



February 18, 2025

VIA RESS

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

Dear Ms. Marconi,

**Re: Transmission Connections Review
Proposed Amendments to the Transmission System Code to Enable the
Connection of Energy Storage
Board File No.: EB-2024-0126**

We are counsel to Minogi Corp. ("**Minogi**") in the above-noted stakeholder consultation on proposed amendments by the Ontario Energy Board (the "**OEB**" or "**Board**") to the Transmission System Code ("**TSC**") to facilitate the connection of energy storage to a transmitter's system. Minogi's comments on the proposed amendments are provided in addition to Minogi's previous comments on issues of the review of the TSC submitted on May 17, 2024 (the "**Issues Comments**").

About Minogi

Minogi is an Indigenous business corporation that represents the interest of Mississaugas of Scugog Island First Nation ("**MSIFN**") and its members. The Mississaugas of MSIFN moved into southern Ontario and settled in the areas around Lake Scugog from their former homeland north of Lake Huron around 1700. MSIFN is located on Scugog Island in the Port Perry area of Durham Region, Ontario and has over 300 members. Minogi's key focus areas on behalf of MSIFN are energy transition, clean energy investments, and advancing MSIFN's rights to lands, waters and resources.

MSIFN's treaty rights area includes generation facilities, transmission lines and electrical distribution systems in the Lake Ontario Energy Corridor between the GTA/Pickering and Napanee. MSIFN considers the waters and lakebed of Lake Ontario in this corridor, and south to the U.S. border, to be unceded.

Interest in energy storage. MSIFN has traditional territory, treaty rights and other associated rights and interests protected by the *Constitution Act, 1982*. Minogi and MSIFN are interested in Ontario's transmission system and ensuring First Nation participation in energy storage projects that support and impact First Nations communities across the province. Ontario's transmission system traverses across First Nation land and traditionally owned territory, frequently impacting the Aboriginal and Treaty rights of First Nations, including, without limitation, the lands and water of their traditional territories and their role as custodians and stewards of those territories. Energy storage projects offer an important solution to energy reliability issues in many First Nations, as well as providing much needed economic opportunities for First Nations and Indigenous-owned businesses.

Minogi's comments on the proposed amendments

Minogi generally supports the proposed amendments. Minogi is generally supportive of the proposed amendments as they align with broader efforts to modernize Ontario's electricity system and facilitate the energy transition.

The creation of a distinct energy storage customer class is a much-needed step in recognizing the unique role of energy storage in enhancing grid reliability, optimizing renewable energy integration, and reducing system costs. By clearly defining energy storage facilities as a separate transmission customer type with tailored connection and cost responsibility provisions, the proposed amendments provide regulatory certainty, making it easier for storage projects to be developed, financed, and integrated into the grid.

Minogi hopes that the proposed amendments will not only help reduce barriers for energy storage deployment in First Nations but also contribute to a more flexible, efficient, and resilient electricity system that benefits all First Nations ratepayers, including Indigenous communities seeking to develop local energy solutions.

Minogi supports the adoption of alternative technologies that advance the energy transition and improve energy access and reliability. Minogi supports regulatory changes that encourage the deployment of energy storage and other alternative technologies as part of Ontario's broader climate strategy. These technologies play a crucial role in advancing decarbonization while improving electricity access and reliability for First Nations and other communities.¹ Minogi supports the proposed amendments and energy storage solutions more broadly for the following reasons:

- **Supporting greenhouse gas emission reductions.** Energy storage enables a cleaner grid by reducing reliance on fossil fuels and storing Ontario's surplus renewable energy when generation exceeds demand, discharging it when needed. Energy storage also helps maximize the use of zero-emission electricity and minimize the curtailment of renewables. This aligns with the climate priorities of MSIFN and other First Nations, who are committed to reducing carbon emissions and supporting a sustainable energy future.
- **Enhancing energy access, reliability, and affordability.** Many First Nations, especially those in remote or underserved areas, face challenges related to energy reliability and affordability.² Energy storage can help mitigate these issues by improving local grid stability, reducing reliance on costly diesel or imported electricity, and enabling microgrid development. These benefits are particularly important as First Nations seek to advance Indigenous energy sovereignty and develop renewable energy projects that require effective storage solutions to ensure consistent and reliable power.

- **Encouraging Indigenous participation in clean energy.** The integration of energy storage provides new economic opportunities for First Nations, whether through ownership of storage assets or leveraging storage to support community-led renewable energy projects. Regulatory frameworks that facilitate storage deployment can help First Nations take a more active role in Ontario's energy transition.

Minogi appreciates the OEB's recognition of the importance of energy storage and supports these amendments as a necessary step in modernizing Ontario's electricity system to reflect the realities of a clean energy future. Minogi hopes that further amendments to increase the participation of First Nations and Indigenous-owned business will form part of future consultations on updating the TSC.

Better access and connection opportunities for First Nations. For many First Nations, access to affordable, reliable, and sustainable electricity remains a challenge. In particular, many Indigenous communities face barriers such as high energy costs, low reliability, supply constraints, and inadequate transmission infrastructure. The proposed amendments, by formally recognizing energy storage as a distinct customer class, will directly support First Nations in the following ways:

- **Enabling community-led renewable energy projects.** Many First Nations, including MSIFN, are actively pursuing significant investments in clean energy projects as part of their commitment to environmental stewardship and economic and energy self-determination. However, integrating renewable energy requires reliable storage solutions to balance supply and demand. The creation of an energy storage customer class removes uncertainty and regulatory inefficiencies, making it easier for First Nations to develop, own, and operate renewable energy projects that directly benefit their communities and all ratepayers.
- **Reducing energy costs and improving grid access.** First Nation communities often face disproportionately high costs due to their geographic location and the structure of Ontario's energy market. Currently, energy storage facilities are subject to charges that do not reflect their unique role in the system, making storage deployment less economically viable. By establishing a separate customer class, the proposed amendments help reduce costs and make clean energy projects more financially sustainable for First Nations.
- **Supporting energy sovereignty and self-determination.** Energy sovereignty is a key priority for many First Nation communities. The current regulatory framework often forces First Nations to remain dependent on external energy providers, limiting their ability to control costs and energy access. By formally recognizing storage as a unique customer class, the OEB is taking a preliminary step toward creating a more flexible system where First Nations can actively participate in energy generation, storage, and distribution on their own terms.
- **Enhancing grid resilience for indigenous communities.** Energy storage provides critical reliability benefits, particularly for First Nations communities that experience frequent power disruptions or lack stable connections to the main electricity grid. Whether as part of a microgrid or in conjunction with larger renewable energy projects, energy storage can help Indigenous communities improve local energy security, reduce outages, and lessen reliance on emergency backup systems like diesel generators, which are expensive and environmentally harmful.

Minogi welcomes the proposed amendments as a necessary step in recognizing the evolving role of First Nations in Ontario's energy transition. Establishing a dedicated energy storage customer class aligns with Indigenous economic and environmental priorities, allowing communities to play a more active and equitable role in shaping the province's clean energy future.

Facilitating First Nation engagement and economic participation. Although the following points are not directly relevant to the specific amendments being proposed, Minogi would also like to reiterate its suggestion from the Issues Comments that the OEB should examine ways that the TSC could support Indigenous economic equity participation for First Nations and their communities. The lack of engagement on facilitating First Nation participation through the TSC underscores repeated calls for the OEB to develop and implement an Indigenous knowledge policy framework to guide all of its work.³ Facilitating Indigenous participation in matters relating to energy storage has only grown in importance in the context of Ontario's ongoing and accelerating energy transition and emerging issues in the U.S./Canada economic and energy relationship. In addition, these new realities will have far reaching impacts on First Nations and the rights and obligations that the energy transition and aggressive U.S. trade policy may implicate.

The energy transition presents a unique opportunity to advance reconciliation through inclusive energy policy, ensuring that Indigenous communities are active participants and beneficiaries in new energy infrastructure, such as energy storage. Minogi encourages the OEB to engage with First Nations to assess potential mechanisms for achieving greater Indigenous ownership and investment opportunities within the TSC framework as it relates to energy storage facilities.

Minogi further emphasizes the need for further regulatory measures that improve First Nations' access to Ontario's electricity system. Many Indigenous communities face barriers to participation, whether due to regulatory complexities, economic constraints, or infrastructure limitations. As the OEB continues its part to modernize Ontario's electricity framework, including the TSC, Minogi recommends a focused review of policies that could facilitate more equitable access for First Nations, ensuring they are not only energy consumers but also key contributors and stakeholders in the province's energy transition.

Sincerely,



DT Vollmer, Resilient LLP, counsel for Minogi

c. Chief Kelly LaRocca, MSIFN
Don Richardson, Minogi

³ See Issues Comments and Anwaatin's comments dated April 29, 2022, in EB-2022-0011, *Framework Review of Intervenor Processes and Cost Award*, p. 4, available on RDS [here](#).