



Jonathan McGillivray
Associate
Bay Adelaide Centre
333 Bay Street, Suite 625
Toronto, ON M5H 2R2
TEL +1.647.208.2677
FAX +1.888.734.9459
jonathan@demarcoallan.com

January 27, 2020

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: Enbridge Gas Inc. – 2020 Federal Carbon Pricing Program Application
Board File No.: EB-2019-0247

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. Adam Stiers and Tania Persad, Enbridge Gas Inc.
Larry Sault, Anwaatin Inc.
Don Richardson

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 Enbridge Gas Inc. for an order or orders for gas distribution rate changes and clearing certain non-commodity deferral and variance accounts related to compliance obligations under the *Greenhouse Gas Pollution Pricing Act*, S.C. 2018, c. 12, s. 186 (**GGPPA**);

EB-2019-0247

NOTICE OF INTERVENTION

ANWAATIN INC.

January 27, 2020

A. Application for Intervenor Status

1. Anwaatin Inc. (**Anwaatin**) hereby requests intervenor status in the matter of the application by Enbridge Gas Inc. (**Enbridge**) to the Ontario Energy Board (the **Board**) for, *inter alia*:
 - an order or orders allowing it to charge customers a federal carbon charge on a volumetric basis, in the amount of the federal carbon charge required to be paid pursuant to the GGPPA, effective April 1, 2020;
 - an order or orders approving or fixing just and reasonable rates for all Enbridge Gas rate zones to allow Enbridge to recover other costs in compliance with the GGPPA; and
 - approval of 2019 balances for all federal carbon pricing related deferral and variance accounts (the **Application**).
2. 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

3. 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.
4. Anwaatin's Indigenous membership for this proceeding presently includes Aroland First Nation, Animbiigoo Zaagi'igan Anishinaabek Nation, and Ginoogaming First Nation (the **Anwaatin First Nations**). Additional Indigenous communities may be confirmed as

members of Anwaatin for this proceeding. The Anwaatin First Nations each have traditional territory, and associated rights and interests protected by the *Constitution Act, 1982*, that may be impacted by the outcomes of this proceeding. Anwaatin is in the process of reaching out in order to work cooperatively with the Chiefs of Ontario (**COO**), which has also requested intervenor status in this proceeding.

5. Anwaatin has been active in representing various Indigenous interests before the Board in a number of electricity and natural gas proceedings, including the Town of Marathon's North Shore project (EB-2018-0329); Enbridge's Chatham-Kent (EB-2018-0188) and Georgian Sands (EB-2018-0226) leave to construct proceedings, the Southern Bruce franchise proceeding (EB-2016-0137 / EB-2016-0138 / EB-2016-0139), EPCOR Natural Gas Limited Partnership's Southern Bruce leave to construct (EB-2018-0263) and rates (EB-2018-0264) proceedings, Hydro One's applications for approval to increase electricity transmission rates (EB-2016-0160 and EB-2019-0082), Hydro One's application to increase 2018-2022 electricity distribution rates (EB-2017-0049), Hydro One's application for approval of a Revenue Cap Index adjustment for its 2019 revenue requirement (EB-2018-0130), and the East-West Tie Line / Lake Superior Link combined proceeding (EB-2017-0182 / EB-2017-0194 / EB-2017-0364).
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 will also provide stakeholder views on the differential impact of natural gas rates on remote and near-remote communities. Anwaatin may also make submissions on the constitutional and section 35 dimensions of the Application and related First Nations rights. To assist the Board in responding to these issues, Anwaatin will address unique consideration of 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, including COO, where common issues may arise and may be addressed. Anwaatin intends to participate to request information, participate in any requisite motions, test evidence through the stipulated processes, submit written interrogatories, if applicable, and provide submissions. Subject to the development of the record in this matter, Anwaatin may also submit evidence.

D. Costs

8. Anwaatin hereby requests cost eligibility in this proceeding. 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 an affordable, reliable, sustainable, and modern natural gas service. Anwaatin requests an award of costs in this proceeding on the basis that its comments and participation 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 5.
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.

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: 226-314-1200
Email: larry@anwaatin.com

AND TO ITS CONSULTANT

Don Richardson

62 Baker Street
Guelph, ON N1H 4G1

Attention: Don Richardson
Telephone: 226-706-8888 x 101
Facsimile: 226-314-1200
Email: don.richardson@sharedvaluesolutions.com

AND TO ITS COUNSEL

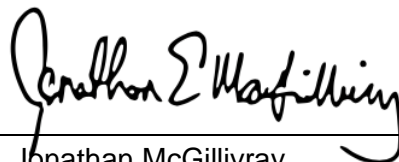
DeMarco Allan LLP

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 27th day of January, 2020



Jonathan McGillivray
DeMarco Allan LLP
Counsel for Anwaatin