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September 28, 2010

By Email & Fax (Fax: 416-440-7656)

Ontario Energy Board
c/o Ms. Kirsten Walli, Board Secretary
PO Box 2319
2300 Yonge St, 27th floor
Toronto ON M4P 1E4
Tel: 416-482-1967

Dear Ms. Walli:

**Re: Interrogatories from Wahgoshig First Nation
Your File No. EB-2010-0243**

We thank the Board for granting Wahgoshig First Nation (WFN) leave to intervene in this proceeding.

As you know from our leave application and our email correspondence with the Board's counsel, WFN does not agree with the Board's position that impacts on Aboriginal and Treaty rights, and consultation and accommodation with Aboriginal peoples, are matters beyond the scope of this proceeding and beyond the Board's jurisdiction for consideration. Regardless, we wish to participate in the proceeding so far as possible. To the extent that the information on the record will be considered by the Board, we hope that this record will be as complete and accurate as possible.

Therefore, having reviewed the Board staff's own interrogatories, Wahgoshig First Nation makes the following 3 interrogatories:

1. Detour's interest in the transmission line lands

- a. What is the exact nature of the property interest(s) or other interest(s) that Detour has acquired or intends to acquire in respect of the transmission line lands? If there are multiple interests in different portions of the transmission line lands, please specify the size and location of each interest.
- b. Are these interests subject to unresolved land claims by Aboriginal groups? (e.g. claims concerning treaty land entitlements or aboriginal title, etc.)

- c. If the answer to (b) is yes, what is the specific mechanism by which Detour's interests are made subject to the resolution of such claims? Please provide full details. (e.g. by an agreed condition [if so, please provide the condition], by existing law [if so, please specify], etc.)

2. In relation to Board staff interrogatory #8:

- a. In relation to Question/Request 2, please:
 - i. provide full details of any objections, including the nature and reasons given for such objections;
 - ii. indicate if any affected groups have not indicated a response, and if so what groups; and
 - iii. indicate if any affected groups have indicated support, and if so, how was that support expressed, and is it final or preliminary or conditional in nature.

3. In relation to Board staff interrogatory #12:

- a. In relation to Question/Request 1, please provide full details of the nature and content of the discussion, if any, to the best of Detour's knowledge and recollection, that occurred on each occasion of contact or attempted contact between Detour and Aboriginal groups with respect to the project.

As it appears that some of Detour's answers to interrogatories will pertain to Wahgoshig First Nation (e.g. communications with WFN, the nature of WFN's rights and claim, etc.), Wahgoshig wishes to notify the Board and the parties that it will consider filing, on the October 12th filing deadline:

- Further interrogatories, if WFN believes these to be required by the nature of Detour's response on October 5, 2010.
- A reply to Detour's response and evidence as appropriate, if Wahgoshig believes that the existing record before the Board is incomplete or inaccurate.

Finally, we respectfully request that the Board provide (or ensure that Detour provides us) with a full copy of all materials filed with the OEB to date on this project. Our understanding is that we will be provided with copies on an ongoing basis from now on as intervenors. However, we do not have a record of the material already on file. We request an electronic and hard copy of such materials be sent to OKT, to the attention of Kate Kempton and Judith Rae.

Yours truly,



Judith Rae

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