



uniongas

A Spectra Energy Company

CELEBRATING
100 YEARS
Est 1911

May 12, 2011

By RESS & Courier

Ms. Kristen Walli
Ontario Energy Board
2300 Yonge Street, 27th Floor,
Toronto, Ontario
M4P 1E4

Dear Ms. Walli:

**Re: Union Gas Limited ("Union") – Red Lake Project
Board File Nos. EB-2011-0040, EB-2011-0041, EB-2011-0042**

We refer to the Board's correspondence to Union dated May 11, 2011 requesting that Union provide a response to the issues addressed in the correspondence dated May 5, 2011 from Mr. Robert Janes, as counsel for the Grand Council of Treaty 3. The May 5, 2011 correspondence from Mr. Janes raises two main areas of concern; service of notice of Union's application upon the Grand Council of Treaty 3 and, consultation with the Grand Council of Treaty 3 regarding any potential impacts Union's project may have to the lands situated within the territory subject to Treaty 3.

With respect to the question regarding service of Notice of the Application, in accordance with the Board's Letter of Direction, dated March 8, 2011, a copy of Union's Application, location map and the Board's Notice of Application was served, by registered mail, on March 23, 2011, upon the Grand Council Treaty 3, attention Ogichidaakwe Diane Kelly, as well as upon Wabasemoong First Nation, Lac Seul First Nation, Wabauskang First Nation, and Pikangikum First Nation. In addition a copy of the Notice of Application was published in Wawatay News, page B10, on March 17, 2011.

With respect to the question regarding consultation with the Grand Council of Treaty 3, on May 11, 2011 Union filed revised evidence updating Schedule 16 of Union's prefiled evidence outlining all consultation between Union and First Nations between October 10, 2010 and May 9, 2011. A copy of the evidence update is attached to this correspondence.

Union has no information to offer with regard to the status of any Crown consultations.

If you require any further information please do not hesitate to contact me.

Yours truly

A handwritten signature in black ink, appearing to read 'Mark Murray', with a long horizontal flourish extending to the right.

Mark Murray, LL.B

Manager, Regulatory Projects and Land Acquisition

mmurray@uniongas.com

519 436-4601 direct

Encl.

cc. Dan Jones, Assistant General Counsel
 Goldcorp Inc.
 Grand Council of Treaty 3

77. Union consulted with the following First Nations and the Métis Nation for the Project:

- a. Chief Eric Fisher - Wabasemoong First Nation
- b. Chief Clifford Bull - Lac Seul First Nation
- c. Chief Joanne Petiquan - Wabauskang First Nation
- d. Chief Charles Pascal - Pikangikum First Nation
- e. Lands, Resource and Consultation Unit – Métis Nation of Ontario
- f. Ogichidaakwe (Grand Council Chief) Diane Kelly- Treaty 3

78. The consultation included sending a letter outlining the project specifications on November 8th, 2010 and a notification of the Public Meeting held on November 25th, 2010 to those Nations noted in (a) to (e) above. Further correspondence was directed to Ogichidaakwe (Grand Council Chief) Diane Kelly on December 13, 2011. A meeting was held with the Métis Lands, Resources and Consultation Director on November 15th, 2010 to discuss the project details. At the request of the Land, Resources and Consultation Director, the information was sent to the Métis Provisional Council Region 1 on December 1, 2010. Additional consultation will be completed if the project receives OEB approval.

79. _____ copies of the correspondence that were sent to the First Nations and Métis groups can be found in Schedule 16.

80. The following issues were raised as part of the consultations process:

- i. Opportunities for employment and/or goods and services for First Nations and Métis during the Project.

81. Union proposed to address these concerns in the following manner:

- i. Union will coordinate meetings to be held early in 2011 before the project begins with the pipeline contractor and First Nations/Métis businesses to explore the opportunities available during the Project.

82. During construction, Union has inspectors in the field who are available to First Nation's and Métis organization as a primary contact to discuss and review any issues that may arise during construction.

DATE	CONSULTATION
May 9, 2011	MÉTIS NATION OF ONTARIO: Sent follow up email and voice mail to book May 17 th afternoon in Kenora for business meetings. Treaty 3: Spoke to Kristen Elk Fontaine and explained process. Kristen Elk Fontaine to check with Grand Chief Diane Kelly to see if they can make that date. Sent email to Grand Chief Diane Kelly and Kristen Elk Fontaine advising them that I sent them the full EA, hard copy and disk.
May 6, 2011	Treaty 3: Left voice mail and sent email to Kristen Elk Fontaine and Grand Chief Diane Kelly regarding the potential meeting on May 17 th in Kenora for the First Nations businesses and also requesting the minutes from our Consultation meeting of April 29, 2011.
May 5, 2011	Treaty 3: Received letters from Erin Thompson - Janes Freedman Kyle Law Corporation Law office.
May 2, 2011	Treaty 3: Spoke to Erin Thompson - Janes Freedman Kyle Law Corporation Law office on a few questions she had about the project.
April 29, 2011	Treaty 3: after Consultation meeting sent email to Grand Chief Diane Kelly with contractor needs for the project.
April 29, 2011	Treaty 3: Consultation meeting held with: Chief Clifford Bull – Lac Seul First Nation; Chief Leslie Cameron – Wabauskang First Nation; Chief Eric Fisher – Wabaseemoong First Nation; Chief Simon Fobister – Grassy Narrows First Nation, Grand Chief Diane Kelly Treaty 3 Tim Pagee from Union Gas.
April 28, 2011	Treaty 3: Confirmed meeting with Kristen Elk Fontaine regarding meeting with Chiefs Consultation committee in Dryden on April 29 th
April 27, 2011	MÉTIS NATION OF ONTARIO: sent Theresa Stenlund and Joe Daze responses from Consultation Committee meeting.
April 25, 2011	Treaty 3: left message with Grand Chief Kelly confirming meeting. Also called Chief Leslie Cameron but not available so left message.
April 20, 2011	MÉTIS NATION OF ONTARIO: Formal consultation meeting with Region 1 Métis Council Consultation committee in Kenora.
April 19, 2011	Treaty 3: Met with Grand Chief Diane Kelly. She will coordinate meetings with the 4 Chiefs shortly.
April 11, 2011	Treaty 3: Confirmed with Kristen Elk Fontaine for meeting with Grand Chief Diane Kelly on April 20 th at lunch or 1pm.
April 7, 2011	MÉTIS NATION OF ONTARIO: Confirmed budget with Joe Daze for the meeting on April 20 th am

Mar. 28, 2011	Treaty 3: Spoke to Chief Leslie Cameron from Wabauskang First Nation on letter outlining his concerns. Chief Leslie Cameron will let me know when we can speak formally
March 25, 2011	Treaty 3: Sent information to Dale and Chief Simon Fobister.
Mar. 23, 2011	Treaty 3: Called Kristen Elk Fontaine re: update on Consultation for Red Lake Project. Grand Chief Diane Kelly recommended sending the information to Dale Morriseau in the Grand Council Chief's office and Chief Simon Fobister of Grassy Narrows in stead of Pikangikum. OEB notification letters sent out to First Nations, Grand Chief Office and Métis Nation.
March 21, 2011	MÉTIS NATION OF ONTARIO: Sent update email to Joe Daze re: dates for Consultation meeting.
March 14, 2011	Notifications in newspaper set up as follows: Thunder Bay Chronicle Daily - Will be in Monday March 14 2011 Red Lake Digital Media-Northern Sun - Will be in Wednesday March 16 2011 Wawatay News Sioux Lookout - Will be in Thursday March 17 2011
Mar. 7, 2011	MÉTIS NATION OF ONTARIO: Working with Consultation Manager Joe Daze of the MÉTIS NATION OF ONTARIO to set up consultation date in April. Sent these dates to Joe: April 12 th , 19 th , 20 th or 26 th .
Feb. 23, 2011	Treaty 3: Spoke to Kristen Elk Fontaine about the project and emailed her the information sent to Grand Chief Diane Kelly on Dec. 13, 2010 for her review.
Feb. 22, 2011	Treaty 3: Left message on different phone number for Kristin Elk Fontaine in Winnipeg. MÉTIS NATION OF ONTARIO: sent email to Theresa Stenlund re: questions.
Feb. 22, 2011	Treaty 3: Left message again with Kristen Elk Fontaine. MÉTIS NATION OF ONTARIO: Email from Theresa Stenlund with questions on project. Responses emailed back. Joe Daze will set up a meeting with Consultation committee in Northwest.
Feb. 1, 2011	Treaty 3: Left phone message with Kristen Elk Fontaine 204-951-4169 (204-942-4260) in Winnipeg looking for comments
Jan. 27, 2011	Treaty 3: Left phone message with Grand Chief Diane Kelly and also with Kristen Elk Fontaine (Treaty 3 Exec Assist to Grand Council Chief) in Winnipeg at 204-942-4260 to call or email me.
Jan. 12, 2011	Métis Nation of Ontario: Sent email to Theresa Stenlund member of the Provisional Council of Métis Nation of Ontario looking for questions on the project. Treaty 3: Called Grand Chief Diane Kelly and left phone message

Dec. 13, 2010	<p>Called First Nations again</p> <p>Wabasemoong: Chief Eric Fisher not in. Left message with my cell number.</p> <p>Lac Seul:</p> <p>Chief Clifford Bull not in. Lands Manager Sam Manitowabi suggested I send information to Grand Council Treaty 3.</p> <p>Wabauskang: Chief Leslie Cameron no answer left message.</p> <p>Pikangikum: Chief Charles Pascal (not in this week tried to speak to lands manager) not in, left message for Chief.</p> <p>As per Sam Manitowabi sent email to Treaty 3 Grand Chief Diane Kelly with attachments of Oct 25th and Nov.8th letters.</p>
Dec. 7, 2010	<p>Called First Nations office:</p> <p>Wabasemoong : Chief Eric Fisher not available left message on phone to call me;</p> <p>Lac Seul: Chief Clifford Bull. Chief not in. Called Land Manager Sam Manitowabi. Not in.</p> <p>Wabauskang: Chief Leslie Cameron (left cell phone message to call me) (Joanne Petiquan no longer Chief)</p> <p>Pikangikum: Chief Charles Pascal called Chief not in but left message to call me</p>
Nov. 8, 2010	Letter from KBM Forestry Consultants regarding information sessions sent to same First Nations and Métis Nation.
Oct. 25, 2010	Letters from KBM Forestry Consultants starting Environmental Report process sent to 4 First Nations and Métis Nation.
Oct. 18, 2010	Spoke to Mike Schillamore Ministry of Natural Resources on suggested First Nations to contact in Red Lake Area.