

Ministry of Energy

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Transmission and Distribution Policy Branch

May 31, 2011

Michael Lyle
General Counsel and Vice President
Legal, Aboriginal and Regulatory Affairs
Ontario Power Authority
120 Adelaide Street West, Suite 1600
Toronto, ON M5H 1T1

Dear Mr. Lyle:

Re: East-West Tie

Further to our discussions on the above-referenced project, this letter is to confirm the Crown and Ontario Power Authority (OPA) roles in any duty to consult on the proposed East-West tie project during the period prior to any Ontario Energy Board (Board) transmitter designation.

The Crown has decided to delegate certain procedural aspects of consultation to the OPA since the OPA is establishing the rationale, scope and timing of the East-West tie project and will be submitting a report on the project to the Board by the end of June. We understand that the OPA is already conducting a consultation process on the Integrated Power System Plan (IPSP) which will include all of the Aboriginal communities that may be affected by the East-West tie project. If timing requirements associated with the preparation of the report permit the coordination of discussions on the East-West tie project with IPSP consultations, this approach may facilitate rational use of Crown and Aboriginal community resources.

Crown Role

A list of communities (List) to consult on the East-West tie project has been provided to the OPA previously and is attached. Should the OPA determine that discussions on the East-West tie project can be coordinated with its consultations on the IPSP, the Crown will send letters to the relevant communities indicating that the OPA process for carrying out any duty to consult on the IPSP will include the process through which the Crown consults on the East-West tie project prior to any Board transmitter designation decision.

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Ministry officials, as appropriate and required, will accompany OPA staff in meetings on the East-West Tie project.

OPA Role

In meetings with communities on the List, we understand that the OPA will ensure the agenda provides for discussion of the Project and any Board transmitter designation process.

Community representatives should be offered the opportunity to provide input on the Project and the Board's possible designation of a transmitter. Community representatives should also be advised on how to obtain more information from the Board on the transmitter designation process and how they can participate in it.

The OPA will include a record of these discussions in its report on the preliminary assessment of need for the Project, which the Board has requested be submitted no later than June 30th, 2011.

I trust that this reflects our discussions regarding the respective roles of the Ministry and the OPA in addressing any duty to consult on the East-West tie project.

Sincerely



Jon Norman
Director

- c. MaryAnn Aldred, General Counsel, Ontario Energy Board
Peter Landmann, Counsel, Ministry of Energy
Kaili Sermat-Harding, Director, Strategic Policy Branch, Ministry of Energy

Attachment: FIRST NATION AND MÉTIS COMMUNITY CONSULTATION LIST
East-West Tie Transmission Project, 2011

First Nation		Address
1.	Animbiigoo Zaagi'igan Anishinaabek First Nation (Lake Nipigon Ojibway)	PO Box 120 Beardmore, ON P0T 1G0
2.	Biinjitiwaabik Zaaging Anishinaabek First Nation (Rocky Bay)	501 Spirit Bay Road MacDiarmid, ON P0T 2B0
3.	Bingwi Neyaashi Anishinaabek (Sand Point First Nation)	146 Court Street South Thunder Bay, ON P7B 2X6
4.	Fort William First Nation	90 Anemki Drive, Suite 200 Thunder Bay, ON P7J 1L3
5.	Ginoogaming First Nation	PO Box 89 Longlac, ON P0T 2A0
6.	Long Lake No. 58 First Nation	PO Box 609 Longlac, ON P0T 2A0
7.	Michipicoten First Nation	RR 1, PO Box 1, Site 8 Wawa, ON P0S 1K0
8.	Missanabie Cree First Nation	174B Highway 17 East, Bell's Point Garden River, ON P6A 6Z1
9.	Ojibways of Batchewana	236 Frontenac Street Sault Ste Marie, ON P6A 5K9
10.	Ojibways of Garden River	RR4, 7 Shingwauk Street Garden River, ON P6A 6Z8
11.	Ojibways of Pic River (Heron Bay First Nation)	PO Box 193 Heron Bay, ON P0T 1R0
12.	Pays Plat First Nation	10 Central Place Pays Plat, ON P0T 3C0
13.	Pic Moberg First Nation	PO Box 717 Moberg, ON P0M 2J0
14.	Red Rock Indian Band	PO Box 1030 Nipigon, ON P0T 2J0

Métis Organization		Address
1.	Greenstone Métis Council	PO Box 825, 205 Clarke Avenue Geraldton, ON P0T 1M0
2.	Red Sky Independent Métis Nation	406 East Victoria Avenue Thunder Bay, ON P7C 1A5
3.	Superior North Shore Métis Council	26 Princess Street Terrace Bay, ON P0T 2W0
4.	Thunder Bay Métis Council	226 May Street South Thunder Bay, ON P7E 1B4