



December 2, 2022

VIA RESS

Ontario Energy Board
P.O. Box 2319,
2300 Yonge Street, 27th 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 Ginoogaming First Nation ("**GFN**"). Please find enclosed GFN's 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
Kate Kempton, on behalf of GFN

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

GINOOGAMING FIRST NATION

December 2, 2022

A. Application for Intervenor Status

1. Ginoogaming First Nation (“**GFN**”) 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. GFN and its Interest in the Proceeding

Ginoogaming First Nation

2. GFN (formerly known as Long Lake Reserve #77) is an Anishnawbe First Nation located in Northern Ontario, located approximately 40 km east of Geraldton, Ontario, Canada, on the northern shore of Long Lake, immediately south of Long Lake 58 First Nation and the community of Longlac, Ontario. GFN is within the boundaries of James Bay Treaty No 9 made in 1905 and was officially created through signing an adhesion to this Treaty on August 9, 1906. GFN is a member of the Nishnawbe Aski Nation, a political territorial organization representing 49 First Nations in northern Ontario and Matawa First Nations Management, a tribal council providing a variety of advisory services/programs to 8 First Nations in James Bay Treaty No. 9 and 1 First Nation in the Robinson-Superior Treaty. GFN's interests in the proceeding are focused on ensuring that GFN and its members have access to efficient and reliable natural gas transmission and distribution in order to meet basic needs and facilitate economic development.
3. GFN and its members 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. GFN also has a long history of involvement in EGI proceedings, as a member of Anwaatin Inc., and continues to work with EGI to facilitate GFN's unique interest that have historically been unrepresented in OEB proceedings.

GFN's interest in the proceeding

4. GFN'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 may be adversely affected by the Application.

5. GFN hopes to provide the Board with the unique perspective of its members and of remote and near-remote Indigenous communities in Ontario. GFN interest in the proceeding includes how the Application will affect the interest of GFN and its members and GFN 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 residential and Indigenous customers; 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 GFN and its members.
6. GFN, as a member of Anwaatin Inc., has been active in representing various Indigenous interests before the Board in a number of electricity and natural gas proceedings, including the Applicant's FCPP applications (EB-2019-0247 and EB-2020-0212); the Town of Marathon's North Shore project (EB-2018-0329); the Applicant'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).

C. Nature and Scope of GFN's Intended Participation

7. GFN 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. GFN 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, GFN may also submit evidence.

D. Costs

8. GFN hereby requests cost eligibility in this proceeding. GFN 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 GFN is a party that primarily represents an interest or policy perspective that is relevant to the Board's mandate and to the proceeding.
9. GFN 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. GFN 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 GFN, as a member of Anwaatin Inc., cost eligibility in several Board proceedings, including each and all of those referred to above in paragraph 6.
10. GFN therefore submits that it is appropriate for the Board to award GFN costs in the context of this proceeding, and hereby requests cost eligibility.

E. GFN's Representatives

11. GFN hereby requests that further communications with respect to this proceeding be sent to the following:

Ginoogaming First Nation
P.O. Box 89
Longlac, Ontario P0T 2A0

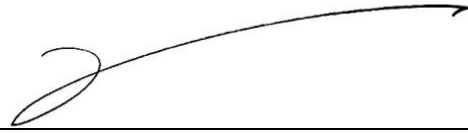
Attention: Kate Kempton, on behalf of Ginnogaming First Nation
Email: kkempton@oktlaw.com

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

ALL OF WHICH IS RESPECTFULLY
SUBMITTED THIS 2nd day of December, 2022

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

Lisa (Elisabeth) DeMarco
Resilient LLP
Counsel for GFN