

September 1, 2021

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

Attn: Christine E. Long  
Registrar

Dear Ms. Long,

**Re: EB 2018-0329**

I am counsel to Long Lake #58 First Nation (“LL#58FN”), an intervenor in the above-noted proceeding.

By correspondence dated November 25, 2019, the OEB confirmed that LL#58FN has a “substantial interest” in the proceeding and was approved as an intervenor and deemed eligible to apply for an award of costs.

Section 5 of the OEB’s *Practice Direction on Costs Awards* (“OEB Practice Direction”) set out several criteria that the OEB will consider in determining a costs award, including that the intervenor:

- a) participated reasonably in the process;
- b) contributed to a better understanding by the Board of one or more of the issues in the process;
- c) complied with the Board’s orders, rules, codes, guidelines, filing requirements and section 3.03.1 of this Practice Direction with respect to frequent intervenors, and any directions of the Board;
- d) made reasonable efforts to combine its intervention with that of one or more similarly interested parties, and to co-operate with all other parties;
- e) made reasonable efforts to ensure that its participation in the process, including its evidence, interrogatories and cross-examination, was not unduly repetitive and was focused on relevant and material issues;
- f) engaged in any conduct that tended to lengthen the process unnecessarily; or
- g) engaged in any conduct which the Board considers inappropriate or irresponsible.

LL#58FN has participated responsibly throughout this proceeding. LL#58FN’s submissions provided background information about LL#58FN and its unique relationship to the area and the proposed project.

LL#58FN reviewed the record, reviewed the interrogatories and filed final written submissions.

LL#58FN did not engage in conduct that would unnecessarily lengthen the proceedings, nor did it engage in any inappropriate or irresponsible conduct.

Certain costs were included in the "Other Conferences" category that did not fit elsewhere but were critical to LL#58FN's participation. These costs include reviewing correspondence received from the OEB (i.e. Procedural Orders and Decisions and Orders) and debriefing LL#58FN about these developments. These costs also included Legal Counsel's review of the record and subsequent communication with the client. This type of communication between Legal Counsel and LL#58FN were necessary in order for LL#58FN to fully participate in the process.

Legal counsel is not claiming disbursements in this matter.

On behalf of LL#58FN, I respectfully request the attached costs be awarded by the OEB for participation in the above-noted matter.

Kind regards,

A handwritten signature in black ink, appearing to read "Virginia Greer". The signature is fluid and cursive, with a long horizontal stroke at the end.

Virginia Greer

cc:

Chief Judy Desmoulin (Judy.Desmoulin@longlake58fn.ca)

Anthony Legarde (Anthony.legarde@longlake58fn.ca)

Wayne Greer (wayne@abnetwork.ca)