



Ontario  
Energy  
Board

Commission  
de l'énergie  
de l'Ontario

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# DECISION AND ORDER

**EB-2024-0242**

## ATTAWAPISKAT FIRST NATION

**Application for an Electricity Distribution Licence**

**BY DELEGATION, BEFORE: Brian Hewson**  
Vice President  
Consumer Protection & Industry Performance

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**October 17, 2024**

## DECISION AND ORDER

Attawapiskat First Nation (AFN) submitted a second request to the Ontario Energy Board (OEB) on August 19, 2024, for an extension to its electricity distribution – owner only licence ED-2002-0387, to avoid non-compliance with section 57 of the *Ontario Energy Board Act, 1998* (OEB Act).

This Decision and Order is being issued by the Delegated Authority pursuant to section 6 of the OEB Act. The Delegated Authority has considered the application without holding a hearing pursuant to section 6(4) of the OEB Act.

AFN's electricity distribution – owner only licence ED-2002-0387 is set to expire on November 30, 2024. In order for the applicant to continue to own the distribution system operating within the service area set out in the existing licence, the applicant requires an electricity distribution – owner only licence pursuant to section 57 of the OEB Act.

AFN is a licensed electricity distributor that owns an electricity distribution system located on Attawapiskat Reserve No. 91A. The distribution system is operated by Attawapiskat Power Corporation<sup>1</sup>(APC), a wholly owned subsidiary of AFN.

On May 6, 2024, AFN requested an extension to its licence term from May 31, 2024, to November 30, 2024 because it plans to file a request to the OEB for leave to transfer ownership of the electricity distribution system assets to APC to streamline ownership/operation and associated regulatory matters. AFN requested the OEB extend its licence term until November 30, 2024, to provide adequate time to complete the transaction. On May 28, 2024, the OEB issued a Decision and Order to extend the licence term until November 30, 2024.

On August 19, 2024, AFN requested that the OEB further extend its licence term from November 30, 2024 to May 31, 2025. AFN stated that the extension is necessary because the transaction may not be completed before the November 30, 2024, licence expiration date.

After considering both the applicant's intent to request a transfer of ownership and its requirement to hold a licence to continue carrying out activities as a licensed electricity distributor after November 30, 2024, the OEB finds it expedient to extend the licence term on an interim basis until May 31, 2025.

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<sup>1</sup> Attawapiskat Power Corporation is a licensed electricity distributor under ED-2001-0090.

**IT IS ORDERED THAT:**

1. The term of Attawapiskat First Nation's electricity distribution – owner only licence ED-2002-0387 is extended until May 31, 2025. The conditions of licence remain unchanged.

**DATED** at Toronto October 17, 2024

**ONTARIO ENERGY BOARD**

Brian Hewson  
Vice President, Consumer Protection & Industry Performance