handler and then
20 they would call us with all the pertinent information.

21 **MR. STREINER:** Okay. Mr. Robillard,
22 anything to add on those questions?

23 **MR. ROBILLARD:** A lot of the times I
24 might not even receive a call because we get many fuel
25 loads electronically. So that being said, then I

1 like a single file line where you just have them come,
2 pick up their fuel and go somewhere else to park after
3 they get their fuel. But there's still problems with
4 that with ground handlers, because we can't fuel
5 without chocks and stairs as well. So it really
6 doesn't matter which way you go, there's probably
7 going to be something that will -- at least one
8 aircraft is going to have a problem where we can't
9 fuel it for one reason or another or the aircraft can
10 have a mechanical issue and stop that. But just a
11 best guess would be to have some kind of single file
12 line, it might speed up the process.

13 **MR. STREINER:** Thank you.

14 Mr. Fitzgerald, any questions?

15 **MR. FITZGERALD:** Yeah, a couple. What's
16 the reason why you need stairs when you're doing the
17 refueling?

18 **MR. JOPLING:** We usually have it just
19 for emergency egress. The airlines can either use the
20 stairs or they can -- I guess open the doors and pull
21 the slides out so people can get out that way. But we
22 just -- generally if there's stairs, well that's just
23 what we do, or on a gate if they have a bridge as
24 well.

25 **MR. FITZGERALD:** Okay. And just one

1 more question. You said that you were -- you've been
2 with this organization for about 18 years you said?

3 **MR. JOPLING:** Yeah.

4 **MR. FITZGERALD:** And how many times in
5 that 18 years have you received a call from the
6 Airport Authority on behalf of an airline?

7 **MR. JOPLING:** I can't really recall any.

8 **MR. STREINER:** Thank you, gentlemen.

9 We're now going to turn to Air Transat
10 counsel and invite them to pose any questions they may
11 have. Again, just because you haven't been here for
12 the earlier sessions, we won't intervene as a Panel,
13 we'll just let you go back and forth with counsel
14 unless things get a little chaotic, in which case
15 we'll just intervene to kind of keep things orderly.

16 So, counsel.

17 **Mme RENAUD:** Merci, monsieur le
18 président.

19 **--- QUESTIONS BY AIR TRANSAT/QUESTIONS PAR AIR**

20 **TRANSAT:**

21 **MS. RENAUD:** Mr. Jopling, I'm referring
22 to your statement which you provided, and it's Tab G
23 of the binder in front of you, but you probably have a
24 copy as well. That one, yes. So in your statement
25 you say that seven tankers were in operation on July

1 31st. How many of these were used for the diverted
2 flights?

3 **MR. JOPLING:** Throughout the night there
4 were several of them. Basically there was two of
5 them, but trucks get getting switched around for
6 people to come back to eat, to fill up their trucks,
7 so we had fuelers switching from truck to truck.

8 **MS. RENAUD:** Okay. I'll ask you to
9 answer to the Panel. I'm talking to you but you
10 should direct your answers to the Panel. That's the
11 way these works.

12 And you state that under normal
13 circumstances diverted flights are fueled on a first
14 come, first served basis; is that correct?

15 **MR. JOPLING:** Correct.

16 **MS. RENAUD:** Okay. And you state that
17 before the four Transat aircrafts were moved near
18 Hangar 14, you had lost a fair amount of time because
19 of improper positioning of aircrafts. Can you
20 elaborate on how the positioning caused a loss of
21 time?

22 **MR. JOPLING:** There were a few aircraft
23 that were parked with the wingtips over the grass; we
24 couldn't fuel them for environmental reasons. There
25 was also another aircraft that we have to position our

1 tanker on the right side of the aircraft and that
2 wingtip was up against the grass, so we would have to
3 park our entire tanker on the grass and we can't do
4 that. So we asked the airlines if they'd be able to
5 move their aircrafts so their wingtips wouldn't be
6 covering the grass, which they weren't able to. One
7 airline, WestJet, stated that -- the pilot that I was
8 talking to said that he wouldn't be able to move his
9 aircraft because the airport wouldn't let him.

10 So at that time I thought that we had a
11 pop-up pool that we'd be able to use and put under the
12 wingtip, and so in the event that the aircraft did
13 vent the fuel would land in the pop-up pool instead of
14 in the grass. The wing is low enough that it wouldn't
15 spread too far, so I took that opportunity. So
16 instead of having aircrafts sit around with fuelers
17 doing nothing, that we'd be able to speed up the
18 process a little bit by getting that one aircraft
19 done. And then as soon as we had the opportunity to
20 do another one, it's just one less in the way that
21 we'd be able to get it all done.

22 **MS. RENAUD:** Okay. My apologies. And
23 can you evaluate how much time you lost because of
24 improper positioning?

25 **MR. JOPLING:** We had two fuelers around

1 at the time, and I believe one of them was just under
2 half an hour that he was sitting there doing nothing.
3 And we had another one that was -- I think it was
4 about 20 minutes where he didn't do any fueling
5 either.

6 **MS. RENAUD:** Okay. And you also
7 mentioned in your statement that around the time the
8 four Transat aircrafts were moved near Hangar 14, you
9 were fueling the KLM flight due to the unusual request
10 from the Airport Authority. Why was it unusual?

11 **MR. JOPLING:** Well as I stated earlier,
12 it's -- in all the time that I've been around you
13 don't usually get phone calls from the airport
14 requesting to fuel aircraft in a certain manner.

15 **MS. RENAUD:** Okay. And who received the
16 call from the Airport Authority?

17 **MR. JOPLING:** That would be Matt.

18 **MS. RENAUD:** Matt. And why does it say
19 in your statement, "Someone who identified himself as
20 an Airport Authority employee"; were you in doubt?

21 **MR. JOPLING:** No, we just have no proof
22 that it was an actual employee. It could have been
23 anybody that called that they identified themselves as
24 an Airport Authority employee. I just wanted to make
25 sure that as best of our ability that we're stating

1 facts and ---

2 **MS. RENAUD:** Okay. I understand. It
3 was just -- I was wondering why it was phrased that
4 way. And Mr. Robillard, what did that person say to
5 you when you received the call?

6 **MR. ROBILLARD:** He told me that KLM was
7 going to time out, and based on that that I should
8 definitely see that as of utmost importance to
9 potentially prioritize them.

10 **MS. RENAUD:** And what did you answer?

11 **MR. ROBILLARD:** I told them, "I can't
12 guarantee any times or anything of when -- of which we
13 can get to an aircraft." So based on who was
14 available and who was around that area at that time, I
15 had a guy that could go to KLM, so I sent him to KLM.

16 **MS. RENAUD:** So you -- just so I
17 understand, you replied that you weren't able to
18 intervene, but you did send the truck to KLM?

19 **MR. ROBILLARD:** Yeah, based on like the
20 operations around the airport and who I have
21 available, where they might be might influence where I
22 might send them next. So at that point in time, we
23 had a truck that was available to go fuel KLM, so I
24 went to send them to KLM.

25 **MS. RENAUD:** So you actually complied

1 with the Authority's request?

2 **MR. ROBILLARD:** I wouldn't necessarily
3 say "complied with their request." Just based on the
4 operation at the time, it's what made sense.

5 **MS. RENAUD:** It made sense to do it, but
6 was it -- what -- would the KLM aircraft have been the
7 next aircraft that you would have sent the truck to?

8 **MR. ROBILLARD:** And the thing is, where
9 I'm positioned I have no idea when the aircraft arrive
10 at the airport. So for me there is no specific
11 sequence of who gets fueled next. It's all based on -
12 - when I get the fuel release is when I get fuel loads
13 and specific times based on that of when somebody's in
14 a position to be fueled.

15 **MS. RENAUD:** Okay. Did you receive any
16 other requests from the Authority on July 31st to
17 prioritize certain aircrafts?

18 **MR. ROBILLARD:** Not that I can recall
19 specifically, it was pretty chaotic that day. I
20 couldn't tell you how many phone calls I received.

21 **MS. RENAUD:** Okay. And there was a
22 question from the Chair of the Panel about the -- no,
23 Mr. Fitzgerald, sorry, about the stairs being
24 required. Is that -- does it have anything to do with
25 the type or the size of the aircraft that you would

1 need stairs for deplaning?

2 **MR. JOPLING:** No, well I guess it does
3 because some aircraft have stairs built right into the
4 aircraft, those ones they would just put their door
5 down and then they have stairs. The larger ones would
6 need the air stairs brought up to them.

7 **MS. RENAUD:** Okay. And back to you, Mr.
8 Robillard, on the evening of July 31st did you have a
9 conversation with Captain Saint-Laurent of Air
10 Transat?

11 **MR. ROBILLARD:** I can't recall if I had
12 a conversation with any captain whatsoever. I
13 received many phone calls from many different airlines
14 that day. I couldn't say if it was a representative
15 from an airline specifically or a captain calling me.
16 I told everyone pretty much the same thing, "When
17 you're in a position to be fueled, we will get to you
18 when we're available."

19 **MS. RENAUD:** So that was your standard
20 reply to everyone?

21 **MR. ROBILLARD:** Yeah.

22 **MS. RENAUD:** And did captains ask you
23 why it was taking so long?

24 **MR. ROBILLARD:** I think everybody was
25 asking ---

1 **MS. RENAUD:** Okay.

2 **MR. ROBILLARD:** --- why it was taking so
3 long.

4 **MS. RENAUD:** Okay. But did you have a
5 face-to-face conversation with Captain Saint-Laurent?

6 **MR. ROBILLARD:** No, the only -- I'm in a
7 separate office; I'm not on the ramp.

8 **MS. RENAUD:** I see. Does anybody from
9 your organization would have a conversation with one
10 of the pilots?

11 **MR. ROBILLARD:** I couldn't tell you.

12 **MR. JOPLING:** Any of the fuelers that
13 would have fueled one of those aircraft, would have
14 had the opportunity while they were fueling if anybody
15 on the aircraft would have went down to talk to them.
16 It could have happened at that point.

17 **MS. RENAUD:** Okay. I have no further
18 questions. Thank you.

19 **MR. STREINER:** Thank you, counsel.

20 Are there other counsel in the room or
21 participants in this hearing who'd wish to -- who'd
22 like to pose questions to the witnesses?

23 **MS. POWELL:** Yes, I'd like a few
24 questions.

25 **MR. STREINER:** The nature of the

1 question and the anticipated time required?

2 **MS. POWELL:** Five minutes and with
3 regards to the prioritization and the mention that
4 some of the requests are done electronically for fuel.

5 **MR. STREINER:** Go ahead.

6 **MS. POWELL:** Okay.

7 **--- QUESTIONS BY YOW/QUESTIONS PAR YOW:**

8 **MS. POWELL:** Mr. Robillard, you
9 indicated -- and I'm sorry, I'm talking to your back
10 like this -- you indicated that you get phone calls as
11 well as electronic demands. Are those specifically
12 for flights that have been scheduled or do you get
13 electronic demands for unscheduled or diverted flights
14 as well?

15 **MR. ROBILLARD:** I do get electronic fuel
16 loads for unscheduled diverted flights as well.

17 **MS. POWELL:** And when you get those --
18 you indicated that you don't have any recorded times
19 for phone calls for fuel loads, but are the electronic
20 demands recorded somewhere or is that a document that
21 could be obtained for that evening?

22 **MR. ROBILLARD:** Yes, there is a
23 timestamp of which we receive the fuel load.

24 **MS. POWELL:** And would it be possible --
25 I know you probably don't have it with you now -- to

1 be able to provide us with a copy of those demands for
2 fuel?

3 **MR. ROBILLARD:** I don't have anything
4 with me with that regard.

5 **MS. POWELL:** But could you go back to
6 your office and is that a document that would be kept?

7 **MR. JOPLING:** Are you referring to the
8 loads for Transat?

9 **MS. POWELL:** The loads for that -- the
10 request for that evening.

11 **MR. JOPLING:** Well all of them are
12 different. Air Transat particularly don't have them
13 printed off. It's more Air Canada and WestJet that
14 have them.

15 **MS. POWELL:** Okay. Then I will --
16 because we're here about Air Transat specifically, I
17 won't ask for the others. With regards to
18 prioritizing, you indicated that it's first come,
19 first served. It doesn't necessarily mean first
20 person making the demand, it's first person in the
21 position to be able to get fuel; is that fair?

22 **MR. JOPLING:** Yeah, our priority is
23 always scheduled flights and then after that then we
24 go to anybody who has fuel loads, who has a fuel
25 release and is in a position available to be fueled.

1 **MS. POWELL:** I understand that the Air
2 Transat flights were put together; there were four of
3 them on Hangar 14. Was that logical to have them all
4 together given that they're serviced by the same
5 ground crew?

6 **MR. JOPLING:** We don't have any control
7 over where the aircraft are positioned; we just fuel
8 them wherever they go.

9 **MS. POWELL:** And you indicated that you
10 had fueled the specific airplanes identified by tail
11 numbers in your statement. Those instructions were
12 received by First Air?

13 **MR. JOPLING:** Correct. Matt, you might
14 want to ---

15 **MR. ROBILLARD:** Yes, we received flight
16 numbers and tail numbers and fuel loads all at
17 specific times from First Air.

18 **MS. POWELL:** And so First Air were the
19 ones who were requesting that you fuel in that
20 particular order; correct?

21 **MR. ROBILLARD:** Yes, it's -- they tell
22 me the flights that they want fueled and eventually
23 they give me fuel loads. Sometimes when they call me
24 they don't give me a fuel load, they just give me a
25 flight number without necessarily a tail beforehand,

1 so I at least have that ahead of time. I don't know
2 exactly when I'm getting the rest of the information
3 until they call me.

4 **MS. POWELL:** And how long approximately
5 -- or I guess it would depend on the airplane -- how
6 long would it take to fuel an airplane?

7 **MR. ROBILLARD:** It all depends on the
8 fuel load and some -- I guess you could say situation
9 of how you can get around the aircraft might determine
10 on how long it would take to get to it to fuel it as
11 well, so it's really hard to specify a specific amount
12 of time. But with regards to fueling operations
13 specifically, for a flight that is taking -- I would
14 have to have the specific fuel load to tell you the
15 exact time for that fuel.

16 **MS. POWELL:** So whether you are third in
17 line, fifth in line, seventh in line, without knowing
18 the type of aircrafts ahead of you, you wouldn't
19 necessarily know how long it would take you; is that
20 fair?

21 **MR. ROBILLARD:** Yes, it's hard to
22 determine a specific time.

23 **MS. POWELL:** Thank you. Those are my
24 questions.

25 **MR. STREINER:** The Panel may have a few

1 additional questions for you, but first we will turn
2 to counsel from the Agency and ask if there are any
3 questions counsel wish to pose in order to help ensure
4 the fullest possible record.

5 Counsel?

6 **MR. SHAAR:** I don't have any questions.
7 Thank you.

8 **MR. STREINER:** Gentlemen, I'd just like
9 to come back to something which I know you've already
10 touched on and have already been questioned on a bit,
11 but just a little more digging. So an evening like
12 the evening of the 31st of July unfolds and you've got
13 a lot of planes and a lot of people asking you for
14 fueling services. What I understand from what you've
15 said so far, is that you would give priority to
16 scheduled flights and then largely the decision after
17 that would be based upon effectively operational
18 considerations on the ground, where an aircraft is,
19 its accessibility, where you've got the fueling
20 trucks; am I understanding correctly?

21 **MR. JOPLING:** That's correct.

22 **MR. STREINER:** So within that reality as
23 everything is moving, are there any other
24 considerations, any other criteria that come into play
25 as you basically dispatch the trucks to go and fuel

1 the different planes or is that really -- are you
2 making the decisions sort of minute by minute based
3 upon location of the planes and location of your
4 trucks, are there any other considerations that come
5 into play as you sequence the fuel?

6 **MR. JOPLING:** There can be. There can
7 be other opportunities where airlines may choose to
8 fuel one of their diverted flights as opposed to one
9 of their scheduled flights, and that's up to the
10 airline themselves. If they want to do that, then
11 we'll switch one of their two flights around.

12 **MR. STREINER:** And you would get that
13 information either directly from the airline or from
14 the ground handlers; is that correct?

15 **MR. JOPLING:** Correct.

16 **MR. STREINER:** Okay.

17 Mr. Barone, additional questions?

18 **MR. BARONE:** Thanks, Mr. Chairman.

19 Just to clarify the nature of your
20 operation that particular day. So you said that
21 scheduled -- to the Chairman's point, scheduled
22 flights had priority and then of course the irregular
23 flights. So were you doing the scheduled flights as a
24 block and then going to them, or were you
25 intermittently doing scheduled and irregular flights

1 refueling that day?

2 **MR. ROBILLARD:** I guess I could say some
3 were intermittent. If I had a fueler that had a
4 sufficient amount of fuel on his truck where he could
5 go and do a diverted flight, I would send him to one.
6 And that did happen a few times on that day.

7 **MR. JOPLING:** There could be times where
8 a scheduled flight -- even someone's waiting to fuel
9 the flight and that flight could arrive late, so now
10 he's got a little space in his schedule of flights
11 that he was going to do. So he might have 15-20
12 minutes just pop up all of a sudden, and now he's got
13 time to maybe run down and do one of the diverted
14 flights. So you kind of -- it's flying by the seat of
15 your pants, you just pick up and do what you can when
16 you can do it and do the best you can to try and make
17 all your customers happy.

18 **MR. BARONE:** Just supplementary, Mr.
19 Chairman. So if a scheduled flight that was running
20 late on its own for no reason other than -- not
21 concerning weather, but it was just late arriving in
22 Ottawa but it was a scheduled flight, would that
23 scheduled flight have priority over the irregular
24 diverted flights?

25 **MR. JOPLING:** I would say yes, because

1 it's still -- it was a scheduled flight. It just
2 happens to be late and it's not coming from another
3 city, it was supposed to come here anyway.

4 **MR. BARONE:** No further questions, Mr.
5 Chairman.

6 **MR. STREINER:** Mr. Fitzgerald?

7 **MR. FITZGERALD:** Just one question.
8 When you were fueling Air Transat 157, that was the
9 911 call, did that affect the fueling in any way?

10 **MR. JOPLING:** The only thing I know
11 about that flight that there was any problems was
12 after it ran out of fuel, there was problems fueling
13 it because the -- I guess the whole power for the
14 system went down and they couldn't get it going, so it
15 took them a while to get it up and running to be able
16 to fuel it again.

17 **MR. STREINER:** So two final questions
18 from me. Picking up on the previous question and
19 answer, in a situation of a fuel emergency or low
20 fuel, would that affect the priority that you give to
21 flights? If you had been informed that there was a
22 flight in a fuel emergency situation, would you factor
23 that in and tend to move them forward in the sequence
24 of refueling?

25 **MR. JOPLING:** I believe we would if we

1 anticipation on your face. Are you looking to ask ---

2 **MS. RENAUD:** A final set of questions --

3 -

4 **MR. STREINER:** Go ahead.

5 **MS. RENAUD:** --- that will take five
6 minutes, no more.

7 **MR. STREINER:** Go ahead.

8 **MS. RENAUD:** You spoke about the first
9 come, first served protocol. It appears that the 777
10 on the Taxiway C was fueled out of sequence. Can you
11 explain how you were able to fuel on the taxiway?

12 **MR. ROBILLARD:** That one is another odd
13 request by Air Canada -- asked if you can have a truck
14 escorted to fuel that flight specifically, because
15 again that was another one that was going to time out.
16 So we did not repeat that because it did take a lot of
17 time.

18 **MS. RENAUD:** It took a lot of time?

19 **MR. ROBILLARD:** Yes, I believe it was --
20 I'm guessing about 45 minutes that it took to actually
21 have that plane refueled.

22 **MS. RENAUD:** Why did it take so long?

23 **MR. ROBILLARD:** Just taxiing out. To
24 have a truck escort it all the way up in the taxiway,
25 waiting until somebody is available and then the

1 fueling procedures, and that truck has to be escorted
2 all the way to and from the aircraft.

3 **MS. RENAUD:** And was the aircraft safely
4 positioned for the fueling to your recollection?

5 **MR. ROBILLARD:** I was not the one who
6 fueled it, but it wouldn't have been fueled if it
7 wasn't.

8 **MS. RENAUD:** Okay. Thank you.

9 **MR. STREINER:** In terms of the sequence
10 of events that evening -- I'm going to come back to
11 flight Transat 157, which eventually ran out of fuel -
12 - at what point did you become aware that that
13 aircraft was in a low fuel situation or at risk of
14 running out of fuel entirely?

15 **MR. ROBILLARD:** I don't recall
16 specifically. I think it was close to the end,
17 probably near the time when it was about to run out of
18 fuel. I know they were saying we needed a fuel truck
19 on one of them specifically because they were low on
20 fuel. And I believe the first truck I had arrive was
21 taken to a different aircraft -- guided to a different
22 aircraft.

23 **MR. STREINER:** Okay. Thank you very
24 much, gentlemen. We appreciate your coming to appear
25 today and responding to questions both from the Panel

1 and from counsel. Your testimony is concluded.

2 **(WITNESSES ARE EXCUSED/LES TÉMOINS SONT LIBÉRÉS)**

3 **MR. STREINER:** For others in the room,
4 we will in a moment be adjourning the hearing for the
5 day. We will be resuming tomorrow morning promptly at
6 9 o'clock. Tomorrow we will be hearing from First Air
7 and then from Air Transat. We expect to spend most,
8 if not all of the day here, so for those that will be
9 attending the hearing, please plan to be here between
10 9 and 5 tomorrow. With that we conclude the hearing
11 for today. I thank you for your participation.

12 **MS. BARRETT:** All rise. You may be
13 seated. Thank you.

14

15 --- The meeting concluded at 4:34 p.m./

16 La réunion s'est terminée à 16h34

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C E R T I F I C A T I O N

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I, Dale Waterman a certified court reporter, hereby
certify the foregoing pages to be an accurate
transcription of my notes/records to the best of my
skill and ability, and I so swear.



Dale Waterman
September 5, 2017