

Direct Dial: (416) 862-4829
File: 0058

By Electronic Mail, Courier and RESS Filing

March 26, 2013

Ontario Energy Board
2300 Yonge Street, Suite 2700
Toronto, ON M4P 1E4

Attention: Kirsten Walli, Board Secretary

Dear: Ms. Walli

**Re: New Legal Counsel for Ojibways of Pic River First Nation
EB-2011-0140 – East West Tie Designation Proceeding**

We have been retained as replacement counsel to represent Ojibways of Pic River First Nation for the balance of the proceeding.

I will be assisted by Joanna Vince. There may also be an articling student that will assist to maintain cost effectiveness. Our CVs are attached.

Trusting this is satisfactory.

Yours truly,


Cherie Brant

Encl.

cc: Ojibways of Pic River First Nation
Intervenors

Cherie L. Brant

Partner

Direct Phone: 416-862-4829

cbrant@willmsshier.com

www.willmsshier.com



PROFILE

Cherie is a partner with Willms & Shier Environmental Lawyers LLP and has a commercial real estate, renewable energy and Aboriginal law practice. Cherie provides strategic counsel to several First Nations and industry clients seeking to develop projects with First Nations and to understand and address Aboriginal rights and interests. She has been named one of Lexpert® magazine's Rising Stars "Leading Lawyers Under 40."

As a member of Mohawks of the Bay of Quinte and with family from Wikwemikong First Nation on Manitoulin Island, Cherie brings a profound understanding of the opportunities and challenges that both Aboriginal people and industry proponents face in carrying out resource, infrastructure and economic development in Canada.

Recently, Cherie completed the first 100% First Nation owned windpower project in Ontario and is active in providing both on-going advocacy for renewable energy development proponents across the province. As lead counsel to the First Nations Energy Alliance (a consortium of twenty First Nations) on the *Integrated Power System Plan* review before the Ontario Energy Board, her counsel was instrumental in promoting Aboriginal participation models for renewable energy procurement.

Representative matters include

- ◆ Project development counsel to various renewable energy Feed in Tariff (FIT) projects involving First Nations
- ◆ Completed first Aboriginal Loan Guarantee for renewable energy projects with the Ontario Ministry of Finance
- ◆ Completed several commercial and joint venture agreements for construction, installation and service arrangements for mining and renewable energy industry
- ◆ Advised on Renewable Energy Approval (REA) compliance matters and negotiated agreements with impacted First Nation communities for consultation purposes
- ◆ Completed various consultation policies and guidelines for First Nation communities
- ◆ Special Counsel to national retailer developing stores on First Nations lands

- ◆ Special Counsel on Impact Benefit Agreement (IBA) negotiations in the Ring of Fire in northern Ontario
- ◆ Lender counsel to an Aboriginal Housing Fund that is deploying a \$20M loan fund in the Greater Toronto Area
- ◆ Lender counsel on several commercial financings for multi-residential, industrial and commercial properties (\$5M to \$50M)
- ◆ Borrower counsel on several loan refinancing ranging for industrial and commercial properties across Ontario (\$5M to \$80M)
- ◆ General Counsel to several First Nations, First Nation Tribal Organizations and community based renewable energy association (Ontario Sustainable Energy Association)

CREDENTIALS

- ◆ Called to the Bar of Ontario, 2003
- ◆ Juris Doctor, University of Toronto, 2002
- ◆ Bachelor of Environmental Studies, Urban Regional Planning Program, University of Waterloo, 1998

RECOGNITION

- ◆ Named Lexpert® Rising Stars “Leading Lawyers Under 40”

ORGANIZATIONS

- ◆ Advisory Member, Collaborative Circle on Land and People, The Circle on Philanthropy and Aboriginal Peoples in Canada, since January 2013
- ◆ Young Professionals In Energy, Member
- ◆ Women’s Executive Network, Member
- ◆ Nature Conservancy of Canada, Ontario Region, Board Member, June 2011
- ◆ Law Society of Upper Canada, Retention of Women in Private Practice Working Group, Board Member, Member since 2009
- ◆ Ontario Bar Association, Real Estate Law Section, Member since 2003
- ◆ Ontario Bar Association, Aboriginal Law Section, Member since 2004
- ◆ Ontario Bar Association, Natural Resources Law Section, Member since 2006
- ◆ Ontario Sustainable Energy Association, Policy Working Group, Member since 2008
- ◆ Toronto Energy Efficiency Action Committee, Member since 2008
- ◆ Green Energy Act Alliance, Member since 2008
- ◆ Corporate Knights Magazine, Aboriginal Industrial Resolution Edition, Spring 2009, Aboriginal Advisory Member

LECTURING AND SPEAKING

- ♦ Leases on First Nation Lands, The Six-Minute Commercial Leasing Lawyer 2013, The Law Society of Upper Canada, February 26, 2013
- ♦ Creating Key Model Documents: Impact Benefit Agreements, Partnership Agreements and Revenue Sharing Agreements, 7th Annual Aboriginal Law, Consultation & Accommodation Conference, The Canadian Institute, February 21, 2013
- ♦ Forming Successful Partnerships with First Nations, Community Partnership Series, Ontario Stone, Sand & Gravel Association (OSSGA), December 5, 2012
- ♦ First Nations, Industry and the Environment, First Peoples @ Seneca and Seneca Indigenous Council, Seneca College of Applied Arts & Technology, December 4, 2012
- ♦ Understanding the Procedural Consultation Requirements for Renewable Energy Projects (REAs) & Minimizing the Risk of Litigation, Engaging and Negotiating with Aboriginal Communities, The Canadian Institute, October 30, 2012
- ♦ Legal Considerations for Acquiring and Investing in FIT Contracts, Ontario Sustainable Energy Association, October 11, 2012
- ♦ Term Sheets for Feed In Tariff Program FIT 2.0, Renewable Energy Development Symposium, Southern First Nations Secretariat, October 10, 2012
- ♦ Trends in Renewable Energy Development and First Nation Involvement, First Canadian Title Lawyer Roundtable, September 12, 2012
- ♦ Role of Aboriginal Communities for FIT 2.0, EUCI, Ontario FIT 2.0: 2012 and Beyond, July 20, 2012
- ♦ Why Aboriginal Leadership and Representation Matters in the Private, Public, and Social Sectors, Panel Moderator, Aboriginal Professional Association of Canada, June 11, 2012
- ♦ First Nations Development of a Renewable Energy Project, Renewable Energy Finance Forum (REFF) Canada 2012, May 1, 2012
- ♦ Supporting First Nations Participation in FIT, Ontario Feed-in Tariff Forum, Canadian Clean Energy Conferences, April 4, 2012
- ♦ Leasing on Aboriginal Lands, ICSC 2012 Canadian Shopping Centre Law Conference, February 24, 2012
- ♦ Land Tenure on First Nations Lands, GreenX Conference and Trade Show, Sudbury, Ontario, February 21-23, 2012
- ♦ Ontario's 100% First Nation Owned Wind Farm at M'Chigeeng First Nation, NAN Chiefs Energy Conference and Tradeshow, January 31-February 2, 2012
- ♦ Strategies for Impact Benefit Agreement (IBA) Success, Canadian Council of Aboriginal Business, October 25, 2011
- ♦ Best Practices: IBAs and Transmission and Construction Procurement, Negotiating with Aboriginal Communities, The Canadian Institute, September 22, 2011

- ◆ Steps on the Path to Energy Development, Assembly of First Nations (AFN) International Indigenous Summit on Energy & Mining, June 27-29, 2011
- ◆ Renewable Energy Projects, Envirogate 2010, Industrial Air Emissions: New Approvals and Reporting Requirements, November 23, 2010
- ◆ Forming a Community Power Group – Gaining Site Control, Community Power 2010, OSEA, November 15-16, 2010
- ◆ Creating Mutually Beneficial Aboriginal-Industry Joint Ventures and Collaboration Agreements, Engaging and Negotiating with Aboriginal Communities, The Canadian Institute, September 28-29, 2010
- ◆ Aboriginal Opportunities in the Green Energy Sector, Aboriginal Human Resource Council Inclusion Works 2010 Annual Conference, April 29, 2010
- ◆ First Nations Property Regime and Land Access Issues: Using OPA Feed in Tariff as a Case Study, Building Aboriginal Business Relationships, The Canadian Institute, April 20-21, 2010
- ◆ First Nations and Métis Experience: Best Practices for Resolving Disputes, Moderator, Aboriginal Law Consultation & Accommodation, The Canadian Institute, February 23 24, 2010
- ◆ Joint Ventures and the FIT Contract, Aboriginal Energy Forum, The Canadian Institute, December 2009
- ◆ Aboriginal Energy Projects, Association of Major Power Producers of Ontario, Presenter, 21st Annual Canadian Power Conference, November 2009
- ◆ Women in Electricity, Keynote Address, October 2009
- ◆ Corporate Social Responsibility and Aboriginal Relations Panel, Canadian Counsel for Aboriginal Business, 25th Anniversary Forum, Summer 2009
- ◆ Aboriginal Energy Projects, Association of Major Power Producers of Ontario, Presenter, 20th Annual Canadian Power Conference, November 2008
- ◆ First Nations Renewable Energy Projects, 7th Annual World Wind Energy Association, Presenter, June 2008

PRACTICE AREAS

- ◆ Aboriginal Law
- ◆ Renewable Energy Law (Generation Development, Commercial Contracts and Regulatory Matters)
- ◆ Real Estate Law (Financing and Commercial Leasing)

Joanna Vince

Associate

Direct Phone: 416-862-4830

jvince@willmsshier.com

www.willmsshier.com



PROFILE

Joanna is an associate with Willms & Shier Environmental Lawyers LLP. Joanna advises clients on the remediation and redevelopment of contaminated land, risk management, environmental due diligence, environmental approvals and environmental assessments. Her practice includes litigation of civil and regulatory environmental claims, defending prosecutions and appearances before environmental and energy tribunals. Joanna assists clients to plan, structure and implement renewable energy projects.

Joanna obtained her B.Sc. (Honours with High Distinction) from the University of Toronto specializing in biology and environmental science. Joanna received her J.D. and a Certificate in Environmental Studies from the University of Toronto and was called to the Bar of Ontario in 2011. Joanna was a summer and articling student with Willms & Shier Environmental Lawyers LLP.

During law school, Joanna was a research assistant at the University of Toronto, providing research and draft reports on topics such as tax incentives for wind power projects, an analysis of the carbon tax introduced in British Columbia, a comparison of carbon taxes to emission trading systems and the role of the World Trade Organization and the Global Agreement on Tariffs and Trade in preventing and encouraging domestic climate change legislation.

Joanna has volunteered with several environmental NGOs. Through these organizations, she has provided commentary on draft federal and provincial environmental legislation and agreements and made submissions to the Environmental Commissioner of Ontario and the Federal Commissioner of the Environment and Sustainable Development.

Joanna's knowledge and commitment to environmental issues has been recognized by the University of Toronto, awarding her the Arthur and Sonia Labatt Fellowship and the Douglas Pimlott Scholarship.

CREENTIALS

- ♦ Called to the Bar of Ontario, 2011
- ♦ Juris Doctor, University of Toronto, 2010
- ♦ Certificate in Environmental Studies, University of Toronto, 2010
- ♦ Bachelor of Science (Honours with High Distinction), University of Toronto, 2007

ORGANIZATIONS

- ♦ Young Lawyers Division, Ontario Bar Association, Member of the Executive
- ♦ Energy and Natural Resources Section, Ontario Bar Association, Member of the Executive
- ♦ Young Professionals In Energy, Member
- ♦ Young Women in Law, Member
- ♦ Young Patrons Circle, Royal Ontario Museum, Member (2011 to present)
- ♦ Canadian and Ontario Bar Association, Member (2007 to present)

ARTICLES

- ♦ *When Odour Issues Cause Headaches: Understanding the Legal Implications of a Smelly Operation*, *Influents*, Summer 2012 [Co-authored with John Willms]
- ♦ *Gutting the Fisheries Act and Other Federal Environmental Legislation*, *Influents*, Summer 2012 [Co-authored with Juli Abouchar]
- ♦ *Looking into the Future of Water: Technology, Energy, Rates, and First Nations' Rights*, *Influents*, Spring 2012 [Co-authored with Juli Abouchar]
- ♦ *Municipalities Can Benefit from Renewable Energy*, *Municipal World*, January 2012
- ♦ *Planning For Asset Management: The Reports on Water Quality, The Wait for Regulation*, *Influents*, Winter 2011 [Co-authored with Juli Abouchar]
- ♦ *How Fit Is It? A Review of the Green Energy Act and the Feed-in Tariff Program For Water and Wastewater Projects*, *Influents*, Fall 2011, [Co-authored with Juli Abouchar]
- ♦ *When the Past Won't Stay Buried: Liability for Historic Contamination in a Post Berendsen World*, *Municipal Lawyer*, May/June 2011, [Co-authored with Marc McAree]
- ♦ *Ottawa's Proposed National Standards for Municipal Wastewater Receive Mixed Reviews*, *Influents*, Summer 2011 [Co-authored with Juli Abouchar]
- ♦ *The Other Half of the Green Energy Equation: Energy Conservation and Energy Efficiency*, *Influents*, Spring 2011 [Co-authored with Juli Abouchar]
- ♦ *Protecting Lake Simcoe: When a Strategy Imposes Legal Limit*, *Influents*, Winter 2010 [Co-authored with Juli Abouchar]
- ♦ *Can Municipalities Regain Power Over Renewable Energy Projects?*, *Municipal World*, October 2010 [Co-authored]

- ♦ *Municipalities and the Green Energy Act: Benefits, Burdens and Loss of Power*, Municipal World, January 2010 [Co-authored]

Document #: 511091