



NIIAACHEWAN ANISHINAABE NATION

22 Band Office Road ■ Dalles, ON ■ P9N 0J2

Phone: (807) 548-5876 ■ Facsimile: (807) 548-2337 ■ Toll Free: 1-888-767-4960

Website: www.niisaachewan.ca

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

October 15, 2021

Dear Ontario Energy Board:

Re: EB-2021-0110 Hydro One Networks Inc. Distribution and Transmission Rate Increase Application

Niisaachewan Anishinaabe Nation (Niisaachewan) writes regarding Hydro One Networks Inc.'s (HONI) application to increase distribution and transmission rates.

Background

Niisaachewan Anishinaabe Nation is part of the Anishinaabe Nation in Treaty #3. We hold inherent and constitutionally protected rights, including rights to trap, hunt, and harvest throughout our homelands in Treaty #3.

We are committed to protecting and upholding our rights, and to ensuring that the Crown fulfils its obligations to us prior to decisions that could affect our homelands.

For decades, Niisaachewan has been severely affected by authorizations related to the use and regulation of water in our homelands. The construction and operation of hydroelectric projects in Treaty #3 have significantly impacted our ability to exercise our rights and maintain our way of life. These activities have also had serious effects on our community's economic and social wellbeing.

The damage caused by hydroelectric development in Treaty #3 continues to affect us today. We are deeply concerned that any further changes to the use and regulation of water in our homelands could result in further, permanent impacts on our community and our rights.

HONI Application

We understand that HONI is seeking to increase the charges for the use of its transmission and distribution systems, including services used by Niisaachewan.

If approved, the application will have direct consequences for our members and our community as a whole. The proposed increase in rates will adversely affect members who rely on electricity to heat their homes throughout the year. The raise in commercial rates will increase the operating costs of Niisaachewan's band office and other administrative buildings, and impose significantly more pressure on our already limited internal resources.

We propose that Community buildings and spaces be included in the Hydro One regime and or included in future electricity rate discussions.

HONI has failed to take these serious issues into account, or to identify options to ensure that our members are not subjected to further hardship as a result of the rate increase. At the same time, the underlying impacts of hydroelectric development in our homelands also remain unresolved and unaddressed.

In our view, a decision to accept HONI's application at this time, in the absence of any measures to address our concerns or protect our interests, would be contrary to Ontario's fiduciary obligations and the honour of the Crown.

Conclusion

Niisaachewan should not be forced to choose between ensuring our members and administrative offices have access to heat and electricity, and providing other, much-needed programming for our community.

We expect Ontario to work with us on a respectful, collaborative basis, consistent with the spirit and intent of our Treaty relationship and the principles set out in the *United Nations Declaration on the Rights of Indigenous Peoples* to address our outstanding concerns.

In the interim, no decision should be made to approve HONI's application or to otherwise increase the distribution and transmission rates for our community.

Respectfully,

A handwritten signature in blue ink, appearing to read "Lorraine Cobiness".

Chief Lorraine Cobiness
Niisaachewan Anishinaabe Nation

Cc: Ministry of energy
Ogichidaa Francis Kavanaugh, GCT3
Lucas King, Territorial Planning Unit