



April 7, 2022

VIA RESS

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

Dear Ms. Long,

**Re: Framework for Review of Intervenor Processes and Cost Awards
Board File Number: EB-2022-0011**

We are counsel to Anwaatin Inc. (**Anwaatin**) in the above-noted consultation. Please find attached Anwaatin's request for cost eligibility, filed pursuant to the Board's letter dated March 31, 2022.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Vollmer", written in a cursive style.

Daniel Vollmer

c. Larry Sault, Anwaatin
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 the Ontario Energy Board's
Framework for Review of Intervenor Processes and Cost
Awards consultation.

EB-2022-0011

COST AWARD ELIGIBILITY REQUEST

ANWAATIN INC.

April 7, 2022

A. Application for Participant Status

1. Anwaatin Inc. (**Anwaatin**) hereby requests cost award eligibility in the Board's Framework for Review of Intervenor Processes and Cost Awards consultation (EB-2022-0011). This request to participate is filed pursuant to Rule 22 of the Board's *Rules of Practice and Procedure* and the Board's letter dated March 31, 2022.

B. Anwaatin and its Interest in the Consultation

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 Aroland First Nation (**Aroland**), Animbiigoo Zaagi'igan Anishinaabek Nation (**AZA**), and Ginoogaming First Nation (**Ginoogaming**) (collectively, the **Anwaatin First Nations**). 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 consultation.

Anwaatin's Interest in the Consultation

4. Anwaatin is interested in providing its views and comments on potential initiatives to enhance the OEB's adjudicate process and the role of intervenor being considered by the Board, including: (i) guidance on intervenor status requirements; (ii) cost award eligibility; and (iii) changes to rules for frequent intervenor filings. 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, including economic rights, and the

specific and unique challenges faced by Indigenous communities across Ontario in participating in Board proceedings.

5. Anwaatin has been active in representing various Indigenous interests before the Board in a number of electricity and natural gas proceedings. Anwaatin has been a frequent intervenor and cost award eligible intervenor in numerous proceedings before the Board including filed comments in the Hydro One Networks Inc. (**Hydro One**) EB-2016-0160 Hydro One's joint Custom IR distribution and transmission proceeding (EB-2021-0110); Hydro One's application for approval to increase electricity transmission rates (EB-2019-0082); Hydro One's application to increase 2018-2022 electricity distribution rates (EB-2017-0049); Enbridge's integrated resource planning proposal proceeding (EB-2020-0091), the Board's consultation on Enbridge Gas Inc's five-year natural gas supply plan (EB-2019-0137) and update (EB-2021-0004) proceedings, Enbridge's 2020 (EB-2019-0247) and 2021 (EB-2020-0212) federal carbon pricing program proceedings, Enbridge's renewable natural gas program (EB-2020-0066) proceeding, Enbridge's Chatham-Kent (EB-2018-0188) and Georgian Sands (EB-2018-0226) leave to construct proceedings, Enbridge's renewable natural gas enabling program (EB-2017-0319) proceeding
6. Anwaatin hopes to provide the Board with the unique perspective of Indigenous communities in Ontario. It will also provide stakeholder views on ensuring just and equitable access for Indigenous communities, including remote and near-remote First Nations, to participate in proceedings before the Board. To assist the Board in responding to these issues, Anwaatin will address unique considerations of, and potential solutions for, Indigenous peoples in this consultation.

C. Nature and Scope of Anwaatin's Intended Participation

7. Anwaatin intends to be an active participant in this consultation and will act responsibly to coordinate with other intervenors where common issues may arise and may be addressed. Anwaatin intends to participate actively to submit written comments in accordance with the Board's process and participate in any proceeding required to address specific issues highlighted by the consultation. Anwaatin may also make expert submissions subject to the development of the record in this consultation.

D. Costs

8. Anwaatin hereby requests cost eligibility in this consultation. 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 consultation.
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 services. Anwaatin requests an award of costs in this consultation on the basis 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.
10. Anwaatin therefore submits that it is appropriate for the Board to award Anwaatin costs in the context of this consultation, and hereby requests cost eligibility.

E. Anwaatin's Representatives

11. Anwaatin hereby requests that further communications with respect to this consultation 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

4606 Concession 11
Puslinch, ON N0H 2J0

Attention: Don Richardson
Telephone: 226-820-5086
Email: drichardson.gll@gmail.com

AND TO ITS COUNSEL

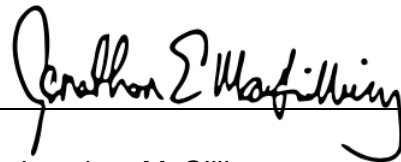
Resilient LLP

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@resilientllp.com

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

ALL OF WHICH IS RESPECTFULLY
SUBMITTED THIS 7th day of April, 2022

A handwritten signature in black ink, reading "Jonathan McGillivray", written over a horizontal line.

Jonathan McGillivray
Resilient LLP
Counsel for Anwaatin