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May 2, 2019

**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: Hydro One Networks Inc. Transmission Rates Application  
Board File No.: EB-2019-0082**

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.

Sincerely,

A handwritten signature in black ink that reads "Jonathan McGillivray". The signature is fluid and cursive, with the first name being particularly prominent.

Jonathan McGillivray

- c. Linda Gibbons, Hydro One Networks Inc.  
Charles Keizer and Arlen Sternberg, Torsys LLP  
Larry Sault, Anwaatin Inc.  
Don Richardson, Shared Value Solutions Ltd.

**ONTARIO ENERGY BOARD**

**IN THE MATTER OF** the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Sched. B, as amended (the **Act**);

**AND IN THE MATTER OF** an application by Hydro One Networks Inc. (**Hydro One**) for an order or orders made pursuant to section 78 of the Act approving rates for the transmission of electricity.

**EB-2019-0082**

**NOTICE OF INTERVENTION**

**ANWAATIN INC.**

**May 2, 2019**

## **A. Application for Intervenor Status**

1. Anwaatin Inc. hereby requests intervenor status in the matter of the application by Hydro One for an order or orders made pursuant to section 78 of the Act approving rates for the transmission of electricity (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 afforded reliable and affordable energy and have a central role in energy-related climate change action. Its business focusses on (i) access to efficient electricity and natural gas energy solutions for Indigenous communities; (ii) ensuring Indigenous communities have reliable energy transmission and distribution in order to meet basic needs and facilitate economic development; (iii) addressing poor electricity reliability and the disparate and adverse impacts that it has on Indigenous communities and Aboriginal rights; and (iv) strengthening distributed energy resources in Indigenous communities to facilitate resilience and efficient electrification solutions to address climate change.
3. Anwaatin has been active in representing various Indigenous interests before the Board in a number of electricity and natural gas proceedings, including Hydro One's application for approval to increase 2017 and 2018 transmission rates (EB-2016-0160), Hydro One's application to increase 2018-2022 distribution rates (EB-2017-0049), and Hydro One's application for approval of a Revenue Cap Index adjustment for its 2019 revenue requirement (EB-2018-0130).
4. On June 15, 2018, Hydro One and Anwaatin agreed on a settlement proposal to be presented to the Board with respect to Anwaatin's motion to review and vary the Board's decision in EB-2016-0160 (EB-2017-0335). In its March 7, 2019, decision in the EB-2017-0049 proceeding, the Board expressly commended Hydro One and the Anwaatin group of First Nations communities "for providing an example of how a cooperative approach can result in mutually beneficial outcomes".<sup>1</sup> The Board also encouraged both Hydro One and First Nations and Métis groups to continue this approach to achieving an understanding of the concerns and the implementation of solutions.<sup>2</sup>
5. Anwaatin's Indigenous members for this proceeding presently include:

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<sup>1</sup> EB-2017-0049, Decision and Order, page 4.

<sup>2</sup> EB-2017-0049, Decision and Order, page 4.

- Aroland First Nation; and
  - Waaskiinaysay Ziibi Inc. Development Corporation (**WZI**), which is an economic development corporation representing five First Nations in the Lake Nipigon Watershed: Rocky Bay First Nation, Bingwi Neyaashi Anishinaabek, Red Rock Indian Band, Whitesand First Nation, and Animbiigoo Zaagiigan Anishinaabek.
6. 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 provides stakeholder views on the differential impact of electricity rates on remote and near-remote communities. To assist the Board in responding to these issues, Anwaatin will address unique consideration of, and potential solutions for, Indigenous peoples in this proceeding.

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

7. 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**

8. 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.
9. 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 electricity service. Anwaatin requests 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. As noted in paragraph 4, above, Anwaatin recently entered into a settlement proposal with Hydro One providing for "non-wires" and distributed energy resource solutions to the reliability disparity in Indigenous communities.<sup>3</sup>
10. 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.

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<sup>3</sup> See EB-2017-0335, Anwaatin Inc. and Hydro One Networks Inc. Settlement Proposal (June 15, 2018).

**E. Anwaatin's Representatives**

11. 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**

Bay Adelaide Centre  
333 Bay Street, Suite 625  
Toronto, ON M5H 2R2

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

Attention: Jonathan McGillivray  
Tel: (647) 208-2677  
Facsimile: 1-888-734-9459  
Email: [jonathan@demarcoallan.com](mailto:jonathan@demarcoallan.com)

ALL OF WHICH IS RESPECTFULLY  
SUBMITTED THIS  
2<sup>nd</sup> day of May, 2019.



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Lisa (Elisabeth) DeMarco  
DeMarco Allan LLP  
Counsel for Anwaatin