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15 September 2017

**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: EB-2017-0049**  
**Draft Issues List for Hydro One Networks Inc. ("Hydro One") application for electricity distribution rates beginning January 1, 2018 until December 31, 2022**

We are counsel to Anwaatin Inc. (**Anwaatin**) on the above-mentioned proceeding (the **Proceeding**). Anwaatin's submissions on Board Staff's Draft Issues List dated 8 September 2017 (the **Draft Issues List**) follow.

Anwaatin generally supports the issues included in the Draft Issues List with the following proposed clarifications and additions. Anwaatin understands that Draft Issues 2 to 10, 17 to 19, 22, 23, 28, 38, and 51 permit Intervenor and the Board to thoroughly examine and consider rate and reliability issues impacting customers, including Indigenous customers (both on and off reserve lands), and the potential for Indigenous community net metering to facilitate conservation and bill impact mitigation initiatives. However, the Draft Issues List does not currently appear to allow for the examination of the body of evidence that Hydro One has filed on its First Nations and Métis Strategy, set out at Exhibit A, Tab 4, Schedule 2, including the approach taken to discharge the duty to consult and accommodate Indigenous Rights Holders. Anwaatin therefore respectfully requests that the Board include the following issue on the Issues List in the General Section (A) in order to assist the Board in discharging its duties and setting just and reasonable rates in accordance with section 78 of the *Ontario Energy Board Act*, 1998, S.O. 1998, c. 15, Sched. B (the **OEB Act**), and Rule 28 of the Board's *Rules of Practice and Procedure*:

Has Hydro One adequately addressed the duty to consult and accommodate Indigenous Rights Holders and does Hydro One's First Nation and Métis Strategy sufficiently address the unique rights and concerns of Indigenous customers? (the **Anwaatin Issue**)

Anwaatin acknowledge the developments in Hydro One's approach to Indigenous Rights Holders as set out in Exhibit A, Tab 4, Schedule 2 (Hydro One's First Nations and Métis Relations Strategy) and Exhibit B1, Tab 1, Schedule 1 (DSP Indigenous engagement) and hopes to ensure full consideration of this evidence and related Indigenous considerations in other aspects of the application.

Hydro One has acknowledged the delegated duty to consult and accommodate Indigenous peoples.<sup>1</sup> Therefore, the principles and processes Hydro One uses to consult and engage with Indigenous communities are clearly a part of Hydro One's evidence, relevant, and material to the Board's decision in the Proceeding. Moreover, Hydro One owns and maintains assets on reserve lands and within the traditional territories of Indigenous peoples and the efficacy and success of its First Nations and Métis Strategy is of great importance to the energy sector.

Anwaatin submits that the inclusion of the Anwaatin Issue will assist Anwaatin, its Indigenous Rights Holders, and the Board in ensuring that the public interest and the interests of the most vulnerable Indigenous customers are protected in accordance with section 1(1) of the *OEB Act*. Anwaatin therefore respectfully requests that the Anwaatin Issue be added to the Draft Issues List.

Yours very truly,



Lisa (Elisabeth) DeMarco

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<sup>1</sup> Exhibit A, Tab 4, Schedule 2 at 8.