



Lisa (Elisabeth) DeMarco
Senior Partner
5 Hazelton Avenue, Suite 200
Toronto, ON M5R 2E1
TEL +1.647.991.1190
FAX +1.888.734.9459
lisa@demarcoallan.com

26 February 2018

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

Dear Ms. Walli:

Re: Proposed Intervenor Evidence in EB-2017-0049

We are counsel to Anwaatin Inc. (**Anwaatin**) in the above-mentioned proceeding (the **Proceeding**) and we provide this letter advising of Anwaatin's intent to file evidence in accordance with Procedural Order No. 3.

Anwaatin has intervened in the Proceeding on the instruction of its First Nations and Indigenous members. Anwaatin's members are customers of Hydro One Networks Inc. Distribution (**Hydro One**), including Aroland First Nation, MoCreebec Eeyoud, and Waaskiinaysay Ziibi Inc. Development Corporation, an economic development corporation representing Rocky Bay First Nation, Bingwi Neyaashi Anishinaabek, Red Rock Indian Band, Whitesand First Nation, and Animbiigoo Zaagiigan Anishinaabek, and have many concerns and challenges associated with the reliability and service of Hydro One in Anwaatin member territories, and the disparate impact of poor reliability on Indigenous communities. It is also very concerned with Hydro One's processes and substantive information sharing in attempt to consult with First Nations communities. Anwaatin's Notice of Intervention sets out the concerns of Anwaatin's First Nations energy consumers in Ontario and Anwaatin's intention to ensure that First Nations energy customers are better served through access to affordable, reliable, sustainable energy.

Summary of Anticipated Anwaatin Evidence

Anwaatin intends to adduce direct band council video evidence and written evidence of consultant Dr. Don Richardson (PhD) of Shared Value Solutions Ltd. in order to primarily address the following issues:

- (i) distribution system reliability in Indigenous and Northern communities and customer reliability experiences;
- (ii) the impact of Hydro One's distribution reliability performance on Indigenous customers and communities;

- (iii) the potential use of distributed energy resources (DERs) to enhance reliability and adequacy of electricity service in First Nation communities;
- (iv) potential capital expenditure and payment models for resources to address distribution system reliability challenges in Indigenous communities; and
- (v) Hydro One's past, current and potential process and measures to consult with Indigenous rights holders in order to discharge:
 - (i) the direct and/or delegated duty to consult and accommodate First Nation communities; and
 - (ii) its customer obligations in the *Filing Requirements for Electricity Transmission and Distribution Applications*, Chapter 5: Consolidated Distribution System Plan, including section 5.2.2.

Anwaatin believes that Hydro One's Indigenous and Northern customers, as well as the Board, will benefit from this direct video and written evidence, which is intended to give a voice to Indigenous customers in the North, allow their distribution concerns to be heard in the Proceeding, in accordance with their democratic, constitutional, and statutory rights.

Anwaatin has canvassed other intervenors on the potential for common issues and joint evidence, but at this time Anwaatin appears to represent a unique interest, which is not otherwise represented in the Proceeding.

Form of Anwaatin Evidence

Dr. Richardson intends to provide written evidence as a "consultant" and not an "expert". He will also provide the direct video evidence from the band council. Anwaatin is happy to present a band council representative if the Board so requires and funds accordingly.

Expertise

Dr. Richardson's *curriculum vitae* is attached at Appendix A. Dr. Richardson has direct knowledge of the energy conditions of Indigenous communities in the North and is therefore qualified to provide direct evidence. Dr. Richardson has over 25 years of experience as a skilled facilitator capable of building agreements between energy and resource development project proponents, community/non-governmental organizations, government agencies and Indigenous communities. Dr. Richardson has provided direct written and oral evidence in the Ontario Energy Board EB-2016-0004 natural gas expansion and EB-2016-0160 Hydro One Transmission's rates proceedings.

Cost Estimate

Anwaatin very roughly estimates that the cost of the preparation of its written and video evidence will be in the range of \$28,000 to \$40,000, in part based on the remoteness of the communities and on similar evidence that Anwaatin has prepared in other Ontario Energy Board proceedings.

We trust that this satisfies the Board's requests set out in Procedural Order No. 3. Please do not hesitate to contact us should you have any questions.

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 arrowhead.

Lisa (Elisabeth) DeMarco

APPENDIX A