



August 13, 2025

RESS & EMAIL

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

Attention: Mr. Ritchie Murray, Acting Registrar

Dear Mr. Murray:

Re: Input from Wataynikaneyap Power LP - Stakeholder Consultation on Streamlining Transmission Connections - EB-2025-0216

In response to the Ontario Energy Board's ("OEB") July 31, 2025 letter in the above-referenced proceeding, Wataynikaneyap Power LP ("WPLP") is pleased to provide the following input on the OEB's review of electricity transmitter processes and requirements for connecting load customers, which the OEB launched in response to the Minister of Energy and Mines' Integrated Energy Plan (IEP) Directive.

WPLP is an Ontario electricity transmitter owned by a partnership of 24 First Nations (51%) and Fortis Inc. and other private investors (49%). The vision of the 24 participating First Nations is to own major infrastructure in their homeland. WPLP was established to develop, construct, own and operate a new electricity transmission system in northwestern Ontario, approximately 1750 km in total length, to reinforce transmission from a point near Dinorwic to Pickle Lake, as well as to provide transmission connections to remote Indigenous communities from lines extending north from Pickle Lake and north from Red Lake. The system was fully in-service as of May 2024.

The OEB has sought input to identify the issues that should be addressed in its review. As a new transmitter, and at this early stage of the consultation process, WPLP's input is related primarily to (a) the scope of the OEB's review process, (b) WPLP's perspective as a transmitter with First Nations ownership, which recently received OEB approval for its transmission connection procedures, and (c) procedural considerations.

A. Scope of the Review Process

The scope of the OEB's review process is not clear. Transmission connection procedures for load customers are governed by a range of instruments, not all of which are under the OEB's direct authority. Without a clear indication of scope for the review, it is difficult for WPLP and other stakeholders to provide meaningful and relevant input.

Specifically, a common set of procedures applicable to all transmitters is set out in the OEB's Transmission System Code (the "Code"), primarily under section 6 (some of which relates only to generation connections, which we assume is beyond the scope of the review). Further to section 6.1.3 of the Code, each licensed transmitter must obtain OEB approval for its own transmission connection procedures, which must be consistent with the Code. In particular, each transmitter's connection procedures must include all of the elements listed under section 6.1.4, which reference numerous other sections of the Code. Each transmitter's connection procedures must also be consistent with the IESO's Market Rules and relevant market procedures (see in particular Chapter 4 and Market Manuals 1.4, 1.5 and 1.6). Load customers are therefore subject to the requirements of the transmission connection procedures for the transmitter that owns and operates the system to which they wish to connect, as well as the separate requirements of the IESO. Transmitters administer their own procedures, which have to be approved by the OEB and which are subject to the Code and to the relevant IESO Market Rules and Market Manuals.

With respect to timelines for transmission connections for load customers, WPLP notes that (a) as required by section 6.1.4(k) of the Code, each transmitter's connection procedures must include reasonable timelines within which the activities covered by the procedures must be completed, including typical construction times, which timelines are effectively found to be reasonable in the OEB's orders approving each transmitter's connection procedures, (b) the IESO's website includes timelines for the various components of its transmission connection process (which may be reflected in its Market Manuals), and (c) transmitter and IESO connection procedure timelines are interdependent and cannot be revised in isolation.

Based on the foregoing, it is WPLP's view that to obtain meaningful, relevant and actionable feedback, the OEB must provide a clear description of the scope of its review process. Is the review focused only on the Code, or the parts of section 6 of the Code relating to load connections? To what extent (if any) does the review include the individual transmitter connection procedures, including timelines, that have previously been approved by the OEB? To what extent (if any) does the review apply to IESO connection procedures? If IESO connection procedures are out of scope, how does the OEB plan to address the interdependencies between transmitter connection procedures and IESO procedures in its review?

B. First Nations Transmission Ownership

As noted, WPLP is an Ontario electricity transmitter that is majority owned by a partnership of 24 First Nations. In EB-2022-0330, WPLP obtained approval for its Customer Connection Procedures applicable to its newly constructed transmission system. WPLP's experience as a transmitter with First Nations ownership, which recently received OEB approval for its transmission connection procedures, gives it a unique perspective. There are several lessons from WPLP's experience that should be considered by the OEB and the working group in the review process:

- Transmitters have unique circumstances that need to be reflected in their individual transmission connection procedures, including as applicable to load customers. Any recommendations from the OEB for changes in an effort to streamline transmission load connections should ensure that those individual transmitter circumstances, including where previously approved by the OEB, continue to be accommodated and respected, rather than moving to a 'one-size fits all' approach;

- WPLP understands that of Ontario's ten licensed electricity transmitters, six (including WPLP) have some degree of Indigenous ownership. Because of its majority owner being a partnership of 24 First Nations, and to avoid confusion for connecting customers, WPLP included language in its approved transmission connection procedures to clarify for connection applicants that the connection applicant is solely responsible for engaging with First Nations in respect of their proposed connection project, and that such engagement is separate and distinct from the connection applicant's interaction with WPLP under the transmission connection procedures, and furthermore that WPLP will not carry out engagement with First Nations on the connection applicant's behalf. In WPLP's view, with the growing number of transmitters with Indigenous ownership, it is important to provide this clarity to avoid any confusion or delay that may otherwise result for load connection applicants.
- Regarding the OEB's consideration of whether transmission connection performance standards should be set for transmitters, WPLP notes that:
 - any such considerations must take into account the individual circumstances of transmitters, including their available resources and the geography in which their transmission systems are situated. For instance, a transmission connection in Southern Ontario is not comparable to a transmission connection in a remote part of Northwestern Ontario where road access is limited, seasonal restrictions apply and basic supporting infrastructure is not generally available, and
 - to the extent performance standards might introduce mandatory timelines for transmission load connections, any such standards must be focused solely on the timelines applicable to and within the control of transmitters in administering their transmission connection procedures and, for greater certainty, must not apply to, be dependent on or constrain the timelines otherwise applicable to the connection applicant/project such as with respect to environmental assessment, meeting delegated Duty to Consult requirements, other permitting and approvals requirements and land rights acquisition processes.

C. Procedural Considerations

WPLP has two main procedural considerations related to this consultation process.

First, in addition to considering the impacts of any changes to transmission connection processes on First Nations, the OEB should consider how it will engage with First Nations on any changes it proposes to make to transmission connection processes. Any such considerations should be included in the OEB's recommendations to the Minister.

Second, based on the OEB's July 31, 2025 letter and the consultation page of the OEB's website, it appears the OEB is contemplating a process involving stakeholder input in response to the letter, hosting of a forum, establishing a working group and then reporting back to the Minister. As the OEB's letter includes no proposals and is vague regarding the scope of changes contemplated, it is WPLP's view that interested parties should have an opportunity to provide comments and feedback on any proposals arising from the working group before the OEB reports back to the Minister.

Yours truly,



Mr. Duane Fecteau

cc: Mr. Jonathan Myers, Torys LLP