



Ontario
Energy
Board | Commission
de l'énergie
de l'Ontario

DECISION AND ORDER

EB-2025-0259

ATTAWAPISKAT FIRST NATION

Application for an Electricity Distribution Licence

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

November 27, 2025

DECISION AND ORDER

Attawapiskat First Nation (AFN) submitted a request to the Ontario Energy Board (OEB) on August 28, 2025, 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, 2025. 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 Corporation¹(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 planned 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 extending the licence term until November 30, 2024.

Subsequent to this, AFN has requested and the OEB has granted extensions to the term of the licence as AFN indicated it continued to make progress on the transaction however it was not expected to close prior to the expiry of the licence. On August 28, 2025, AFN requested that the OEB extend the term of the licence to May 31, 2026. AFN stated that the additional extension is necessary because while it continues to

¹ Attawapiskat Power Corporation is a licensed electricity distributor under ED-2001-0090.

make progress on the transaction it may not be completed before November 30, 2025.

After considering both the applicant's request and its requirement to hold a licence to continue carrying out activities as a licensed electricity distributor after November 30, 2025, the OEB finds it expedient to extend the licence term on an interim basis until May 31, 2026, to allow the transaction to proceed.

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, 2026. The conditions of licence remain unchanged.

DATED at Toronto November 27, 2025

ONTARIO ENERGY BOARD

Brian Hewson
Vice President, Consumer Protection & Industry Performance