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October 17, 2019

VIA RESS AND COURIER

Ontario Energy Board
P.O. Box 2319
2300 Yonge Street, 27th Floor
Toronto, ON M4P 1E4
Attention: Registrar

Dear Ms. Long:

**Re: Corporation of the Town of Marathon North Shore LNG Project Application
Board File No.: EB-2018-0329**

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 letter of each word being capitalized and prominent.

Jonathan McGillivray

- c. Daryl Skworchinski, Town of Marathon
Larry Sault, Anwaatin Inc.
Don Richardson, Shared Value Solutions Ltd.

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, SO 1998, c. 15 (Sched B), as amended (the **Act**) and the *Municipal Franchises Act* (the **MFA**), RSO 1990, c. M.55, as amended;

AND IN THE MATTER OF an application by the Corporation of the Town of Marathon under section 8 of the MFA for an order or orders granting Certificates of Public Convenience and Necessity to the Corporation for the construction of works in the Town of Marathon, Township of Manitouwadge, Township of Schreiber, Township of Terrace Bay, and Municipality of Wawa;

AND IN THE MATTER OF an application by the Corporation of the Town of Marathon under section 90 of the Act for an order or order granting leave to construct natural gas distribution pipelines and ancillary facilities to serve the Town of Marathon, Township of Manitouwadge, Township of Schreiber, Township of Terrace Bay, and Municipality of Wawa;

AND IN THE MATTER OF an application by the Corporation of the Town of Marathon under section 97 of the Act for an order or orders approving the form of easement agreements;

AND IN THE MATTER OF an application by the Corporation of the Town of Marathon for an order or orders for a gas supply plan to serve the Town of Marathon, Township of Manitouwadge, Township of Schreiber, Township of Terrace Bay, and Municipality of Wawa;

AND IN THE MATTER OF an application by the Corporation of the Town of Marathon for an order or orders pre-approving the cost consequences associated with a long-term upstream liquefied natural gas contract to serve the Town of Marathon, Township of Manitouwadge, Township of Schreiber, Township of Terrace Bay, and Municipality of Wawa.

EB-2018-0329

NOTICE OF INTERVENTION

ANWAATIN INC.

October 17, 2019

A. Application for Intervenor Status

1. Anwaatin Inc. (**Anwaatin**) hereby requests intervenor status in the matter of the application of the Corporation of the Town of Marathon (the **Corporation**), on its own behalf and as representative of the Township of Manitouwadge, the Township of Schreiber, the Township of Terrace Bay, and the Municipality of Wawa (the **Municipalities**), for certain approvals from the Ontario Energy Board (the **Board**) to furnish natural gas service within the Municipalities (the **Application**). This notice of intervention is filed pursuant to Rule 22 of the Board's *Rules of Practice and Procedure* (the **Rules**). Pursuant to section 22.05 of the Rules, this notice is filed after the Board's prescribed deadline. Anwaatin submits that no party should be prejudiced by its late intervention and requests the Board's indulgence in accepting this late notice of intervention without the formality of a motion. If granted late intervenor status, Anwaatin agrees to accept the record in this proceeding as it presently exists.

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. Anwaatin's members have a strong interest in seeking access to natural gas for community distribution and business interests, including forestry and mining.
3. Anwaatin's member Indigenous communities for this proceeding include, subject to further confirmation:
 - Aroland First Nation; and
 - Animbiigoo Zaagi igan Anishinaabek.

Additional Indigenous communities identified in the Application may also be included among Anwaatin's Indigenous members in this proceeding.

4. Anwaatin has been active in representing various Indigenous interests before the Board in a number of natural gas and electricity proceedings, including the Board's generic proceeding on natural gas expansion (EB-2016-0004), EPCOR Natural Gas Limited Partnership's leave-to-construct (EB-2018-0263) and rates (EB-2018-0264) proceedings, the Southern Bruce franchise combined proceeding (EB-2016-0137 / EB-2016-0138 / EB-2016-0139), the Enbridge Gas Inc. Georgian Sands (EB-2018-0226) and Chatham-Kent (EB-2018-0188) leave-to-construct proceedings, and Hydro One Networks Inc.'s transmission rates (EB-2016-0160 and EB-2019-0082) and distribution rates (EB-2017-0049) proceedings.
5. 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

6. 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

7. 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.
8. 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 has granted Anwaatin cost eligibility in several Board proceedings, including each of those referred to above in paragraph 4.

9. 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

10. 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

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
17th day of October, 2019.

A handwritten signature in black ink, consisting of a large, stylized initial 'L' followed by a long, sweeping horizontal stroke that ends in an arrowhead pointing to the right.

Lisa (Elisabeth) DeMarco
DeMarco Allan LLP
Counsel for Anwaatin