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EMAIL AND RESS

Board Secretary
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON, M4P 1E4

Dear Board Secretary:

RE: EB-2011-0140 – EAST-WEST TIE TRANSMISSION LINE

We are counsel for the Métis Nation of Ontario (“MNO”), which represents Métis communities that will be directly impacted by the East-West Transmission Line (the “Project”).

Further to the Board’s letter dated July 18, 2012, which requested submissions from non-transmitter parties on Hydro One’s objection to providing unredacted versions of four consultant’s reports, the MNO makes the following submissions.

Firstly, Hydro One’s objection provides an inadequate description of what it deems “commercially sensitive information”, and provides no explanation or justification for its conclusion that the information would have no relevance to non-transmitter participants in this proceeding. Without this, neither the Board, nor parties to the proceedings, have context for Hydro One’s assertion that there is “no need” for non-transmitters to have access to this information as a part of the designation proceeding.

Secondly, Hydro One must more clearly describe and justify its position that certain kinds of information could be shared with recently designated transmitters, but not potential future transmitters. Specifically, aboriginal parties in these proceedings, and more generally in all future proceedings, are not long-standing established transmitters. However, government policy dictates that aboriginal partnership in transmission should be encouraged, and, consequently, aboriginal parties will have an increasing interest in designation proceedings as potential transmitters.



The Board ought to ensure that all aboriginal parties are treated uniformly, and encourage equal opportunity for First Nation and Métis communities to seek out partnership opportunities and have access to information that will allow them to do so. In the current situation, MNO should not be disadvantaged to First Nations on the basis that it has not yet entered into partnership arrangements or obtained transmitter status. This is in keeping with the Board's Phase I decision, where it emphasized the need to avoid any real or perceived information advantage to EWT LP and its partners in this proceeding.¹

Based on the above, the MNO submits that Hydro One's objection should be rejected by the Board.

Yours very truly,

A handwritten signature in black ink that reads 'JMadden' with a stylized flourish at the end.

Jason Madden

c.c. All Parties
Client

¹ EB-2011-0140, Phase I Decision and Order, July 12, 2012, p. 24.