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April 30, 2010

Ontario Energy Board  
P.O. Box 2319  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON M4P 1E4

Attention: Ms. Kirsten Walli, Board Secretary

Dear Ms. Walli:

**Re: Request for Cost Eligibility  
EB-2010-0059  
Transmission Project Development Planning**

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We are counsel to the National Chief's Office on Behalf of the Assembly for First Nations ("NCO").

The NCO has actively participated as intervenor and has been found eligible for an award of costs in the following proceedings:

- the Integrated Power Supply Plan (IPSP) (EB-2007-0707)
- the Transmission Connection Cost Responsibility Review (EB-2008-0003).
- the Distribution System Code Proposed Amendments regarding Connection Cost Responsibility for Renewable Distributed Generation (EB-2009-0077)
- the Retail Settlement Code and the Distribution System Code Proposed Amendments regarding the Settlement and Billing of Renewable Embedded Retail Generation Facilities (EB-2009-0303)
- the Regulatory Treatment Infrastructure Investment for Ontario's Electricity Transmitters and Distributors (EB-2009-0152)

The NCO is an interested party in this proceeding and applies for eligibility for an award of cost in accordance with the Ontario Energy Board's *Practice Direction on Cost Awards*.



The NCO has made submissions in the above proceedings from the perspectives of First Nations as energy consumers and energy generators, transmitters and distributors. Those perspectives are relevant to the NCO's participation in this proceeding.

The Assembly of First Nations ("AFN") is the national representative organization for all the First Nations in Canada. The AFN represents the interests of 615 First Nations nationally, of which 134 are located in Ontario.

We respectfully submit that the NCO is eligible for costs under section 3.03(b) of the *Practice Direction on Cost Awards* as the NCO "primarily represents a public interest relevant to the Board's mandate". In addition, the 134 First Nations of Ontario represented by the AFN are a substantial body of consumers (ratepayers) in relation to regulated services, thus qualifying the NCO for costs under section 3.03(a).

The NCO intends to submit written comments on the Board staff Discussion Paper entitled "Transmission Project Development Planning" and to participate actively and responsibly throughout this proceeding. The NCO will coordinate its efforts with other registered participants that represent the interests of First Nations.

#### **CONTACT INFORMATION**

The NCO has retained Willms & Shier Environmental Lawyers LLP as counsel in connection with this proceeding.

Contacts for the distribution list are as follows:

Willms & Shier Environmental Lawyers LLP  
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Attention: Mr. Louie Vargas, Law Clerk

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Yours truly,

A handwritten signature in blue ink, appearing to read 'Paul Manning', with a large, stylized flourish at the end of the name.

Paul Manning

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