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May 13, 2019

Filed on RESS and Sent via Courier

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

Dear Ms. Walli:

**Re: EPCOR Natural Gas Limited Partnership Rates Application for Sale and Distribution of Natural Gas in the Municipality of Arran-Elderslie, the Municipality of Kincardine, and the Township of Huron-Kinloss
Board File No.: EB-2018-0264**

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 written in a cursive, flowing style.

Jonathan McGillivray

- c. Bruce Brandell and Dana Bissoondatt, EPCOR Utilities Inc.
Richard King, Osler, Hoskin & Harcourt 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 EPCOR Natural Gas Limited Partnership (**ENGLP**) pursuant to section 36(1) of the Act for an order or orders approving or fixing just and reasonable rates and other charges for the sale and distribution of gas to be effective January 1, 2019 for the gas distribution system to be constructed by ENGLP to serve the Municipality of Arran-Elderslie, the Municipality of Kincardine and the Township of Huron-Kinloss.

EB-2018-0264

NOTICE OF INTERVENTION

ANWAATIN INC.

May 13, 2019

A. Application for Intervenor Status

1. Anwaatin Inc. hereby requests intervenor status in the matter of the application by ENGLP pursuant to section 36(1) of the Act for an order or orders approving or fixing just and reasonable rates and other charges for the sale and distribution of gas to be effective January 1, 2019 for the gas distribution system to be constructed by ENGLP to serve the Municipality of Arran-Elderslie, the Municipality of Kincardine and the Township of Huron-Kinloss (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 natural gas and electricity proceedings. Anwaatin is currently an approved intervenor in the ENGLP Southern Bruce leave to construct proceeding (EB-2018-0263). Anwaatin was, in addition, an intervenor in the combined proceeding in which the Board selected EPCOR Southern Bruce Gas Inc. as the successful proponent to expand natural gas service to communities within the municipalities of Arran-Elderslie and Kincardine and the Township of Huron-Kinloss (EB-2016-0137 / EB-2016-0138 / EB-2016-0139).
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 provides stakeholder views on the differential impact of natural gas franchise and related matters 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

5. 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

6. 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.
7. 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 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. The Board granted Anwaatin cost eligibility in each of the EB-2016-0137 / EB-2016-0138 / EB-2016-0139 and EB-2018-0263 proceedings. Anwaatin also recently entered into a Settlement Agreement with Hydro One providing for "non-wires" and distributed energy resource solutions to the reliability disparity in Indigenous communities.¹
8. 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

9. 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

¹ See EB-2017-0335, Anwaatin Inc. and Hydro One Networks Inc. Settlement Proposal (June 15, 2018).

Facsimile: 226-314-2100
Email: 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

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

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

ALL OF WHICH IS RESPECTFULLY
SUBMITTED THIS
13th day of May, 2019.



Lisa (Elisabeth) DeMarco
DeMarco Allan LLP
Counsel for Anwaatin