



FIVE NATIONS ENERGY INC.

BY EMAIL and RESS

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RE: EB-2025-0149 – Review of Electricity Transmission Filing Requirements – Five Nations Energy Inc. Supplementary Comments Responding to Other Parties

Five Nations Energy Inc. (FNEI) appreciates the opportunity to submit supplementary comments regarding the changes to Section 2.0.3 of Chapter 2 of the Filing Requirements for Electricity Transmission Applications proposed within the Ontario Energy Board's (OEB) ongoing Electricity Transmission Rates Filing Requirements Review (Proposed Updates). FNEI provided preliminary submissions on July 17th, 2025 stating its position that the proposed changes to Section 2.0.3 were unnecessary, overly prescriptive, and did not align with FNEI's experience of operating a transmission system in a high-cost geographic area.

FNEI has now reviewed other parties' initial and subsequent submissions where available, including those by Upper Canada Transmission 2 Inc. (UCT2), Pollution Probe, School Energy Coalition (SEC), Consumers Council of Canada (CCC), Association of Major Power Consumers in Ontario (AMPCO), Wataynikaneyap Power LP (WPLP), and Hydro One Networks Inc. (Hydro One), and is pleased to make the following supplementary comments. FNEI looks forward to reviewing any other supplementary submissions made by other parties, as well as any further OEB materials providing updates on prospective changes to the Filing Requirements prior to their finalization.

FNEI maintains its position as articulated in its initial submission in full, including its view that the OEB's Proposed Updates to Section 2.0.3 of the Filing Requirements are overly restrictive and insufficiently flexible to meet FNEI's circumstances. FNEI is aligned with the comments provided by

transmitters UCT2, WPLP and Hydro One that the Proposed Updates incorrectly assume transmitters should fit into a one-size-fits all framework, are insufficiently responsive to transmitters' specific needs and circumstances, and are overly prescriptive and ultimately at odds with the concept of Custom IR rate making.¹ FNEI believes that the Filing Requirements should enable transmitters to propose a rate framework that meets their needs in a given application, and that concerns related to declining rate base, capital expenditures or other aspects of the rate framework, if relevant, can be addressed within the adjudication process.

A rate framework approach that takes applicants' specific circumstances into account is most appropriate for FNEI, as a utility operating in Ontario's north within a high-cost geographic area and serving the three First Nation communities of Attawapiskat, Fort Albany and Kashechewan. In its comments on the Proposed Updates, Hydro One stated that the rate frameworks it proposed in 2024 regarding the 2025-2029 rates of Hydro One's three transmission partnerships with First Nations communities, and that appear to have provided a partial basis for the Proposed Updates, were designed to respond to the needs and circumstances of its partnerships at the time of filing. FNEI agrees with Hydro One's position that the Proposed Updates do not provide sufficient flexibility for future partnerships to propose frameworks responsive to their needs and circumstances at the time of filing future applications, this responsiveness being an important part of reconciliation with First Nations communities.² FNEI is aligned with Hydro One's recommendation that Section 2.0.3 of the Proposed Updates, "Custom IR Guidance for Transmitters with Minimal Capital Expenditures", be removed in its entirety.³

FNEI supports the recommendation made by WPLP in its initial submission and by Pollution Probe in its supplementary submission that parties to the Filing Requirements review be provided an opportunity to review and comment on an accurate redline of the OEB's proposed amendments before they are finalized.⁴ FNEI looks forward to receiving the supplementary submissions made by other parties and to reviewing any subsequent drafts of the Proposed Updates that are made available prior to the OEB's finalization of its updates to the Filing Requirements for Electricity Transmission Applications – Chapter 1 and Chapter 2.

¹ UCT2_Comments_20250717, page 4; HONI_OEB 2024-2025 Transmission FR_Submission_20250703, page 4; WPLP_Comments_Tx Filing Requirement Consultation_20250718, page 5.

² HONI_OEB Submission, pages 3-4; Niagara Reinforcement Limited Partnership, EB-2024-0117; B2M Limited Partnership, EB-2024-0116; Chatham X Lakeshore Limited Partnership, EB-2024-0216.

³ HONI_OEB Submission, page 4.

⁴ WPLP_Comments, pages 5-6, Pollution Probe_ReplyComments_TxFilingReqs_20250729, page 2.