Ministry of Energy

Energy Networks and Indigenous Policy Branch Ministère de l'Énergie

Direction Générale des Réseaux Énergétiques et des Politiques Autochtones Filed: 2023-04-10 EB-2022-0247 Exhibit H Tab 1 Schedule 1 Attachment 5 Page 1 of 2

Indigenous Energy Policy

Politique Énergétique Autochtones

77 Grenville Street, 6th Floor Toronto, ON M7A 67C Tel: (416) 315-8641 77 Rue Grenville, 6^e Étage Toronto, ON M7A 67C Tel: (416) 315-8641

April 6, 2023

VIA EMAIL

Adam Stiers Manager, Regulatory Applications – Leave to Construct Regulatory Affairs Enbridge Gas Incorporated 50 Keil Drive North, Chatham, ON N7M 5M1

Re: Letter of Opinion – Kennedy Relocation Project (Scarborough Subway Extension)

Dear Mr. Stiers,

The Ontario Ministry of Energy (ENERGY) has completed its review of the consultation undertaken by Enbridge Gas Inc. (Enbridge) with Indigenous communities for the Kennedy Relocation Project (the Project).

ENERGY has reviewed the information provided by Enbridge as well as materials filed with the Ontario Energy Board (OEB). ENERGY also engaged with Indigenous communities to understand any concerns about potential impacts to Aboriginal and treaty rights from the project as well as community feedback about satisfaction with Enbridge's response or proposed mitigation, where appropriate.

This letter is to notify you that, based on this review of materials and our outreach to Indigenous communities, ENERGY is of the opinion that the procedural aspects of consultation undertaken by Enbridge to-date for the purposes of the Ontario Energy Board's Leave to Construct for the Project are satisfactory.

It is expected that Enbridge will continue its consultation activities with the Indigenous communities throughout the life of the project, and that Enbridge will notify ENERGY should any rights-based concerns/issues arise.

If you have any questions about this letter or require any additional information, please contact me at 416-315-8641 or <u>amy.gibson@ontario.ca</u>.

Sincerely,

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Amy Gibson, Manager Indigenous Energy Policy, Ontario Ministry of Energy

c: Ontario Energy Board Ontario Pipeline Coordinating Committee