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June 10, 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 Rate Application for Natural Gas Distribution Pipelines to serve 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 interrogatories to EPCOR Natural Gas Limited Partnership in the above-noted proceeding, filed pursuant to Procedural Order No. 1.

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.

Encl.

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 (**EPCOR**) 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 EPCOR to serve the Municipality of Arran-Elderslie, the Municipality of Kincardine and the Township of Huron-Kinloss (the **Application**).

EB-2018-0264

INTERROGATORIES FROM

ANWAATIN INC.

June 10, 2019

Question: **Anwaatin.1**

Reference: • Exhibit 1, Tab 2, Schedule 1, p. 9

Preamble: EPCOR states in the Application that one of its goals in bringing the Southern Bruce system online is to “[e]ffectively engage and consult with key stakeholders and First Nations and Metis communities”.

- a) Please describe how EPCOR consulted First Nations or other Indigenous communities (including the Saugeen Ojibway Nation (**SON**)) on any and all investment/ownership opportunities and other business partnership opportunities related to the Southern Bruce system and what resulted from these consultation efforts. Please provide all supporting documentation.

- b) Please describe in detail and provide all reports, notes, memos and documents related to:
 - (i) all processes EPCOR undertook to consult with Indigenous communities (including the SON) on this Application;
 - (ii) the outcome of those consultations.

Question: Anwaatin.2

- Reference:
- Exhibit 1, Tab 1, Schedule 1, p. 7
 - Common Infrastructure Proposal, paras. 45-46

Preamble: The Board indicated in its Decision and Order in EB-2016-0137/0138/0139 that it “will require EPCOR to demonstrate that forthcoming leave to contract and rates applications are consistent with its [Common Infrastructure Proposal (**CIP**)] proposal”.

In its CIP, EPCOR identified the following First Nations and Métis communities (para. 45):

- Saugeen First Nation
- Chippewas of Nawash Unceded First Nation
- Metis Nation of Ontario Great Lakes Metis Council
- Historic Saugeen Metis
- Beausoleil First Nation
- Chippewas of Kettle and Stony Point First Nation

EPCOR stated that “[o]nce EPCOR has been chosen as the successful proponent, EPCOR will work closely with these First Nations and Metis Communities on involvement in the successful outcome of this project” (para 46).

- a) Please describe in detail, and provide all reports, notes, memos and documents related to, EPCOR’s work in relation to the Application with the identified First Nations and Métis communities and their involvement in the successful outcome of the project.

Question: Anwaatin.3

Reference: • Exhibit 1, Tab 2, Schedule 1, p. 17

Preamble: On December 21, 2018, EPCOR received confirmation that the Southern Bruce expansion project is eligible for rate protection as available through the recently enacted *Access to Natural Gas Act, 2018*, SO 2018, c 15 (**Bill 32**). On March 7, 2019, the Government of Ontario filed Ontario Regulation 24/19 Expansion of Natural Gas Distribution Systems (the **Regulation**) which stated in Schedule 1 that the Southern Bruce Project was eligible for up to \$22.0 million. The regulation is scheduled to come into force July 1, 2019.

The majority of First Nations in Ontario do not have access to natural gas, and many First Nations are interested in accessing natural gas for energy cost savings and low-emission heating. The recently enacted Bill 32 provides a framework for regulations to deliver rate protection for consumers or prescribed classes of consumers with respect to costs incurred by natural gas distributors in making a qualifying investment for the purpose of providing access to a natural gas distribution system to those consumers by reducing the rates that would otherwise apply in accordance with the prescribed rules.

- a) What rate impacts will EPCOR's Application have on the provision of natural gas to off-reserve First Nation members in the region?
- b) What rate impacts will EPCOR's Application have on the cost of natural gas to off-reserve First Nation members in the region?
- c) How is EPCOR utilizing the framework provided by Bill 32 and the Regulation to deliver rate protection and cost reductions for consumers in the Application?
- d) How does EPCOR envision itself or other distributors using Bill 32 for natural gas system expansions beyond those expansions currently identified in the Regulation?

Question: Anwaatin.4

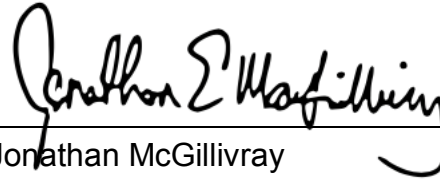
- Reference:
- Exhibit 1, Tab 2, Schedule 1, p. 29
 - Exhibit 2, Tab 2, Schedule 1, pp. 5-6
 - Exhibit 3, Tab 2, Schedule 2, p. 18
 - Exhibit 3, Tab 2, Schedule 2, p. 63

Preamble: The County of Bruce Official Plan is available at the following link: [https://brucecounty.on.ca/sites/default/files/County%20Plan Consolidated September%202017 2.pdf](https://brucecounty.on.ca/sites/default/files/County%20Plan%20Consolidated%20September%202017%202.pdf). The County of Grey Official Plan is available at the following link: <https://www.grey.ca/planning-development>.

- a) Does the Application, including any model franchise agreements, consider the requirements and general direction of the County of Bruce Official Plan?
- b) Please describe in detail the aspects of the Application (and the broader construction and operation of the Southern Bruce system) that account for the requirements and general direction of the County of Bruce Official Plan.
- c) Does the Application, including any model franchise agreements, consider the requirements and general direction of the County of Grey Official Plan?
- d) Please describe in detail the aspects of the Application (and the broader construction and operation of the Southern Bruce system) that account for the requirements and general direction of the County of Grey Official Plan.

ALL OF WHICH IS RESPECTFULLY
SUBMITTED THIS

10th day of June, 2019



Jonathan McGillivray
DeMarco Allan LLP
Counsel for Anwaatin