



September 14, 2021

**VIA RESS**

Ontario Energy Board  
P.O. Box 2319  
3200 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4  
Attention: Registrar

Dear Ms. Long:

**Re: Hydro One Networks Inc. ("HONI")  
2023-2027 Joint Transmission and Distribution Rates Application  
Board File No. EB-2021-0110**

We are counsel to the Anwaatin Inc. ("**Anwaatin**"). Please find enclosed Anwaatin's Notice of Intervention in the above-noted proceeding.

Sincerely,

A handwritten signature in black ink, appearing to be "Lisa DeMarco", with a long, sweeping horizontal stroke extending to the right.

Lisa (Elisabeth) DeMarco

c. Hydro One Regulatory  
Charles Keizer, Torys LLP  
Arlen Sternberg, Torys LLP  
Larry Sault, Anwaatin Inc.  
Don Richardson

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 Hydro One  
Networks Inc. ("**HONI**") for an order or orders made  
pursuant to section 78 of the Act, approving or fixing just and  
reasonable rates for the transmission and distribution of  
electricity.

**EB-2021-0110**

**NOTICE OF INTERVENTION**

**OF**

**ANWAATIN INC.**

**(ANWAATIN)**

**September 14, 2021**

**A. Application for Intervenor Status**

1. Anwaatin Inc. ("**Anwaatin**") hereby requests intervenor status in the matter of the application of Hydro One Networks Inc. ("**HONI**") for various orders pursuant to section 78 of the Act as set out in HONI's application filed August 5, 2021 (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**

**Anwaatin Inc.**

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. Anwaatin's interests are focused on ensuring that Indigenous communities and businesses (i) have access to efficient electricity and natural gas energy solutions for Indigenous communities; (ii) are provided with reliable energy transmission and distribution in order to meet basic needs and facilitate economic development; (iii) address poor electricity reliability and the disparate and adverse impacts that it has on Indigenous communities and Aboriginal rights; and (iv) strengthen distributed energy resources in Indigenous communities to facilitate their resilience, reconciliation, and efficient electrification solutions to address climate change.
3. Anwaatin's Indigenous membership for this proceeding presently includes Minodahumn Development LP which is an economic development partnership representing Aroland First Nation, Ginoogaming First Nation, and Animbiigoo Zaagi'igan Anishinaabek First Nation (collectively, 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. The Anwaatin First Nations also have a long history of involvement in HONI proceedings and continue to work with HONI to facilitate Anwaatin's unique interest that have historically been unrepresented.

**Anwaatin's Interest in the Proceeding**

4. Anwaatin is interested in matters including the cost-effectiveness, reliability and security of supply, risk management, and execution of HONI's Investment, System, and Distribution System Plans (the **Plans**). Anwaatin's participation would bring to bear a strong Indigenous perspective and include experience and input on issues including the potential impacts on Indigenous rights and aboriginal title – including economic rights – which are affected, and may be adversely affected, by the Plans.
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 and to assist the Board in its oversight of past Indigenous commitments made by HONI. HONI's pre-filed evidence provides several key programs and initiatives over 2023-2027 period for HONI's First Nations customers including: establishing Indigenous procurement targets for investments; exploring innovative investment and partnership opportunities in collaboration with Indigenous communities and businesses; identifying key communities for long-term relationship agreements; and the implementation of a First Nations electricity Reliability Improvement Plan. [Exhibit A, Tab 3, Schedule 1, Attachment 1, p. 20]. HONI's evidence, including the First Nation Reliability Report 2021, indicates that Aroland First Nation experienced an annual average of 44 hours of interruption over 2018-2020 and Ginoogaming First Nation experienced 23 hours of interruption, which is consistent with HONI noting that northern First Nations are “especially supportive of reliability-focused investments” and that reliability for First Nations Communities will be improved “through vegetation management, installation of remote controllable switches and Communicating Faulted Circuit Indicators (CFCI), and where justified, investments in battery energy storage systems to provide back-up power. [Exhibit A, Tab 7, Schedule 2, Attachment 1, pp. 4, 7, 11] HONI's evidence further notes that “[p]oor reliability is not merely an inconvenience for [First Nations] communities, it also poses real challenges for everyday life and serious health and safety risks, especially during harsh weather conditions or the current COVID-19 pandemic.” [Exhibit B, Tab 3, Schedule 1, Section 3.1, p. 11].
6. Anwaatin has been active in representing various Indigenous interests before the Board in a number of electricity proceedings including HONI's applications for approval to increase electricity transmission rates (EB-2016-0160 and EB-2019-0082), its application to increase 2018-2022 electricity distribution rates (EB-2017-0049), its application for approval of a Revenue Cap Index adjustment for its 2019 revenue requirement (EB-2018-0130), and the

**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 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 a unique 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 electricity 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 6.
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](mailto:larry@anwaatin.com)

AND TO ITS CONSULTANT

**Don Richardson**  
4606 Concession 11  
Puslinch, ON N0H 2J0

Attention: Don Richardson  
Telephone: 226-820-5086  
Email: [drichardson.gll@gmail.com](mailto:drichardson.gll@gmail.com)

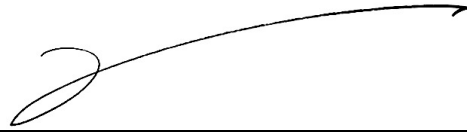
AND TO ITS COUNSEL

**Resilient LLP**  
Bay Adelaide Centre  
333 Bay Street, Suite 625  
Toronto, ON M5H 2R2

Attention: Lisa (Elisabeth) DeMarco  
Telephone: 647-991-1190  
Facsimile: 1-888-734-9459  
Email: [lisa@resilientllp.com](mailto:lisa@resilientllp.com)

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

ALL OF WHICH IS RESPECTFULLY  
SUBMITTED THIS  
14<sup>th</sup> day of September, 2021.

A handwritten signature in black ink, consisting of a large, stylized 'L' followed by a long, sweeping horizontal stroke that ends in a small arrowhead.

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Lisa DeMarco  
Resilient LLP  
Counsel for Anwaatin