



December 2, 2022

**VIA RESS**

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

Dear Ms. Marconi,

**Re: Enbridge Gas Inc. ("EGI")  
2024 Rebasing Application  
Board File No.: EB-2022-0200**

We are counsel to Three Fires Group Inc. ("**Three Fires**"). Please find enclosed Three Fires' Notice of Intervention and request for cost eligibility in the above-noted proceeding.

Sincerely,

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

DT Vollmer

c. Vanessa Inis, EGI  
David Stevens, Aird & Berlis LLP  
Dennis M. O'Leary, Aird & Berlis LLP  
Philip Lee, Three Fires  
Don Richardson, Three Fires  
Chief Mary Duckworth, Caldwell First Nation  
Larry Sault, Caldwell First Nation

Encl.

**ONTARIO ENERGY BOARD**

**IN THE MATTER OF** the *Ontario Energy Board Act*,  
1998, S.O. 1998, c.15 (Schedule. B);

**AND IN THE MATTER OF** an Application by Enbridge Gas  
Inc, pursuant to section 36(1) of the *Ontario Energy Board  
Act, 1998*, for an order or orders approving or fixing just and  
reasonable rates and other charges for the sale, distribution,  
transmission and storage of gas as of January 1, 2024.

**EB-2022-0200**

**NOTICE OF INTERVENTION**

**THREE FIRES GROUP INC.**

**December 2, 2022**

## **A. Application for Intervenor Status**

1. Three Fires Group Inc. ("**Three Fires**") hereby requests intervenor status in the matter of the application of Enbridge Gas Inc. (the "**Applicant**" or "**EGI**") to the Ontario Energy Board (the "**OEB**" or the "**Board**") for approval for an order or orders approving or fixing just and reasonable rates for the sale, distribution, transmission, and storage of gas commencing January 1, 2024 (the "**Application**"). This notice of intervention is filed pursuant to Rule 22 of the Board's *Rules of Practice and Procedure*.

## **B. Three Fires and its Interest in the Proceeding**

2. Three Fires is an Indigenous business corporation that jointly represents the interests of Chippewas of Kettle and Stony Point First Nation ("**CKSPFN**") and Caldwell First Nation ("**Caldwell**") (collectively, the "**Three Fires First Nations**").
3. CKSPFN is located in southern Ontario along the shores of Lake Huron, 35km from Sarnia, Ontario and has 1,000 members who live on-reserve and 900 who live off-reserve.
4. Caldwell's traditional lands and territories include lands and water in Southern Ontario from the Detroit River along the north shore of Lake Erie to Long Point, including Point Pelee and Pelee Island.
5. The Three Fires First Nation's Aboriginal and Treaty rights, land use, cultural heritage, and other rights and interests are potentially affected by this Application. The Three Fires 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.
6. Three Fires intends to make submissions, *inter alia*, on the Applicant's evidence in respect of: the Energy Transition Plan; Energy Transition Technology Fund; bill impacts for EGI's Indigenous customers, including members of the Three Fires First Nations; Indigenous programming and equity participation; revenue and demand forecasts; the proposed rate adjustment framework as proposed by the Application; cost allocation and rate design; customer engagement; Indigenous engagement and consultation; reliability metrics and outcomes; and generally to represent the Aboriginal rights and interests of the Three Fires First Nations.

7. Three Fires is an active intervenor representing the interests of the Three Fires First Nations before the Applicant's natural gas pipelines leave to construct applications (EB-2022-0086) and (EB-2022-0157) and in Hydro One Networks Inc.'s ("**HONI**") Chatham to Lakeshore transmission line leave to construct application (EB-2022-0140). CKSPFN was a Board-approved intervenor in HONI's affiliate transmission projects deferral account application (EB-2021-0169).

**C. Nature and Scope of Three Fires' Intended Participation**

8. Three Fires 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. Three Fires 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, Three Fires may also submit evidence.

**D. Costs**

9. Three Fires hereby requests cost eligibility in this proceeding. Three Fires 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 Three Fires is a party that primarily represents an interest or policy perspective that is relevant to the Board's mandate and to the proceeding.
10. Three Fires represents the interests of a unique and otherwise unrepresented set of First Nation 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. Three Fires 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 Three Fires cost eligibility in several Board proceedings, including each and all of those referred to above in paragraph 7.
11. Three Fires therefore submits that it is appropriate for the Board to award Three Fires costs in the context of this proceeding, and hereby requests cost eligibility.

**E. Three Fires' Representatives**

12. Three Fires hereby requests that further communications with respect to this proceeding be sent to the following:

**Philip Lee**

Three Fires Group Inc.  
9119 W Ipperwash Rd Unit A,  
Lambton Shores, ON N0N 1J3

Email: [philip.lee@threefiresgroup.com](mailto:philip.lee@threefiresgroup.com)

**Chief Mary Duckworth**

Caldwell First Nation  
14 Orange Street  
Leamington, ON N8H 1P5

Tel: 519-322-1766  
Fax: 519-322-1533  
Email: [ChiefMaryDuckworth@caldwellfirstnation.ca](mailto:ChiefMaryDuckworth@caldwellfirstnation.ca)

**AND TO ITS CONSULTANTS**

**Don Richardson**

Three Fires Group Inc.  
9119 W Ipperwash Rd Unit A,  
Lambton Shores, ON N0N 1J3

Tel: 226-820-5086  
Email: [don.richardson@threefiresgroup.com](mailto:don.richardson@threefiresgroup.com)

**Larry Sault**

Consultant, Intergovernmental Relations/Major Business  
Caldwell First Nation  
14 Orange Street  
Leamington, ON N8H 1P5

Tel: 226-387-3364  
Email: [soongikiniw@gmail.com](mailto:soongikiniw@gmail.com)

**AND TO ITS COUNSEL**

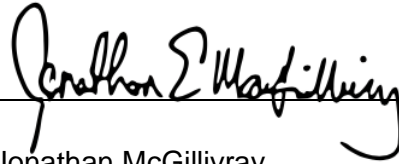
**Resilient LLP**

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

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

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

ALL OF WHICH IS RESPECTFULLY  
SUBMITTED THIS 2<sup>nd</sup> day of December, 2022

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

Jonathan McGillivray  
Resilient LLP  
Counsel for Three Fires