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File # 7001

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Via RESS

Ontario Energy Board  
2300 Yonge Street, 27th Floor  
Toronto, ON M4P 1E4

**Attention: Ritchie Murray, Acting Registrar**

**Re: Enbridge Gas Inc. EB-2025-0155 – Deferral & Variance Account Balances Application**

Dear Mr. Murray:

We provide these brief submissions on behalf of Ginoogaming First Nation (“**GFN**”) on issues in this proceeding relating to the Indigenous Working Group (“**IWG**”). Specifically, GFN respectfully submits that:

- EGI’s proposed clearance amount for the IWG Deferral Account is reasonable and should be approved;
- EGI’s proposed budget for the IWG is also reasonable, noting that it should serve as a general estimate subject to change as more information becomes available. All IWG spending remains subject to prudence reviews, consistent with the initial terms for the IWG’s creation as part of the settlement from Phase 1 of EGI’s rebasing proceeding (EB-2022-0200) (“**ToR**”);
- GFN takes no position on whether it is necessary for the Board to formally approve the proposed budget, or whether the Board could simply acknowledge the budget in a manner similar to the approach it employed in the 2023 Deferral Account Clearance proceeding.

We elaborate on each of these points below.

**Amounts Incurred to Date Are Reasonable and Should Be Approved**

The spending amounts that the IWG has incurred to date have reflected the importance of the forum for the participating First Nations and associated organizations to express their priorities, to exchange information and engage in substantive discussions with EGI (often with the benefit

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of company or external experts), and ideally to make meaningful progress on energy-related issues of importance to the represented First Nations and their members.

It bears noting that First Nations representatives consistently express the hope that EGI will demonstrate elevated support and much more meaningful investment in relation to the issues of highest priority to the participating Nations and reconciliation more generally. For example, one area of particular concern for GFN and other First Nations representatives has been the perception that EGI is uninterested in meaningful conversations on the topic of revenue sharing or other measures that would meaningfully contribute to economic reconciliation, reflecting the fact that EGI's operations take place on the territories of the participating First Nations without meaningful accommodation.

In the meantime, however, the IWG has served as an important forum for discussions and information exchanges on other issues of importance to the participating First Nations. Consistent with the ToR, these priority issues have included, among other issues:

- Integrated Resource Planning and related EGI programs;
- Demand Side Management and related EGI programs;
- EGI's practices in relation to the employment of Indigenous peoples and its engagement of Indigenous businesses;
- Environmental and climate issues of consequence to the participating First Nations;
- The energy transition, its consequences for Indigenous peoples, and EGI's role in mitigating the impact of the transition for its Indigenous customers;
- EGI's company policies as they relate to reconciliation;
- Reconciliation generally.

Recognizing the trust that the Board has placed in IWG members in approving the creation of the IWG, the First Nations and their representatives have taken great care to ensure that their spending related to all IWG activities (and the related capacity funding that EGI has paid) are reasonable and consistent with the parameters of the ToR. To date, there has been no challenge to any of the IWG's spending, and the IWG has found its early footing while consistently delivering under budget.

The responsible approach that IWG members have taken should provide the Board with confidence in its original decision to establish the IWG, to provide it with reasonable capacity funding to pursue its objectives, and to approve the spending decisions that the IWG has made to date.

For these reasons, GFN respectfully submits that the amounts reflected in EGI's IWG Deferral Account are reasonable and should be approved.

### Budget Should Be Accepted as a General Estimate

GFN believes that, consistent with the ToR, the budget should serve as a general estimate and transparency measure, reflecting the IWG's anticipated activities, and subject to change as more information becomes available. All IWG spending remains subject to prudence reviews, and the basic test that arises from the ToR on spending decisions is whether the spending in question is reasonable in the context of the IWG's broader mandate.

In the coming year, GFN expects that the IWG will continue its work in relation to many of the issues set out in the previous section. The IWG has already begun to add to this body of work by retaining external experts on how EGI's customer engagement practices can better identify and respond to the concerns and priorities of Indigenous customers, as well as an expert on the exploration of distinct rate models for Indigenous customers. The IWG also continues its work with experts studying EGI's response to the energy transition and its impacts on First Nations.

At present, GFN anticipates that the IWG is likely to address, among others, the following issues in the coming year:

- The possibility of distinct rates for Indigenous customers;
- Enhancements to EGI's customer engagement practices relating to Indigenous customers to better address their concerns, priorities and interests;
- Integrated Resource Planning and related EGI programs;
- EGI's archaeological practices as they relate to Indigenous peoples;
- EGI's practices in relation to the employment of Indigenous peoples and its engagement of Indigenous businesses;
- Environmental and climate issues of consequence to the participating First Nations;
- The energy transition, its consequences for Indigenous peoples, and EGI's role in mitigating the impact of the transition for its Indigenous customers;
- Reconciliation generally.

Additional areas of focus will almost certainly be identified, given the regular conversations that take place amongst First Nations representatives, as well as with EGI itself.

EGI's proposed budget should also be understood with the context that the IWG is still relatively young, and it is still developing. There is a general desire to add more First Nations and Indigenous members to the IWG to broaden its representation. This should include enabling First Nation representatives who are rightsholders and not consultants. There is also a desire to deepen engagement on the priority issues that the IWG has already addressed and to begin discussions on others. Finally, First Nations representatives will continue to press EGI on issues such as economic reconciliation and certain energy transition issues where the perception is that the company has been more reluctant to meaningfully engage, with the hope that the company may revise its position and allow for more substantive cooperation on these items.

Each of these activities would very likely add to the overall cost of the IWG, should they come to pass. They could very likely be accommodated within EGI's currently proposed budget.

GFN believes that there is a far greater risk in setting the IWG's budget too low than there is in setting it too high, especially in circumstances where the IWG's early years have exhibited a prudent and reasonable approach to spending. Setting it too low could put pressure on EGI to withhold capacity funding, even where spending decisions are reasonable, consistent with the ToR, and contribute to the Board's approved objectives for the IWG.

Accordingly, GFN recommends that the Board accept EGI's proposed budget for the IWG.

GFN takes no position on whether it is necessary for the Board to formally approve the proposed budget, or whether the Board could simply acknowledge the budget in a manner similar to the approach it employed in the 2023 Deferral Account Clearance proceeding. Either course would allow the IWG to continue in its activities and to explore possibilities such as expanded membership if appropriate.

### Concluding Remarks

GFN believes that establishing the IWG was an important contribution in support of improving Indigenous participation in Ontario's energy sector. The IWG remains in its early stages with high levels of potential. Nevertheless, it has already exhibited the ability to advance discussions in areas of importance to First Nations.

On the basis of the above, GFN recommends that:

- EGI's proposed clearance amount for the IWG Deferral Account should be approved;
- EGI's proposed budget for the IWG should be recognized as reasonable, noting that it should serve as a general estimate subject to change as more information becomes available; and
- GFN takes no position on whether it is necessary for the Board to formally approve the proposed budget, or whether the Board could simply acknowledge the budget in a manner similar to the approach it employed in the 2023 Deferral Account Clearance proceeding.

GFN would be pleased to provide any further information that might assist the Board in its consideration of these issues.

Yours sincerely,



Nicholas Daube

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