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September 6, 2017

**Filed on RESS and Sent via Courier**

Kirsten Walli  
Board Secretary  
Ontario Energy Board  
P.O. Box 2319, 27<sup>th</sup> Floor  
2300 Yonge Street  
Toronto, ON M4P 1E4

Dear Ms. Walli:

**Re: Applications by Enbridge Gas Distribution Inc. for an order approving a rate to be applied as a System Expansion Surcharge, an order granting leave to construct natural gas distribution pipelines and ancillary facilities, and an order granting a Certificate of Public Convenience and Necessity  
Board File No.: EB-2017-0147**

We are counsel to Anwaatin Inc. (**Anwaatin**). Please find enclosed Anwaatin's Notice of Intervention requesting intervenor status and cost eligibility in the above-noted proceeding.

Yours very truly,

A handwritten signature in black ink, consisting of a stylized 'L' followed by a long, sweeping horizontal stroke that ends in a small upward flick.

Lisa (Elisabeth) DeMarco

cc. Don Richardson  
Larry Sault

## **ONTARIO ENERGY BOARD**

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15 (Sched. B), as amended (the **OEB Act**) and the *Municipal Franchises Act*, R.S.O. 1990, c. M.55, as amended (the **MF Act**);

**AND IN THE MATTER OF** an application under section 36 of the OEB Act for an order or orders approving a rate to be applied as a System Expansion Surcharge in respect of each Community Expansion Project by Enbridge Gas Distribution Inc.;

**AND IN THE MATTER OF** an application by Enbridge Gas Distribution Inc. under sections 90(1) and 97 of the OEB Act for an order or orders granting leave to construct natural gas distribution pipelines and ancillary facilities to serve the community of Fenelon Falls in the City of Kawartha Lakes;

**AND IN THE MATTER OF** an application under section 8 of the MF Act for an order or orders granting a Certificate of Public Convenience and Necessity to Enbridge Gas Distribution Inc. for the construction of works in the City of Kawartha Lakes.

**EB-2017-0147**

**NOTICE OF INTERVENTION**

**ANWAATIN INC.**

**September 6, 2017**

**A. Application for Intervenor Status**

1. Anwaatin Inc. (**Anwaatin**) hereby requests intervenor status in the EB-2017-0147 Ontario Energy Board (**Board**) review of Enbridge Gas Distribution Inc.'s (**EGDI's**) application to construct natural gas pipelines in the Regional Municipality of Durham to serve the community of Fenelon Falls, to charge a System Expansion Surcharge to all new expansion customers, and for a Certificate of Public Convenience and Necessity for the City of Kawartha Lakes (the **Application**). This notice of intervention is filed pursuant to Rule 22 of the Board's Rules of Practice and Procedure.

**B. Anwaatin and its Interest in the Proceeding**

2. Anwaatin is an Indigenous business corporation that works with Indigenous communities in linked energy markets that include Ontario, Quebec, California and Manitoba. Anwaatin's mission is to ensure that Indigenous communities are part of the dialogue and the solution in addressing energy poverty in Indigenous communities, fighting climate change, and leading evolving energy and climate markets. Its business focusses on: (i) alleviating energy poverty through pragmatic solutions; (ii) territorial climate change; (iii) readiness for emerging cap-and-trade markets; (iv) strengthening biodiversity and resilience in the face of climate change; and (v) creating productive dialogue and partnerships to facilitate efficient energy and climate markets.
3. Anwaatin's Indigenous membership for this proceeding includes Hiawatha First Nation, located on the north shore of Rice Lake, east of the Otonabee River. Approximately 30 kilometres of EGDI's proposed natural gas pipelines and related infrastructure would be in Hiawatha First Nation territory. EGDI has not adequately accommodated or consulted Hiawatha First Nation in environmental and archeological reviews for the Fenelon Falls project proposed pursuant to the Application.
4. Anwaatin hopes to provide the Board with the unique perspective of the disproportionate number of Indigenous communities currently living in energy poverty in Ontario. It also hopes to provide stakeholder views on the differential impact of natural gas rates on rural/remote Indigenous communities. Anwaatin intends to address rate impacts, cost allocation, reliability, conservation, environmental and archaeological impacts, and ratepayer cost-savings.
5. Anwaatin requests that the Board proceed in this matter by way of an oral hearing.

### **C. Nature and Scope of Anwaatin's Intended Participation**

6. Anwaatin intends to be an active participant in this proceeding, and will act responsibly to coordinate with other intervenors where common issues may arise and may be addressed. Anwaatin intends to participate actively to request information, assess any motions, test evidence, submit written interrogatories, and provide argument. Anwaatin may also submit evidence subject to the development of the record in this proceeding.

### **D. Costs**

7. Anwaatin is, in accordance with s. 3.03(b) of the Board's Practice Direction on Cost Awards, eligible to seek an award of costs as Anwaatin is a party that primarily represents an interest or policy perspective that is relevant to the Board's mandate and to the proceeding.
8. Anwaatin represents the interests of a unique and otherwise unrepresented set of Indigenous energy consumers in Ontario and is committed to ensuring that they are served through access to affordable, reliable, sustainable and modern natural gas. Anwaatin requests, and believes that it warrants, an award of costs in this proceeding given that its comments serve a direct interest and policy perspective that is relevant to the Board's mandate and pressing for Ontario's energy consumers.
9. Anwaatin therefore submits that it is appropriate for the Board to award Anwaatin costs in the context of this proceeding, and hereby requests cost eligibility.

### **E. Anwaatin's Representatives**

10. Anwaatin hereby requests that further communications with respect to this proceeding be sent to the following:

**Anwaatin Inc.**

c/o Mississaugas of the New Credit First Nation  
3034 Mississauga Road, RR#6  
Hagersville, Ontario N0A 1H0

Attention: Larry Sault, CEO  
Telephone: 416-675-3226 x 311  
Facsimile: 226-314-2100  
Email: [larry@anwaatin.com](mailto:larry@anwaatin.com)

AND TO ITS CONSULTANT

**Shared Value Solutions Ltd.**

62 Baker Street  
Guelph, ON N1H 4G1

Attention: Don Richardson, Managing Partner  
Telephone: 226-706-8888 x 101  
Facsimile: 226-314-1200  
Email: [don.richardson@sharedvaluesolutions.com](mailto:don.richardson@sharedvaluesolutions.com)

AND TO ITS COUNSEL

**DeMarco Allan LLP**

200-5 Hazelton Avenue  
Toronto, ON M5R 2E1

Attention: Elisabeth DeMarco  
Telephone: (647) 991-1190  
Facsimile: 1-888-734-9459  
Email: [lisa@demarcoallan.com](mailto:lisa@demarcoallan.com)

Attention: Jonathan McGillivray  
Tel: 1-888-389-5798  
Facsimile: 1-888-734-9459  
Email: [jonathan@demarcoallan.com](mailto:jonathan@demarcoallan.com)

Attention: Cary Ferguson  
Tel: 1-888-389-5798  
Facsimile: 1-888-734-9459  
Email: [cary@demarcoallan.com](mailto:cary@demarcoallan.com)

ALL OF WHICH IS RESPECTFULLY  
SUBMITTED THIS 6<sup>th</sup> day of September, 2017



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Lisa (Elisabeth) DeMarco  
DeMarco Allan LLP  
Counsel for Anwaatin