



EB-2009-0395

NOTICE OF APPLICATION

APPLICATION TO AMEND THE TRANSMISSION LICENCE OF FIVE NATIONS ENERGY INC.

Five Nations Energy Inc. ("Five Nations") filed an application with the Ontario Energy Board under section 74 of the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B, for an order of the Board amending the schedule of licensed facilities of Five Nations as set out in its electricity transmission licence.

The Board has assigned file number EB-2009-0395 to the application. The application will be decided by the Counsel, Special Projects who has been delegated this authority pursuant to section 6 of the Act.

On October 22, 2009, Five Nations commenced the commissioning of certain new transmission assets required to accommodate the mining operations of De Beers Canada Inc. ("De Beers"). The assets were constructed by De Beers following the Board's approval in its leave to construct Decision and Order of July 18, 2005 [EB-2004-0545]. The assets were required to enable De Beers to achieve full production at its Victor Mine. However, the assets are now part of the Five Nations transmission system and will be used to serve the four customers currently served by Five Nations, namely Fort Albany Power Corporation, Kaschewan Power Corporation, Attawapiskat Power Corporation and De Beers.

The proposed amendment will enable Five Nations to own and operate the assets.

How to See the Application

A copy of the application and related documents are available for inspection at the Board's offices in Toronto and on its website, www.oeb.gov.on.ca. A copy can also be viewed at Five Nations' office at the address indicated below.

How to Participate in the Proceeding

The application will be decided by way of written hearing unless a party satisfies the Board that there is good reason for holding an oral hearing. If you object to a written hearing in this matter, you must provide written reasons why an oral hearing is necessary. Any objections to a written hearing must be received by the Board and copied to the applicant within 10 days of the date this notice was served. The Counsel, Special Projects does not intend to provide for an award of costs when deciding this application.

If you wish to participate in the written hearing, please file a written submission setting out your views on the application with the Board and deliver it to the applicant no later than 14 days after the date this notice was served. If the applicant wishes to respond to the submission(s), the written response must be filed with the Board and delivered to all parties who made submissions no later than 21 days after the date this notice was served.

How to File Documents with the Board

If you already have a user ID, please submit your submission through the Board's web portal at www.errr.oeb.gov.on.ca. Additionally, two paper copies are required. For instructions on how to file and naming conventions, please refer to the RESS Document Guidelines found at www.oeb.gov.on.ca, e-Filing Services. Those who do not have internet access are asked to submit their submission on a CD or diskette in PDF format, along with two paper copies. You may also send your submission by post or e-mail to the addresses below.

In responding to this Notice, please include Board file number EB-2009-0395 in the subject line of your e-mail or at the top of your document. It is also important that you provide your name, postal address and telephone number and, if available, an e-mail

address and fax number. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date.

Need More Information?

Further information on how to participate may be obtained by visiting the Board's Web site at www.oeb.gov.on.ca or by calling our Consumer Relations Centre at 1-877-632-2727.

IMPORTANT

IF YOU DO NOT FILE A WRITTEN SUBMISSION OBJECTING TO A WRITTEN HEARING OR IF YOU DO NOT NOTIFY THE BOARD OF YOUR INTENTION TO PARTICIPATE IN THIS PROCEEDING IN ACCORDANCE WITH THIS NOTICE, THE BOARD MAY PROCEED WITHOUT YOUR PARTICIPATION AND YOU WILL NOT BE ENTITLED TO FURTHER NOTICE IN THE PROCEEDING.

Addresses

The Board

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto ON M4P 1E4
Attention: Board Secretary

Tel: 1-877-632-2727 (toll free)
Fax: 416-440-7656
E-mail: Boardsec@oeb.gov.on.ca

The Applicant

Five Nations Energy Inc.
70-C Mount Joy St. N.
Suite 421
Timmins ON P4N 4V7
Attention: Mr. Joe Gaboury

Counsel for the Applicant

Ogilvy Renault LLP
Suite 3800
Royal Bank Plaza, South Tower
200 Bay Street, P.O. Box 84
Toronto ON M5J 2Z4
Attention: Mr. Richard King

Tel: 416-216-2311
Fax: 416-216-3930
E-mail: rking@ogilvyrenault.com

DATED at Toronto December 18, 2009.

ONTARIO ENERGY BOARD

Original signed by

Kirsten Walli
Board Secretary