

November 21, 2013

**VIA COURIER, EMAIL, RESS**

**November 21, 2013**

Ms. Kirsten Walli  
Board Secretary  
Ontario Energy Board  
2300 Yonge Street, 27<sup>th</sup> Floor  
Toronto, ON  
M4P 1E4

Dear Ms. Walli

Re: Monthly Report November 21, 2013

Enclosed for filing is the monthly report for Upper Canada Transmission, Inc. ("NextBridge"), a copy was filed through RESS earlier today.

Yours truly,

Original signed by

Cindy Tindell  
Director, NextBridge Infrastructure

**ONTARIO ENERGY BOARD**

**IN THE MATTER OF** sections 70 and 78 of the *Ontario Energy Board Act, 1998*;

**AND IN THE MATTER OF** a Board-initiated proceeding to designate an electricity transmitter to undertake development work for a new electricity transmission line between Northeast and Northwest Ontario: the East-West Tie Line.

**UPPER CANADA TRANSMISSION, INC.  
(d/b/a NextBridge Infrastructure)**

**Monthly Report**

**November 21, 2013**

1. By the *Decision and Order* dated August 7, 2013 (Decision), the Ontario Energy Board (OEB or Board) decided that the designated transmitter for the development phase of the proposed East-West Tie Line (EWT Project) is NextBridge Infrastructure (NextBridge).
2. In accord with Ordering Paragraph 2 (page 42) of the Decision and the Board's September 26, 2013 *Decision and Order regarding Reporting by Designated Transmitter*, NextBridge provides this monthly report. This report reflects the financial status of development work on the EWT Project through October 31, 2013. Other aspects of this report are current as of the close of business on the last business day prior to the filing date.
3. This report is organized as follows:
  - (a) A summary report on overall EWT Project progress.

- (b) A cost summary, providing details, for each cost category included in NextBridge's Board approved development cost budget, of: i) actual costs to date; ii) percentage of budgeted costs spent to date; iii) updated budget forecast (if applicable); and iv) forecast variance. Reasons for any forecast variance, and associated mitigating measures for negative forecast variances, are also provided.
- (c) A summary of the status of NextBridge's Board approved development milestones, indicating those that are complete and the status (i.e. on schedule, ahead of schedule or delay/potential delay) of those in progress. If any delay or potential delay in achievement of any of the milestones has been identified, the reasons for the delay, the magnitude and impact of the delay on the broader development schedule and cost, and mitigating steps that have or will be taken, are reviewed.
- (d) A summary of risks and issues that have arisen during development work, including discussion of potential impact of any such developments on schedule, cost or scope, and discussion of options for mitigating or eliminating the risk or issue. This section also provides an update on any previously identified risks or issues.

## Overall Project Progress

- 4. Overall during this period, work towards all milestones continued to progress and the EWT Project is on schedule.
- 5. In respect of engineering work:
  - (a) Responses to NextBridge's RFP process (see October 21, 2013 Monthly Report, paragraph 5) were reviewed and milestone 2 was achieved with the signing of an engineering contract with Burns & McDonnell (B&M). The contract covers the detailed engineering of the EWT Project. B&M, which provided the preliminary engineering for the EWT Project, will now finalize design criteria, perform conductor selection, and complete preliminary tower performance drawings and loading analysis.
  - (b) In response to the RFP for LIDAR survey (aerial) services initiated last month to obtain survey data along the route to assist in the design of the transmission line (see October 21, 2013 Monthly Report, paragraph 5), a contract was executed with KBM Resources Group (KBM) of Thunder Bay. Although inclement weather during October created challenges for

obtaining aerial data to date, KBM hopes to complete aerial surveys before winter conditions preclude data collection.

6. In respect of route selection, land/ROW acquisition and community/municipal consultation activities:
- (a) Design of a Landowner, Community and Municipal Consultation Plan (referred to as the "Consultation Plan") was completed in accord with milestone 11.
  - (b) Discussions with landowners and permitting agencies have been commenced with a focus on the reference route. Approximately 74% of landowners along the reference route and 56% of landowners along alternate routes have been contacted to date.
  - (c) Activities in respect of route selection, land/ROW acquisition included:
    - (i) Continued updating of the line list. Activities included in-person visits to Land Title Offices, reverse corporate searches and reviewing Municipal roll map taxation data to address gaps identified in the lists pulled from TERANET;
    - (ii) An initial meeting with the Ontario Ministry of Natural Resources and Ontario Parks to discuss land rights for the EWT Project right of way on Crown and park land and consultation with Crown land users;
    - (iii) Engagement of an experienced Canadian land broker with bilingual staff to assist with initial landowner notification;
    - (iv) Holding of an orientation session for land agents in preparation for engagement with landowners;
    - (v) Preparation of requests for proposals and scope of work materials for both land appraisal and survey services; and
    - (vi) Initiation of contact in the field with landowners by land agents.
  - (d) Activities within the community/municipal consultation area included:
    - (i) Community municipal meetings with the Dorion, Marathon, Nipigon, Red Rock, and Terrace Bay Townships, the Municipalities of Shuniah, and Wawa and the City of Thunder Bay;

- (ii) Scheduling of meetings with various Chamber of Commerce organizations and economic development corporations in November/early December;
  - (iii) Scheduling of open houses at 6 locations along the reference and alternate routes for early December: Marathon, Nipigon, Terrace Bay, Thunder Bay, Wawa and White River; and
  - (iv) Preparation of EWT Project notification materials, including the Notice of Commencement, an introductory Notice Letter, and an EWT Project Newsletter. The Notice of Commencement was published in multiple newspapers starting on November 15, 2013, and notification materials were mailed out to line list members starting on November 8, 2013. Copies of the Notice of Commencement and notification materials that were mailed out are attached to this report for the information of the Board at Schedule A. The notification materials will also be available to the public and identified potentially impacted individuals and groups throughout consultation activities, at the scheduled open houses, in local advertisements, on EWT Project's website – [www.nextbridge.ca](http://www.nextbridge.ca), and through land agent interactions in the field. Some notification materials have also been translated into French for appropriate publication and distribution.
7. In respect of Aboriginal engagement, consultation and participation, in accord with milestone 17 NextBridge signed a Memorandum of Understanding (MOU) with the Ministry of Energy (Ministry) that outlines the respective roles and responsibilities of NextBridge and the Ministry with respect to Aboriginal consultation. Further engagement occurred through meetings with the Ministry to outline consultation plans and with the Métis Nation of Ontario to outline respective approaches to consultation and establish early dialogue. NextBridge representatives also recently met with representatives of the following First Nations in Thunder Bay: Michipicoten First Nation, Red Rock Indian Band, Objiways of Pic River First Nation, Pays Plat First Nation, Pic Moberg First Nation and Fort William First Nation. A third letter was sent to the 18 Aboriginal communities identified by the Ministry as potentially impacted by the EWT Project providing further information related to the EWT Project and introducing the open house schedule and initial public consultation activity. Attached at Schedule B for the information of the Board are the forms of such letters.

8. In respect of environmental assessment work, NextBridge has held additional introductory meetings/calls with each of Ontario Ministry of Tourism, Culture and Sport, Ontario Ministry of Transportation and Aboriginal Affairs and Northern Development Canada to introduce the EWT Project and the NextBridge team. NextBridge has also initiated contact with permitting agencies regarding the EWT Project and is preparing a project description for submission to Parks Canada.
9. Additional general updates for the reporting period include:
  - (a) NextBridge submitted comments to Hydro One on its proposed Connection Cost Estimate Agreement on October 29, 2013 and continues to await a response. This agreement is required in order to complete preliminary engineering and design work for the EWT Project. Timely action by Hydro One is required to keep the EWT Project on schedule.
  - (b) In its October 21 Monthly Report (paragraph 9(d)), NextBridge noted the appeal of the Board's Decision filed by the Ojibways of Pic River First Nation (Pic River) with the Ontario Divisional Court. A Court order has now been obtained, on consent of the parties, setting the time table for the appeal. The appeal has been listed for hearing in Toronto on Wednesday April 2<sup>nd</sup> and Thursday April 3<sup>rd</sup>, 2014. As reported in October, the appellant has not sought any interim relief, and no significant delays to project development are expected as a result of the appeal process itself.
  - (c) NextBridge continues to conduct a rigorous search for a permanent Project Director and has discussed the opportunity with several candidates. To date, NextBridge has not yet engaged a suitable Project Director. Under the direct supervision of the NextBridge Board of Directors, project leads continue to develop the project. As requested by the Board, NextBridge will keep it informed of the status of this search.

## Cost Summary

10. Table 1, below, details for each cost category included in NextBridge's Board approved development cost budget: i) actual costs to date; ii) percentage of budgeted costs spent to date; iii) updated budget forecast (if applicable); and iv) forecast variance.

11. There are no development cost forecast changes arising from work to date.

**Table 1: Budgeted Costs Status**

Cost Category	PROJECT TO DATE		TOTAL PROJECT ESTIMATE			
	Actual	% of total budget	Forecast	Budget	Variance \$	Variance %
<b>Budgeted</b>						
Engineering, Design and Procurement Activity	\$79,275	0.80%	\$10,553,292	\$10,553,292	-	0%
Permitting and Licensing	-	0.0%	47,320	47,320	-	0%
Environmental and Regulatory Approvals	162,836	4.5%	3,592,680	3,592,680	-	0%
Land Rights (Acquisitions or options)	3,339	0.2%	1,991,000	1,991,000	-	0%
First Nation and Métis Consultation	33,770	2.0%	1,724,000	1,724,000	-	0%
Other Consultation	37,887	7.6%	496,001	496,001	-	0%
Regulatory (legal support, rate case and LTC filings)	173,940	17.7%	985,000	985,000	-	0%
Interconnection Studies	-	0.0%	179,000	179,000	-	0%
Project Management	110,077	8.5%	1,300,000	1,300,000	-	0%
Contingency (Engineering, Design and Procurement)	-	0.0%	1,529,708	1,529,708	-	0%
<b>Total Budgeted</b>	<b>\$601,124</b>	<b>2.7%</b>	<b>\$22,398,001</b>	<b>\$22,398,001</b>	<b>-</b>	<b>0%</b>

12. Table 2, below, details costs to date not included in NextBridge's Board approved development cost budget. This table includes two categories of cost expressly

excluded from the development cost budget filed by NextBridge: First Nation and Métis land acquisition costs and First Nation and Métis participation costs (see NextBridge Response to Interrogatory 26 to all applicants, attachment 1).

13. The “Other” category on Table 2 records unbudgeted costs that are, for the most part, related to the Notice of Appeal filed by Pic River in the Ontario Divisional Court in respect of the Decision.

**Table 2: Unbudgeted Costs**

<b>Cost Category</b>	<b>Project to Date Actual</b>
<b>Not Budgeted</b>	
First Nation and Métis Land Acquisition	-
First Nation and Métis Participation	-
Other Costs Not included in Budgeted Categories	\$11,739
Carrying Cost	234
Taxes and Duties	-
<b>Total Not Budgeted</b>	<u><u>\$11,973</u></u>

14. In its November 11, 2013 letter acknowledging review of NextBridge’s October 21, 2013 Monthly Report, the Board asked that NextBridge confirm its acceptance of the principle that recovery of unbudgeted costs, or costs in excess of budget, will be subject to prudence review by the Board if recovery is sought. NextBridge confirms and accepts this principle.

**Development Milestone Summary**

15. Table 3, below, provides a summary of the status of NextBridge’s Board approved development milestones, indicating those that are complete and the status of those in progress (i.e. on schedule, ahead of schedule or delay/potential delay).



16. For each of the Board approved milestones, Table 3 provides:
  - (a) The Board approved milestone date.
  - (b) The status of those milestones due within 3 months of the reporting date.
  - (c) A “revised forecast date” if applicable, indicating NextBridge’s current forecast of the date for completion of the relevant milestone if the current forecast differs from the Board approved date.
  
17. NextBridge has focussed, for the purposes of this reporting, on the status of those milestones due within 3 months of the reporting date in order to highlight the development activities in respect of which efforts are primarily focussed, and which are of most immediate relevance to project progress and status. At this early stage in project development, but for this approach all milestones would indicate “On schedule”, but such information would be of limited use to the Board given that the relevant milestones are currently far out in time. As the development work progresses, the status column will be completed for more of the milestones.
  
18. NextBridge does review its development schedule on a monthly basis, in conjunction with preparation of these monthly reports, and should an issue or risk regarding a milestone that is scheduled beyond 3 months from the reporting date be identified, NextBridge will nonetheless report on that issue or risk, and include an appropriate status indication and revised forecast date in Table 3.

**Table 3: Milestone Progress and Status**

**Engineering Milestones**

	<b>Milestone</b>	<b>Board Approved Date</b>	<b>Status</b>	<b>Revised Forecast Date</b>
1	Initiate engineering	13 Sep 2013	Completed	
2	Sign contract for engineering	31 Oct 2013	Completed	
3	Finalize design criteria for conductor and structure	31 Jan 2014	On schedule	
4	Complete conductor optimization study	7 Mar 2014		
5	File request for a System Impact Assessment (SIA) with the IESO	12 Mar 2014		
6	Status report on progress toward finalization of structure choice	31 Mar 2014		
7	Obtain senior management approval of the structure configuration proposal	1 July 2014		
8	Complete aerial surveys	14 Oct 2014		
9	Receive final SIA from the IESO	21 Nov 2014		

**Route Selection, Land/ROW Acquisition and Community/Municipal Consultation Milestones**

	<b>Milestone</b>	<b>Board Approved Date</b>	<b>Status</b>	<b>Revised Forecast Date</b>
10	Prepare list of landowners along the ROW	10 Oct 2013	Completed	
11	Complete design of Landowner, Community and Municipal Consultation Plan	1 Nov 2013	Completed	
12	Commence negotiations or discussions with all landowners and permitting agencies	25 Nov 2013	Partially delayed	Substantially all by 16 December 2013
13	Finalize proposed route and obtain senior management approval	1 Jul 2014		

### Aboriginal Engagement, Consultation and Participation Milestones

	<b>Milestone</b>	<b>Board Approved Date</b>	<b>Status</b>	<b>Revised Forecast Date</b>
14	Send introductory correspondence to aboriginal communities	30 Aug 2013	Completed	
15	Initial meeting with Ministry of Energy regarding the MOU for delegation	15 Sept 2013	Completed	
16	Complete initial/introductory contact with all aboriginal communities identified by the Ministry of Energy	30 Sept 2013	Completed	
17	Sign MOU with Ministry of Energy regarding the delegation	5 Nov 2013	Completed	
18	Complete design of First Nations and Métis Participation Plan with community input	2 Jan 2014	On schedule	
19	Complete design of First Nations and Métis Consultation Plan with community input	2 Jan 2014	On schedule	

### Environmental Assessment (Provincial) Milestones

	<b>Milestone</b>	<b>Board Approved Date</b>	<b>Status</b>	<b>Revised Forecast Date</b>
20	Consult with environmental agencies (Ministry of Environment, Ministry of Natural Resources, Parks Canada and Ontario Parks)	10 Oct 2013	Completed	
21	Issue notice of draft Terms of Reference (ToR) available for review	16 Jan 2014	On schedule	
22	File Environmental Assessment ToR	28 Feb 2014		
23	Initiate wildlife, aquatics and early season vegetation assessments	1 May 2014		
24	Approval of Environmental Assessment ToR	3 Jul 2014		
25	Complete Environmental Assessment Consultation Report	27 Jan 2015		
26	Submit Environmental Assessment to Ministry of Environment	27 Jan 2015		

**Leave to Construct Milestone**

	<b>Milestone</b>	<b>Board Approved Date</b>	<b>Status</b>	<b>Revised Forecast Date</b>
27	Submit Leave to Construct (LTC) application	28 Jan 2015		

19. In respect of the milestones achieved during this reporting period:
- (a) **Milestone 2: Sign contract for engineering.** See discussion in paragraph 5(a) above regarding the signing of the engineering contract. Attached at Schedule C is a copy of a letter from B&M acknowledging the agreement (referred to as a Purchase Document) and briefly describing the scope of the work agreed to. The agreement itself contains information that is proprietary and commercially sensitive in respect of the approaches of NextBridge and B&M in contracting for major services, the disclosure of which could prejudice the parties' respective competitive positions and could also interfere with NextBridge's negotiations of future contracts for the EWT Project.
  - (b) **Milestone 11: Complete design of Landowner, Community and Municipal Consultation Plan.** See discussion in paragraph 6(a) above regarding preparation of the Landowner, Community and Municipal Consultation Plan. A copy of the Consultation Plan is attached at Schedule D as proof of completion of this milestone.
  - (c) **Milestones 17: Sign MOU with Ministry of Energy.** See discussion in paragraph 7 above. A copy of the executed MOU is attached at Schedule E as proof of completion of this milestone.
20. With regards to milestones due within the next 3 months, activity is on track to achieve the relevant milestones in accordance with the Board approved target dates, with one exception. In respect of milestone 12, as identified in paragraph 6(b) above, approximately 74% of landowners along the reference route and 56% of landowners along the alternate routes have been contacted to date. NextBridge anticipates that number to increase to approximately 85% of landowners along the reference route by November 25, the initial target date for milestone 12. A higher than anticipated number of line list gaps resulted in a significant number of incomplete mailing addresses, requiring more extensive

land agent activity in the field than initially anticipated in order to effect landowner contact. NextBridge continues to attend in-person at local Land Title Offices, complete reverse corporate searches and review Municipal roll map taxation data to derive additional contact information for landowners. We expect to have commenced discussions with over 90% of landowners along both the reference and alternate routes by December 16, 2013. Efforts to commence discussions with outstanding landowners will continue into 2014. NextBridge does not anticipate any development schedule impacts or additional project development costs to arise as a result of the delay in concluding initial contact with select landowners. Initiation of discussions with all permitting agencies is on track to be achieved by the original milestone target date of November 25, 2013.

### **Issues/Risks/Mitigation Summary**

21. This section of NextBridge's monthly report provides a summary of risks and issues that have arisen during development work, including discussion on potential impact of any such developments on schedule, cost or scope, and of options for mitigating or eliminating the risk or issue.
  
22. There are no risks or issues that have arisen during development work to date in respect of which NextBridge has identified an impact on its development schedule, cost or scope of work.

Attachments to NextBridge Monthly Report

## **Schedule A**

### **Notice of Commencement and notification materials**

# Newsletter

# EAST WEST TIE TRANSMISSION PROJECT

Connecting Ontario's Northwest

## NextBridge Infrastructure wants to Connect the North with a New East West Tie Transmission Line

The new East West Tie was identified as a priority electric power transmission project by the Government of Ontario. The new line is anticipated to generally parallel the existing East West Tie between Thunder Bay and Wawa, Ontario.

NextBridge Infrastructure (NextBridge), the proponent for the project, is committed to consulting with all interested community members and stakeholders in a clear and mutually respectful manner throughout the life of the project.

This is the first of several newsletters that will be distributed during the course of the project. We invite you to review the information contained within and contact us if you require further information, have comments or questions, or have information that is important for project planning.

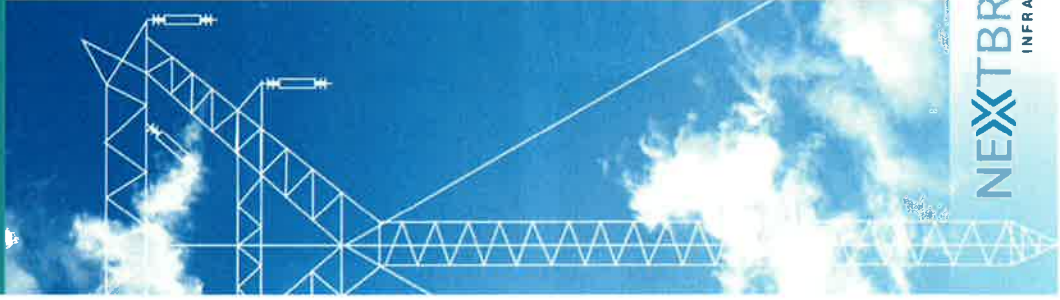
We look forward to hearing from you and meeting you at one of the Open Houses planned for the project.

### Who We Are

NextBridge draws on the experience and resources of three infrastructure leaders – NextEra Energy Canada, Enbridge Inc., and Borealis Infrastructure – in our plan for development, financing, construction, operation, and maintenance of the project, together with a well-aligned interest in owning and operating the new East West Tie over the course of its useful life. NextBridge is committed to increasing the competitiveness and cost effectiveness of providing transmission service to the ratepayers of Ontario.

### What's Inside?

- Need for Supply in Northwestern Ontario
- Project Details
- Environmental Assessment Process
- Other Approvals
- Easements and Access to Land
- Consultation Activities
- Getting Involved
- Current Project Schedule
- Additional Resources



## CURRENT PROJECT SCHEDULE

PAST	
2010	Government of Ontario identifies the project as a Priority Project
2011	Minister of Energy asks the Ontario Energy Board (OEB) to undertake a designation process to select a transmitter to develop the project
2012	OEB directs bidders to the reference corridor and a proposed in-service date
Aug 2013	NextBridge selected as the designated transmitter to complete development work related to the project

CURRENT AND UPCOMING	
Nov 2013	Notice of Commencement of Terms of Reference (TOR)
Dec 2013	Open Houses Round One
Feb 2014	Submission of TOR
July 2014	Anticipated TOR Approval and Environmental Assessment (EA) Commencement
July 2014	Open Houses Round Two
Oct 2014	Open Houses Round Three
Jan 2015	EA submission to Ministry of the Environment (MOE)
Jan 2015	Submit Leave to Construct Application to OEB
Dec 2015	MOE Decision on EA

## Stakeholder Consultation

Members of the community, public, landowners, stakeholder groups, government agencies, and other interested persons are encouraged to participate in the planning process. The two key areas that NextBridge is currently focusing on are route identification and the development of the Terms of Reference. Meetings will be held with various interested groups and persons along the proposed routes. In addition, Open Houses will be held throughout the planning process.

The first round of Open Houses will be held at following locations from 4pm to 8pm:

- THUNDER BAY – December 2  
Current River Community Centre
- NIPIGON – December 3  
Nipigon Legion Branch #32
- MARATHON – December 4  
Marathon High School
- WAWA – December 5  
Michipicoten Memorial Community Centre

Information presented at the Open Houses will be available on the project web site at [www.nextbridge.ca](http://www.nextbridge.ca)

## First Nations and Métis Consultation

A dedicated consultation process has been established for First Nation and Métis communities located in proximity to the project. Members of First Nations and Métis communities are also welcome to attend the Open Houses listed above.

## Getting Involved

We would like to thank you for your ongoing participation in our consultation program for this project. Your input is important to us. If you have any questions or concerns, or if you require further information regarding this project, please contact:

Oliver Romaniuk, Project Manager  
NextBridge Infrastructure  
390 Bay Street, Suite 1720  
Toronto, ON M5H 2Y2  
Email: [info@nextbridge.ca](mailto:info@nextbridge.ca)  
Fax: 416-364-2533  
Project Hotline: 1-888-767-3006

## Additional Resources

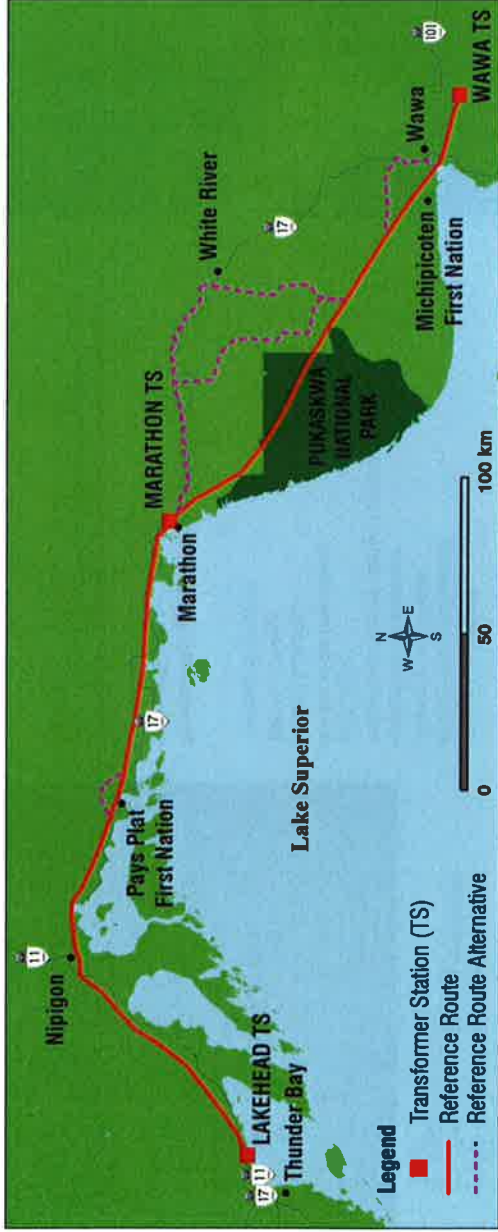
We encourage you to become as informed as possible about this project. Please visit the web sites below for additional information about energy and environmental decision making in Ontario and about the new East West Tie.

- Ontario Energy Board  
[www.ontarioenergyboard.ca](http://www.ontarioenergyboard.ca)
- Ontario Power Authority  
[www.powerauthority.on.ca](http://www.powerauthority.on.ca)
- Independent Electricity System Operator  
[www.ieso.ca](http://www.ieso.ca)
- Ministry of the Environment  
[www.ene.gov.on.ca](http://www.ene.gov.on.ca)
- Ministry of Energy  
[www.ene.gov.on.ca](http://www.ene.gov.on.ca)

For more information on the new East West Tie visit [www.nextbridge.ca](http://www.nextbridge.ca)

If you received this newsletter directly from NextBridge you are on our contact list for this project and we will continue sending you project information.





### The Need for Supply in Northwestern Ontario

The Ontario Power Authority (OPA), the agency responsible for long-term electricity planning in the province, has recommended the new East West Tie to ensure the long-term reliability of the electricity supply in northwestern Ontario, and has specified the timing and scope of this project.

Industrial activities in northwestern Ontario, particularly in the mining sector, are expected to drive strong electricity demand growth in the coming decade. Coupled with a decrease in supply in the area, the OPA forecasts a need for around 500 megawatts (MW) of new supply in northwestern Ontario by 2018.

The identified supply needs can be met with additional transmission or generation. The OPA analyzed these alternatives and recommended expansion of the East West Tie based on technical, economic, and other considerations.

### Project Details

The project will consist of an approximately 400 km double-circuit 230 kilovolt (kV) transmission line generally paralleling the existing double-circuit 230 kV transmission corridor connecting the Wawa Transformer Station (TS) to the Lakehead TS near Thunder Bay. The project will also require new and improved access roads and temporary laydown and work areas. The targeted in-service date is the first half of 2018.

A Reference Route has been identified along with possible alternatives to avoid potentially sensitive features. NextBridge will endeavour to select the route with the least overall impacts. To identify the final route, we will be considering the valuable feedback from all potentially affected community members, stakeholders, landowners, tenants, First Nations and Métis communities along all proposed routes. During the route selection process, we will consider factors such as hunting, trap lines, gathering activities, bird nesting sites, waterways, tourism, agricultural operations, environmental features, and impacts to residents and businesses. It is important to note that all routes are considered viable options at this time; however, only one transmission line will be built.

### The Environmental Assessment Process

NextBridge has initiated the Terms of Reference for the Environmental Assessment (EA) in accordance with Ontario's *Environmental Assessment Act*. During the EA, NextBridge will conduct environmental studies, and meet with agencies, community representatives, First Nations and Métis communities, and members of the public

to determine the potential positive and negative impacts of the project on the people, places, businesses, economy and natural environment in the study area.

The first step in the EA process is the preparation of a Terms of Reference (TOR). The TOR outlines the work plan NextBridge will follow to address the requirements of the *Environmental Assessment Act*. If approved by the Minister of the Environment, the TOR will provide the framework for the second step in the

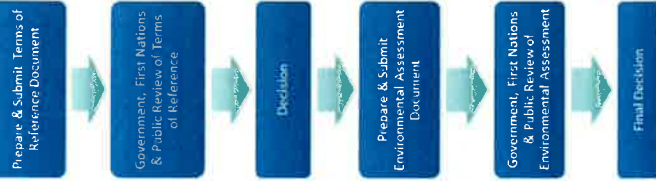
### Other Approvals

In advance of construction, the project will also require:

- Leave to Construct approval from the Ontario Energy Board.
- Permits from provincial agencies, conservation authorities and municipalities.
- Federal review and/or permits may be required in some areas where federal lands may be impacted.



### Overview of Environmental Assessment Process



#### STEP 1

Terms of Reference

#### STEP 2

Environmental Assessment Study

### Easements and Access to Land

NextBridge will require easement interests to accommodate the approximately 56 metre (184 foot) permanent right-of-way required for the installation of the new line. The majority of activity will be contained within the permanent right-of-way however, in some instances, additional work space and access may be required for construction.

If your land has been identified as potentially impacted by the proposed project, a NextBridge representative will be contacting you within the next few weeks to further discuss this project.

In order to properly assess potential impacts of the project, our team will need to conduct surveys and studies, and access to individual properties may be required. Access to land will be discussed with landowners along the potential routes to conduct these studies. If access to your property is required for study purposes, we will be contacting you. Please note that no property will be accessed without prior notice.

We would be pleased to discuss the project with any interested stakeholders and encourage you to contact us if you have any questions or concerns.



**Notice of Commencement of Terms of Reference and Open Houses**  
**New East West Tie Transmission Project**  
**NextBridge Infrastructure**

NextBridge Infrastructure (NextBridge) – a partnership between NextEra Energy Canada, Enbridge Inc., and Borealis Infrastructure – has initiated the Terms of Reference for the Environmental Assessment under the *Environmental Assessment Act* to construct an approximately 400 km long, double-circuit 230 kilovolt electric power transmission line from the Lakehead Transformer Station (TS) near Thunder Bay to the Wawa TS near Wawa, Ontario. The line is anticipated to generally parallel the existing double-circuit 230 kV transmission line between these two points with possible alternatives to avoid potentially sensitive features.



The Ontario Power Authority (OPA), the provincial agency responsible for long-term electricity planning, identified the expansion of the transmission system between Wawa and Thunder Bay in order to maintain a reliable, long-term supply of electricity to northwestern Ontario. The new East West Tie was recommended based on forecasted electricity demand and changes to the electricity supply in the area, as well as technical, economic, and other considerations. The new East West Tie was included as a priority project in the Government of Ontario’s 2010 Long Term Energy Plan.

NextBridge will require easement interests to accommodate the approximately 56 metre (184 foot) permanent right-of-way required for the installation of the new line and will endeavour to select the route with the least overall impacts. The majority of activity will be contained within the permanent right-of-way, however, in some instances, additional work space and access may be required for construction. To identify the final route, NextBridge will be considering the valuable feedback from potentially affected stakeholders along the proposed routes. During the route selection process, factors such as hunting, trap lines, gathering activities, bird nesting sites, waterways, tourism, agricultural operations, environmental features, and impacts to residents and businesses will be considered. It is important to note that all routes are considered viable alternatives at this time; however, only one transmission line will be built.

**The Process**

This study will be carried out in accordance with the requirements of the *Environmental Assessment Act*. The first step in the process is the preparation of a Terms of Reference (TOR). The TOR outlines the work plan NextBridge will follow to address the requirements of the *Environmental Assessment Act*. If approved by the Minister of the Environment, the TOR will provide the framework for the second step of the process, the preparation of the Environmental Assessment (EA). Submission of the TOR is anticipated in early 2014 and the EA in early 2015. The target in-service date is the first half of 2018.

**Consultation**

Members of the community, public, agencies, First Nations and Métis communities, and other interested persons are encouraged to actively participate in the planning process by contacting project staff with questions, comments and by attending Open Houses for the project. Consultation opportunities, such as Open Houses, will be held throughout the planning process and will be advertised through mailings, newspaper notices, and through postings at [www.nextbridge.ca](http://www.nextbridge.ca).

The first round of Open Houses will provide an opportunity to learn about and provide input on the proposed project, EA process, development of the TOR, studies to be undertaken and route options. A NextBridge project team will be available to discuss the project and answer questions. Additional rounds of Open Houses will be held as the project moves forward.

The first round of Open Houses will be held as follows:

<p><b>December 2</b>  <b>Thunder Bay</b>          Current River          Community Centre          450 Dewe Avenue          4pm to 8pm</p>	<p><b>December 3</b>  <b>Nipigon</b>          Nipigon Legion          Branch #32          102 Fifth Street          4pm to 8pm</p>	<p><b>December 4</b>  <b>Marathon</b>          Marathon          High School          14 Hemlo Drive          4pm to 8pm</p>	<p><b>December 5</b>  <b>Wawa</b>          Michipicoten Memorial          Community Centre          3 Chris Simon Drive          4pm to 8pm</p>
--	--	--	---

Information presented at the Open Houses will be made available at [www.nextbridge.ca](http://www.nextbridge.ca) for review and comment.

**For further information on the proposed project please contact:**

Oliver Romaniuk, Project Manager, NextBridge Infrastructure  
 390 Bay Street, Suite 1720, Toronto, ON, M5H 2Y2  
 Phone: 1-888-767-3006  
 Email: [info@nextbridge.ca](mailto:info@nextbridge.ca)  
 Fax: 416-364-2533  
[www.nextbridge.ca](http://www.nextbridge.ca)



All personal information included in a submission – such as name, address, telephone number and property location – is collected, maintained and disclosed by the Ministry of the Environment for the purpose of transparency and consultation. The information is collected under the authority of the *Environmental Assessment Act* or is collected and maintained for the purpose of creating a record that is available to the general public as described in s.37 of the *Freedom of Information and Protection of Privacy Act* (FIPPA). Personal information you submit will become part of a public record that is available to the general public unless you request that your personal information remain confidential. For more information, please contact the Ministry of the Environment’s Freedom of Information and Privacy Coordinator at (416) 327-1434.

November 6, 2013

[Address Block]

**RE: Proposed NextBridge Infrastructure New East West Tie Transmission Project**

Dear [FirstName LastName],

A new electric power transmission line, anticipated to generally parallel the existing East West Tie between Thunder Bay and Wawa, Ontario, is being developed to maintain a reliable, long-term supply of electricity in northwestern Ontario.

NextBridge Infrastructure (NextBridge), a partnership between NextEra Energy Canada, Enbridge Inc., and Borealis Infrastructure, has initiated the Terms of Reference for the Environmental Assessment for a new 400 kilometre, double-circuit 230 kilovolt transmission line from Thunder Bay to Wawa, Ontario. The new East West Tie is anticipated to generally parallel the existing East West Tie with possible alternatives to avoid potentially sensitive features.

The enclosed notice and newsletter provide additional information about the project. We ask that you review this information, visit the project web site at [www.nextbridge.ca](http://www.nextbridge.ca) and consider attending one of our upcoming Open Houses to get more information about the project. We are committed to engaging community members and stakeholders throughout the process and invite you to contact us if you have questions, comments, require further information, or have information that would be helpful for project planning. Information about the Open Houses is included in the attached newsletter and notice.

You are receiving this letter because you have been identified as a potentially impacted resident, occupant, landowner, or other stakeholder located on or near the proposed project. If your land has been identified as potentially impacted by the proposed project, a NextBridge representative will be contacting you within the next few weeks to further discuss this project. If you would like to contact us directly, please do so at the number or email below.

**We Want to Hear From You**

We would like to thank you for participating in our consultation program for this project. Your input is important to us. If you have any questions or concerns, or if you require further information regarding this project, please call our toll-free phone line at 1-888-767-3006 or email [info@nextbridge.ca](mailto:info@nextbridge.ca) and leave your contact information or visit our project web site at [www.nextbridge.ca](http://www.nextbridge.ca).

Sincerely,



Cindy Tindell, Director  
NextBridge Infrastructure

**Si vous désirez ces informations en français, s'il vous plaît contactez René C. Viau à 647-700-3028 ou [renev@standardland.com](mailto:renev@standardland.com).**

Attachments to NextBridge Monthly Report

**Schedule B**

**Aboriginal communities' forms of third letter**

November 11<sup>th</sup>, 2013

[Address]

**RE: Proposed NextBridge Infrastructure New East West Tie Transmission Project**

Dear [],

As we explained in our previous two letters, a new double-circuit 230 kilovolt transmission electric power transmission line is being developed to maintain a reliable, long-term supply of electricity in northwestern Ontario. To avoid potentially new sensitive features, the line is generally anticipated to parallel the existing East West Tie between Thunder Bay and Wawa, Ontario,

NextBridge Infrastructure (NextBridge), a partnership between NextEra Energy Canada, Enbridge Inc., and Borealis Infrastructure, is beginning a discussion of the 'terms of reference consultation' for an Environmental Assessment for this new 400 kilometre line.

The enclosed notice and newsletter provide additional information about the project. We ask that you review this information, visit the project web site at [www.nextbridge.ca](http://www.nextbridge.ca), and consider attending one of our upcoming 'open houses' to get more information directly about the project. Information about the 'open houses' is included in the attached newsletter and notice.

We are committed to engaging communities and their members throughout the process. Recently, you should have received a letter from well-known consultants, mPower Associates, who are working with us. The letter invites you to meet with them in your community to discuss the proposed project in greater detail.

In the next few weeks senior NextBridge people will ask to visit with you to begin to engage directly with you and begin procedural consultation about the project. Working with you, we want to put in place a solid process which respects your community's protocols, interests and needs.

**We Do Want to Hear From Your Community**

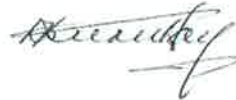
Your input is important to us. We invite you to contact us at any time if you have comments, questions, want further information, or have information that would be helpful for project planning. Please call our toll-free phone line at 1-888-767-3006 or email [info@nextbridge.ca](mailto:info@nextbridge.ca) and leave your contact information.

Sincerely,



Cindy Tindell  
Director  
NextBridge Infrastructure LP

Meegwetch,



Brian Hay  
Lead, Aboriginal Relations  
NextBridge Infrastructure

Si vous désirez ces informations en français, s'il vous plaît contactez René C. Viau à 647-700-3028 ou [renev@standardland.com](mailto:renev@standardland.com).

November 11<sup>th</sup>, 2013

[Address]

**RE: Proposed NextBridge Infrastructure New East West Tie Transmission Project**

Dear []:

As we explained in our previous two letters, a new double-circuit 230 kilovolt transmission electric power transmission line is being developed to maintain a reliable, long-term supply of electricity in northwestern Ontario. To avoid potentially new sensitive features, the line is generally anticipated to parallel the existing East West Tie between Thunder Bay and Wawa, Ontario,

NextBridge Infrastructure (NextBridge), a partnership between NextEra Energy Canada, Enbridge Inc., and Borealis Infrastructure, is beginning a discussion of the 'terms of reference consultation' for an Environmental Assessment for this new 400 kilometre line.

The enclosed notice and newsletter provide additional information about the project which we are providing to all interested communities. We ask that your members review this information, visit the project web site at [www.nextbridge.ca](http://www.nextbridge.ca), and consider attending one of our upcoming 'open houses' to get more information directly about the project. Information about the 'open houses' is included in the attached newsletter and notice.

We are committed to engaging local communities and their members throughout the process. In the next few weeks, senior NextBridge people will ask to visit with your community to engage directly in procedural consultation about the project. Working with you, we want to put in place a solid process which respects your community's protocols, interests and needs.

**We Do Want to Hear From Your Community**


Your input is important to us. As we have said before, we invite you and/or your representatives to contact us at any time if you have comments, questions, want further information, or have information that would be helpful for project planning. Please call our toll-free phone line at 1-888-767-3006 or email [info@nextbridge.ca](mailto:info@nextbridge.ca).

Sincerely,



Cindy Tindell  
Director  
NextBridge Infrastructure LP

Meegwetch,



Brian Hay  
Lead, Aboriginal Relations  
NextBridge Infrastructure

Si vous désirez ces informations en français, s'il vous plaît contactez René C. Viau à 647-700-3028 ou [renev@standardland.com](mailto:renev@standardland.com).

Attachments to NextBridge Monthly Report

**Schedule C**

**Milestone 2: Sign contract for engineering – proof of completion**

Letter from B&M acknowledging the agreement





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November 15, 2013

John Schajatovic  
c/o NextBridge Infrastructure, LP  
390 Bay Street, Suite 1720  
Toronto, ON  
M5H2Y2  
Canada

Acknowledgment of Duly Executed Engineering Contract for the Ontario East West Tie Line Project

Dear John:

The purpose of this letter is to provide confirmation that Burns & McDonnell Engineering Company, Inc. (B&M) and NextBridge Infrastructure LP, through its general partner Upper Canada Transmission, Inc., duly executed an agreement for engineering services to design the Ontario East West Tie Line Project.

B&M's scope for the engineering design includes, but is not limited to, finalizing design criteria, conductor selection, preliminary tower performance drawings and loadings, as well as supporting the NextBridge team's efforts to finalize the route assessment. NextBridge issued B&M a Notice to Proceed (NTP) to commence work as of October 31, 2013, with various scheduled milestone deliverables, to support the submittal of NextBridge's Leave to Construct (LTC) application for the project. NextBridge will issue a subsequent NTP under this contract to cover the continuation of work beyond the filing of the LTC application. This additional work will include, but is not limited to, engineering services for construction through the first quarter of 2018.

The agreement was executed by Burns & McDonnell on October 31st, 2013 by Mr. James Hogan, Vice President. The formal agreement is referenced as Purchase Document 2000118675.

Please feel free to contact me (816) 822-4313 if you have any questions. Thank you.

Chris D. Underwood, P.E.  
Manager of Transmission Development  
Burns & McDonnell Engineering Company, Inc.  
9400 Ward Parkway  
Kansas City, MO 64114  
Direct: 816.822.4313  
Main: 816.333.9400  
Mobile: 913.486.6858  
cunderwood@burnsmcd.com  
www.burnsmcd.com

Attachments to NextBridge Monthly Report

**Schedule D**

**Milestone 11: Complete design of Landowner, Community and Municipal  
Consultation Plan – proof of completion**

Consultation Plan

# New East West Tie Transmission Project Landowner, Community and Municipal Consultation Plan

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*NextBridge Infrastructure*

*November 2013*

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## Introduction

The new East West Tie was identified as a priority electric power transmission project by the Government of Ontario. The project will consist of an approximately 400 km double-circuit 230 kilovolt (kV) transmission line generally paralleling the existing double-circuit 230 kV transmission corridor connecting the Wawa Transformer Station (TS) to the Lakehead TS near Thunder Bay (the “new East West Tie Project”). The project will also require new and improved access roads and temporary laydown and work areas. The targeted in-service date is the first half of 2018.

NextBridge Infrastructure (NextBridge), the proponent for the project, is committed to consulting with all interested community members, First Nations and Métis, elected officials and municipal staff, agencies, landowners and other stakeholders in a clear and mutually respectful manner throughout the life of the project.

An Individual Environmental Assessment under the *Environmental Assessment Act* is required for this project and consultation is a required element of the environmental assessment process. The Ministry of the Environment’s Code of Practice, *Consultation in Ontario’s Environmental Assessment Process* (2007), states the purpose of consultation is:

- To provide information to the public;
- To identify persons and Aboriginal peoples who may be affected by or have an interest in the undertaking;
- To ensure that government agencies and ministries are notified and consulted early in the environmental assessment process;
- To identify concerns that might arise from the undertaking;
- To create an opportunity to develop proponent commitments in response to local input;
- To focus on and address real public concerns rather than regulatory procedures and administration;
- To provide appropriate information to the ministry to enable a fair and balanced decision; and
- To expedite decision-making.

The Ontario Energy Board Act Leave to Construct process is also applicable to this project. Applicants under this process are responsible for justifying the extent of consultation carried out for each Leave to Construct application and must provide the following information:

- Principles and goals of the consultation program;
- Design details of the consultation program; and
- The results of the consultation carried out, including how public input influenced the design, construction, or operation of the project.

This consultation plan addresses these key pieces of legislation and presents a core program of consultation strategies and activities to engage landowners, municipalities and communities in relation to the Project. It is noted that additional approvals may be required as the project progresses and is refined. Integration with this consultation plan will be considered or the plan will be modified as required should additional consultation be required to obtain these additional approvals.

This consultation plan is a living document and elements of the plan will be updated and refined based on feedback obtained as the environmental assessment process evolves.

## Principles and Objectives

NextBridge Infrastructure (NextBridge) will engage stakeholders and other interested parties through honest, regular and open communication, seeking and respecting each party's input. We are committed to timely and meaningful dialogue with interested individuals and groups, including, but not limited to, governments, First Nations and Métis communities, regulators, and landowners, and believe that this input will be critical to a successful project that seeks to address the needs of those involved.

*Our consultation principles are:*

- *open and honest*
- *proactive*
- *accessible (i.e. information that is easy to understand and access)*
- *respectful*

NextBridge will use a proactive, plain language, public communication and consultation program to support two-way communication with potentially affected parties. NextBridge's philosophy is to be as transparent as possible with individuals, communities, and groups.

Our consultation program involves a Public Involvement Program (PIP) with the following objectives:

- Build public awareness and understanding;
- Gather interested individual and group input;
- Answer questions;
- Learn about community interests and perspectives; and
- Implement changes to project design or scope to minimize adverse impacts where feasible.

NextBridge knows that its neighbours during construction will also be its neighbours for the many years that the project will be in operation. Therefore, we welcome the opportunity to invest in long-term collaborative consultation relationships.

## Key Decision Making Milestones

Consultation will be a continual process and input into the project will always be welcome. There are specific times, however, when consultation activities will be focused to obtain input on key project decision points or milestones. There are also mandatory consultation requirements as regulated by the Ministry of the Environment, which include the Notice of Commencement of the Terms of Reference, Notice of Submission of the Terms of Reference, Notice of Commencement of the Environmental Assessment, and Notice of Environmental Assessment Submission. Notices will also be published and distributed as required by the Ministry of the Environment for public consultation events.

Figure 1 shows the anticipated steps in the Environmental Assessment process and how the general and specific consultation activities are integrated into the technical process steps.

Interactions with stakeholders will vary depending on their level of interest in the project. Some stakeholders may be satisfied to receive project information at inception with periodic updates. Others may have interests or concerns that require personal consultations ranging from discussions of impact mitigation strategies with recreational users of public land, to engagement with multi-stakeholder advisory groups, to discussions about economic opportunities with local contractors.

Recognizing the diverse needs and levels of interest among communities and stakeholders, this consultation plan provides diverse opportunities to participate in the consultation process for the new East West Tie project. The tools and techniques to be used are presented in sections below.



Figure 1

	Regulatory Process	Ongoing Consultation Activities	Specific Consultation Activities
Terms of Reference	Pre-Consultation	Meetings – Hot Line	<ul style="list-style-type: none"> <li>Municipal, Agency &amp; Key Stakeholder Meetings</li> <li>Landowner Contact by Land Agents</li> <li>First Nations &amp; Métis Meetings</li> </ul>
	Terms of Reference Initiated		<ul style="list-style-type: none"> <li>Notice of Commencement and Notice of Open Houses Published, Mailed, and Posted on Website</li> <li>Newsletter #1 Distributed</li> </ul>
	Terms of Reference Prepared		<ul style="list-style-type: none"> <li>Open House Round One – Project Information, Environmental Assessment and Ontario Energy Board Processes, How to Get Involved</li> <li>Municipal, Key Stakeholder, First Nations and Métis, Agency, and Landowner Meetings Continue</li> </ul>
	Draft Terms of Reference Review (Revisions if Necessary)		<ul style="list-style-type: none"> <li>Notice of Review Published, Mailed, and Posted</li> <li>Draft Document Distributed as Appropriate</li> <li>Minimum 30-Day Comment Period</li> <li>Discussions with Review Agencies, Municipalities, Landowners, First Nations and Métis, and Stakeholders to Resolve Issues if Necessary</li> </ul>
	Terms of Reference Submission and Review		<ul style="list-style-type: none"> <li>Notice of Intent to Submit to the Ministry of the Environment Three Weeks Before Submission</li> <li>Notice of submission of Terms of Reference to Ministry of the Environment Two Weeks Before Submission</li> <li>Documents Distributed to Review Agencies, First Nations and Métis, Municipalities, Public Viewing Locations and Posted on Website</li> <li>Notice of Submission Published and Posted as Required</li> <li>Minimum 30-Day Public Comment Period</li> </ul>
	Anticipated Terms of Reference Approval		<ul style="list-style-type: none"> <li>Notification of Minister’s Decision to Commenters, Agencies, First Nations and Métis, and Posted</li> </ul>
	Environmental Assessment Initiated		<ul style="list-style-type: none"> <li>Notice of Commencement of Environmental Assessment Published, Mailed, and Posted</li> </ul>
	Environmental Assessment Prepared		<ul style="list-style-type: none"> <li>Notice of Open Houses</li> <li>Municipal, Key Stakeholder, First Nations and Métis, Agency, and Landowner Meetings Continue</li> <li>Open House Round Two – Alternative Route Evaluation and Proposed Mitigation Measures</li> <li>Open House Round Three – Draft Environmental Assessment Documentation</li> </ul>
	Draft Environmental Assessment Review (Revisions if Necessary)		<ul style="list-style-type: none"> <li>Notice of Review Published, Mailed, and Posted</li> <li>Draft Document Distributed to Review Agencies, First Nations and Métis, Municipalities, Public Viewing Locations and Posted on Website</li> <li>Minimum Five-Week Public Comment Period</li> <li>Discussions with Review Agencies, Municipalities, Landowners, First Nations and Métis, and Stakeholders to Resolve Issues if Necessary</li> </ul>
	Environmental Assessment Submission and Review		<ul style="list-style-type: none"> <li>Notice of Intent to Submit to the Ministry of the Environment Three Weeks Before Submission</li> <li>Notice of submission of Environmental Assessment<sup>1</sup> to Ministry of the Environment Two Weeks Before Submission</li> <li>Documents Distributed to Review Agencies, First Nations and Métis, Municipalities, Public Viewing Locations and Posted on Website</li> <li>Notice of Submission Published and Posted as Required</li> <li>Minimum Seven-Week Public Comment Period</li> </ul>
Ministry Review	<ul style="list-style-type: none"> <li>Ministry Review Taking Into Account Public Comments Received during Public Comment Period</li> </ul>		
Notice of Completion and Inspection of Ministry Review	<ul style="list-style-type: none"> <li>Notice of Completion Published, Mailed, and Posted</li> <li>Five-Week Ministry Inspection and Public Comment and Hearing Request Period</li> </ul>		
Final Ministry Evaluation and Minister’s Decision	<ul style="list-style-type: none"> <li>Final Ministry Evaluation</li> </ul>		
Lieutenant Governor in Council Approval and Decision Notification	<ul style="list-style-type: none"> <li>Notice of Approval Issued and posted on the Ministry of the Environment’s Environmental Assessment webpage.</li> </ul>		
Environmental Assessment		Meetings – Web Site – Land Agents – Mail Outs – Newsletters	
		Meetings – Web Site – Land Agents – Mail Outs – Newsletters	
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<sup>1</sup> It is noted that the Leave to Construct application will be filed with the Ontario Energy Board at the same time the Environmental Assessment is submitted to the Ministry of the Environment.

## Stakeholder Identification and Comment Tracking

NextBridge has worked to identify stakeholders who might be affected by, or interested in the project including landowners, First Nations and Métis community contacts, government agencies, municipal staff, elected officials, and other interested groups and individuals. A stakeholder tracking database will be employed throughout the life of the project to record stakeholder contact information as well as concerns, responses, and proposed mitigation raised by stakeholders. The database will also be used to create mailing lists and produce output that will be used in Environmental Assessment documentation.

Feedback obtained from consultation activities and submitted through the project hotline and email will be documented and tracked.

Following key milestones and events, a summary of comments received and responses to the comments will be assembled. Project related comments received and responses will be documented in a Record of Consultation and submitted as part of the Environmental Assessment documentation. We note that to protect privacy personal information will not be included in the Record of Consultation.

## Planned Consultation Activities

### Public Notices

Regulatory required public notices will be published in local papers throughout the project area. Notices will meet the requirements established by the Ministry of the Environment for Individual Environmental Assessment projects.

Newspapers identified for publication include:

- Algoma News
- Marathon Mercury
- Nipigon Red Rock Gazette
- Thunder Bay Chronicle Journal

- Thunder Bay's Source
- Terrace Bay Schreiber News
- Wawa-News.com

Notices will also be distributed via Canada Post and e-mail to the stakeholder mailing list. French language notices will also be available.

### Newsletters

Newsletters will be developed and distributed to the stakeholder mailing list, available at public events, and posted on the project website. Newsletters are proposed for release to correspond with the project commencement and key milestone events to provide additional information and invitation to events. The following summarizes the anticipated Newsletters:

- Newsletter 1 – Introduce the project, provide background information, describe the environmental assessment process, and let recipients know how they can participate (November 2013).
- Newsletter 2 – Invite participation in the second round of Open Houses and provide information on the background study results (anticipated time frame – Spring/Summer 2014).
- Newsletter 3 – Invite participation in the third round of Open Houses and provide information on the preferred route, potential effects and proposed mitigation (anticipated time frame – Fall 2014).

Additional newsletters may be prepared if necessary.

### Project Website

A dedicated website, [www.nextbridge.ca](http://www.nextbridge.ca), has been established for the project. Project information, notices, newsletters, updates, and other documents will be posted on the website to enhance access to project information for interested parties. Project contacts are also provided on the website to facilitate exchange of information and issues with stakeholders and project staff.

## Project Hotline

A dedicated telephone number, 1-888-767-3006, has been established for the project. Messages left on the hotline will be reviewed regularly and forwarded to relevant individuals for appropriate handling. Project related comments and inquiries made through the hotline will be documented. French language service is also available through the hotline.

## Project Email

A dedicated email address, [info@nextbridge.ca](mailto:info@nextbridge.ca), has also been established for the project. Messages and comments sent to the email address will be reviewed regularly and forwarded to relevant individuals for appropriate action. Project related comments and inquiries made via email will be documented. French language service is also available.

## Land Agents

To be as responsive as possible to landowner and tenant needs, a team of land agents will be available to provide personal, one-window contact with potentially affected landowners and tenants. It is expected that land agents will help landowners understand the approval process and address property-specific questions. This relationship will continue through post-Environmental Assessment, Leave to Construct activities, construction, and reclamation. A dedicated French language land agent will respond to inquiries and work with French speaking landowners and tenants.

## Meetings and Presentations

Project staff has met with several agencies to date and will continue to be available to meet with key stakeholder groups, First Nations and Métis communities, agencies, municipal staff and elected officials. Requests for meetings and presentations will be entertained from stakeholders throughout the project area and regular meetings will take place with relevant municipalities, First Nations and Métis communities, federal and provincial agencies and authorities as required for project planning purposes.

## Open Houses

Open houses will be held in communities along the project route to provide community members a forum to understand more about the project, speak directly with

NextBridge subject-matter experts, and for NextBridge representatives to gather community input on the project. Display panels and maps will describe and illustrate project elements and the planning process. Information presented at the Open Houses will be made available on the project web site.

Three rounds of public Open Houses are planned for the project:

- Open House Round 1 – To present the project to interested individuals and groups and obtain feedback on the Environmental Assessment Terms of Reference (December 2013).
- Open House Round 2 – To obtain feedback on alternative route evaluation, proposed mitigation measures (anticipated time frame – July 2014).
- Open House Round 3 – To obtain feedback on Draft Environmental Assessment documentation (anticipated time frame – October 2014).

The first round of Open Houses will be held in six locations: Thunder Bay, Nipigon, Marathon, Wawa, White River, and Terrace Bay. The number and location of venues for subsequent rounds of Open Houses may be revisited based on the level of participation and feedback during the first round.

Attendees at the Open Houses will have the opportunity to submit comment forms at the event and for a specified period after the event for consideration by NextBridge. Comments can also be made directly to NextBridge via email, mail, fax, and telephone hotline. Attempts will be made to document comments provided verbally to project staff during one-on-one conversations at Open Houses; however, given the nature of these conversations, it is not possible to guarantee comments provided in this manner will be comprehensively captured. As such, parties are always advised to submit written feedback wherever possible.

## Key Stakeholder Identification and Engagement

NextBridge will consult with potentially affected stakeholder groups in a manner that is respectful of their needs and expected levels of interest.

## First Nations and Métis

NextBridge considers consultation with First Nations and Métis to be an essential component of successful transmission projects in Northern Ontario. We are committed to working with First Nations and Métis peoples in Ontario to provide sustainable benefits to those communities. A dedicated consultation process has been established for First Nations and Métis located in proximity to the project. A First Nations and Métis Consultation Plan is being prepared with the benefit of community input.

## Landowners

Issues faced by landowners are of the utmost importance to NextBridge. NextBridge identified potentially affected landowners along the Reference Route (i.e. within 500 metres of the centerline of the existing East West Tie) and along the proposed Reference Route Alternatives. Work to assemble landowner information was initiated in September–October 2013. An introductory package, containing the Notice of Commencement, Newsletter and a cover letter was mailed to landowners as contact information became available. The same package was hand delivered to potentially affected landowners along the proposed routes where mailing information was not readily available in mid–November 2013. Landowners will continue to receive direct mail, continue to interact with their land agent, and will be invited to attend public Open Houses for the project.

## Districts, Townships, and Municipalities

The reference route and alternatives are located within or in close proximity to; one city, one town, two municipalities, and six townships in the Districts of Algoma and Thunder Bay.

### Algoma District

- Municipality of Wawa
- Township of White River

## Thunder Bay District

- City of Thunder Bay
- Municipality of Shuniah
- Town of Marathon
- Township of Dorion
- Township of Nipigon
- Township of Red Rock
- Township of Schreiber
- Township of Terrace Bay

Due to their proximity to the proposed project, these entities were invited to meet with NextBridge representatives. Meetings with municipal staff and elected officials were initiated prior to the first round of Open Houses. Additional meetings will be held throughout the Environmental Assessment process as required. Municipal staff and elected officials will receive copies of notices, newsletters, and reports to be made public in advance of public release to allow them to become informed in anticipation of questions from community members. Initial meetings with municipal staff and elected officials are scheduled to occur in mid-November 2013. Additional meetings will be held with municipalities as required, and municipal representatives will be invited to the public Open Houses.

Several unincorporated areas exist along the reference and alternative routes. Notification for these areas will be conducted through advertisements in local newspapers, direct mailings where addresses are publicly available, personal visits to potentially affected landowners that reside in those areas, and consultation with agencies that represent the interests of those unincorporated areas. If specific representatives of unincorporated areas identify themselves during the project, communication will be directed to them, and in person meetings may be held if requested.

## Agencies

The input and cooperation of government agencies is necessary for completion of an effective Environmental Assessment process. Relevant agencies were identified through the Government Review Team list provided by the Ministry of the Environment. Pre-consultation meetings with identified agencies took place in September–November 2013 with the Ministry of the Environment, Ministry of Natural Resources, Parks Canada, Aboriginal Affairs and Northern Development Canada, Ministry of Transportation, Ministry of Tourism, Culture and Sport, Ontario Northern Development and Mines, Ontario Parks, and Ontario Infrastructure. Agencies will be provided with newsletters, notifications and reports for review and comment throughout the project and meetings will be held as needed.

## Other Key Stakeholders

It is important to include a diverse range of stakeholders at the beginning of the project for potential issues to be heard and considered early in the process. Efforts have been made to identify a diversity of stakeholders through web searches, review of Ontario Energy Board and Ontario Power Authority documentation regarding the project, and by asking local municipal staff about active groups and individuals that should be included on the mailing list. Publication of notices in commonly read newspapers throughout the study area also allows stakeholders to self-identify.

Stakeholders on the project contact list will receive project information, such as newsletters and notices via mail and email, are invited to attend project Open Houses, and may submit input via mail, email, Open House comment forms, calls to the project hotline, or fax. Meetings with stakeholders may also be held.

Key stakeholders identified to date include, but are not limited to, the following:

- Economic Development Corporations;
- Local Chambers of Commerce;
- Provincial federations representing a variety of interests such as hunting, fishing, trail users, and tourism organizations;
- Crown Land Tenure holders;



- Intervenors in the Ontario Energy Board process;
- “Friends of...” organizations;
- Local emergency medical, fire and police services;
- Railways;
- Mining, and forestry industry; and
- Those who have expressed an interest in being kept informed about the project.

The stakeholder list will be updated as new stakeholders are identified or ask to be included on the project mailing list.

## Issues Response and Mitigation

As with any consultation process, there can be a number of issues which must be carefully addressed. The previous experience of the NextBridge partners with such consultations has allowed NextBridge to define various issues and effective mitigation strategies which could apply to the project. Issue identification will continue through early consultation with agencies and municipalities and through consultation efforts throughout the Environmental Assessment process as outlined in this plan.

Based on research and early consultation, a preliminary list of potential issues has been established and is summarized below.

- Property issues and landowner concerns;
- First Nations and Métis community concerns;
- Habitat, recreational, and protected area disruption;
- Human health and safety; and
- Access to and loss of land resources.

A complaint resolution process will be instituted to manage and promptly address project related community problems or concerns. Issues will be considered by NextBridge and responses developed. Where appropriate, prevention and mitigation strategies will also be developed. Issues, responses, and required prevention and mitigation strategies will be documented as part of the Terms of Reference and

Environmental Assessment, and will be available for public and agency review through the Environmental Assessment process.

This consultation plan may be updated to reflect community concerns and issues as they emerge.

Attachments to NextBridge Monthly Report

**Schedule E**

**Milestone 17: Sign MOU with Ministry of Energy regarding the delegation – proof of completion**

MOU

# MEMORANDUM OF UNDERSTANDING

between

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO  
AS REPRESENTED BY  
THE MINISTER OF ENERGY (the “Minister”)**

and

**NEXTBRIDGE INFRASTRUCTURE LP**

**(Each a “Party” and together, the “Parties”)**

**WHEREAS** the Ministry of Energy and NextBridge wish to clarify their respective roles and responsibilities regarding consultation on the Project, as defined;

**NOW THEREFORE** the Parties agree as follows:

## 1. DEFINITIONS

1.1. In this MOU, the following terms have the respective meanings set out below.

- (a) **“Aboriginal Communities”** means the First Nations and Métis communities identified by the Ministry to be consulted on the Project, being those communities identified in Appendix A and any other communities subsequently identified to NextBridge by the Ministry;
- (b) **“Consultation Plan”** means a plan as may be amended from time to time made pursuant to this MOU to consult Aboriginal Communities on the Project;
- (c) **“Crown”** means Her Majesty the Queen in right of Ontario;
- (d) **“Duty”** means any constitutional duty that the Crown may have to consult and, where appropriate, accommodate Aboriginal Communities with respect to the Project;
- (e) **“Project”** means the East West Tie line consisting of a 230 kV double circuit electricity transmission line approximately 400 km in length running from Lakehead TS in Thunder Bay to Wawa TS;
- (f) **“Ministry”** means the Ministry of Energy or any successor thereof;
- (g) **“MOU”** means this memorandum of understanding;

- (h) “**NextBridge**” means NextBridge Infrastructure LP and any authorized designate of NextBridge Infrastructure LP, including Upper Canada Transmission, Inc.; and
- (i) “**Section 35 Rights**” means established or credibly asserted Aboriginal or treaty rights.

## **2. PURPOSE**

2.1. The purposes of this MOU are to:

- (a) clarify the roles and responsibilities of the Crown and NextBridge with respect to consultation of the Aboriginal Communities on the Project; and
- (b) provide mechanisms for effective communication and coordination between NextBridge and the Crown on matters relating to consultation on the Project.

2.2. The Parties acknowledge that:

- (a) the Crown bears any Duty that may be owed in relation to the Project;
- (b) NextBridge is responsible for carrying out procedural aspects of consultation that are delegated to it by the Crown; and
- (c) this MOU shall be governed by and construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein and, for greater certainty, is subject to all applicable regulations and regulatory regimes.

## **3. RESPONSIBILITIES OF THE CROWN**

3.1. The Crown is responsible for determining whether consultation is required on the Project, advising NextBridge of the same, and, if consultation is required, the following:

- (a) identifying the Aboriginal Communities to be consulted based on an assessment of whether their Section 35 Rights may be adversely affected by the Project, and providing NextBridge with the names of said Aboriginal Communities;
- (b) advising the Aboriginal Communities that it has delegated procedural aspects of consultation on the Project to NextBridge;

- (c) any preliminary and ongoing assessment of the depth of consultation required with the Aboriginal Communities;
- (d) co-ordinating a review of the proposed Consultation Plan by relevant provincial ministries;
- (e) receiving reports and information from NextBridge and overseeing consultation of the Aboriginal Communities on the Project with respect to fulfilling the Duty;
- (f) satisfying itself that the consultation process in relation to the Project is adequate, which may include contacting the Aboriginal Communities directly to discuss the adequacy of the consultations;
- (g) determining whether accommodation of any adverse impacts of the Project on the Section 35 Rights of the Aboriginal Communities is required, and if so, its adequacy.

3.2 Notwithstanding sub-sections 3.1 and 4.1, neither the Crown nor NextBridge shall be taken as having agreed, or conceded, that any matter set out herein is a mandatory aspect or requirement of the Duty, nor that a particular aspect of consultation is an aspect of the Duty that cannot be carried out by NextBridge.

#### **4. RESPONSIBILITIES OF NEXTBRIDGE**

4.1. NextBridge is responsible for:

- (a) preparing and executing a Consultation Plan for the Project that sets out how NextBridge will fulfill its responsibilities under this MOU;
- (b) sharing with the Ministry, for its review, its Consultation Plan for the Project;
- (c) providing Aboriginal Communities with timely notice of the Project for the purposes of considering possible impacts on their Section 35 Rights;
- (d) providing Aboriginal Communities with information about the Project and the role that NextBridge will play in Crown consultation on the Project;
- (e) following up on the notice and provision of information in paragraphs (c) and (d) immediately above if NextBridge has not received a timely response or acknowledgement from an Aboriginal Community;
- (f) explaining to Aboriginal Communities the regulatory and approval processes that apply to the Project;

- (g) taking all reasonable steps to foster positive relationships with Aboriginal Communities;
- (h) offering Aboriginal Communities reasonable assistance, including financial assistance where appropriate and as determined by NextBridge, to participate in consultation on the Project;
- (i) meeting with, and receiving and considering correspondence or other written materials from Aboriginal Communities in order to identify any concerns they may have regarding the potential impact of the Project on their Section 35 Rights;
- (j) where appropriate, discussing with Aboriginal Communities accommodation, including mitigation, of potential adverse effects of the Project on their Section 35 Rights;
- (k) where appropriate, developing and proposing appropriate accommodation measures, in consultation with the Crown;
- (l) recording all activities undertaken to fulfill any Duty in relation to the Project;
- (m) filing documents, attending regulatory hearings, presenting records and other appropriate evidence of activities undertaken by the Crown and NextBridge to fulfill any Duty in relation to the Project, and making both written and oral submissions, as appropriate, regarding the fulfillment of any Duty; and
- (n) all ancillary activities associated with fulfilling the responsibilities of NextBridge under this MOU.

4.2. Notwithstanding section 4.1 above, a ministry with an approval role for the Project, or any responsible official, agent, decision-maker or regulatory body of the Crown, may participate in the matters enumerated therein as may be required.

## **5. RECORD KEEPING AND INFORMATION SHARING**

- 5.1. NextBridge will keep records of all of its activities in relation to fulfilling any Duty and share the said records with the Ministry upon request.
- 5.2. NextBridge will share its Consultation Plans, reports or other documentation compiled in respect of any Duty relating to the Project, with the Ministry upon

reasonable request, subject to applicable confidentiality restrictions consistent with sub-sections 5.7 and 5.8.

- 5.3. NextBridge will advise the Ministry in a timely manner of:
- (a) any actual, potential or alleged adverse impact of the Project on established or asserted Section 35 Rights, whether NextBridge becomes aware of such impact or assertion through its consultation activities or otherwise; and
  - (b) any notice or statement by any Aboriginal Community that some or all of its Section 35 Rights concerns in connection with the Project have been resolved, or that the Duty has been fulfilled.
- 5.4. NextBridge will notify the Ministry before providing significant capacity funding to Aboriginal Communities or before funding significant initiatives or reports that may relate to the Section 35 Rights of the Aboriginal Communities.
- 5.5. NextBridge will provide the Ministry with timely notice before taking positions or making appearances before judicial, quasi-judicial or regulatory tribunals or boards, or before filing or making written submissions to any such tribunal, board, agency or official, in relation to matters relevant to the fulfillment of any Duty.
- 5.6. NextBridge will provide the Ministry with a monthly update on its consultation activities related to the Project, and with any additional summary reports or briefings on its consultation activities as may be reasonably requested by the Ministry.
- 5.7. NextBridge will share with the Ministry the provisions of any commercial arrangements between NextBridge and Aboriginal Communities that:
- (a) secure the support of the Aboriginal Communities for the Project;
  - (b) are directed at mitigating or compensating for possible adverse effects of the Project on Section 35 Rights; or
  - (c) otherwise potentially affect the obligations of the Crown to the Aboriginal Communities;
- but NextBridge is not otherwise required to share details of its commercial arrangements.
- 5.8. In any commercial arrangements NextBridge enters into with Aboriginal Communities, NextBridge will use commercially reasonable efforts to exclude confidentiality provisions that prevent it from fulfilling its obligations to share



information with the Ministry in accordance with this MOU, including section 5.7 thereof.

- 5.9. Notwithstanding sections 5.7 and 5.8, NextBridge shall ensure that any business or other arrangements it enters into with Aboriginal Communities permit NextBridge to fulfill its obligations under section 5.3, or, in the alternative, require the said Aboriginal Communities to advise the Ministry directly, in writing, of any resolution of their Section 35 Rights concerns or if they agree that the Duty has been fulfilled.
- 5.10. The Ministry will share information received from NextBridge with other Ontario ministries and regulatory agencies, where necessary. Commercially sensitive NextBridge information will be protected in accordance with applicable laws.
- 5.11. The Ministry will share with NextBridge records of Crown activities in relation to fulfilling any Duty, as required to ensure that NextBridge can fulfill its obligations pursuant to this MOU.
- 5.12. The Parties will ensure that the Aboriginal Communities are made aware of any provincial government programs or funding available to assist the Aboriginal Communities to participate in consultation on the Project.

## **6. CONSULTATION PLAN**

- 6.1. NextBridge will prepare a Consultation Plan for the Project and present it to the Ministry for its review by November 30, 2013 or such other subsequent date as the Ministry may advise.
- 6.2. The Consultation Plan shall set out the manner in which NextBridge proposes to carry out its responsibilities under this MOU, such Consultation Plan to include the identification of significant steps and a timetable for their completion.
- 6.3. For greater certainty, the Parties acknowledge that the requirements for satisfying any Duty in the context of a statutory process applicable to the Project are within the jurisdiction of the ministry, board, agency or decision-maker having responsibility to administer that statute, and therefore:
  - (a) it is for the responsible ministry, board, agency or decision-maker to satisfy itself in relation to fulfilment of the Crown's duty within the context of its approval, permit or authorization powers; and
  - (b) the content of the Consultation Plan shall reflect, and is subordinate to, the procedures and decisions of the responsible ministry, board, agency or decision-maker.

**7. COORDINATION**

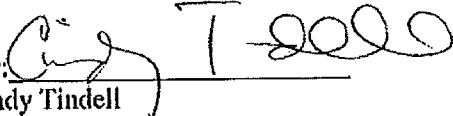
7.1. The responsibilities outlined in this MOU shall be carried out, to the extent possible, in a coordinated manner so as to avoid duplication of effort by Aboriginal Communities, NextBridge, the Ministry, and provincial ministries, boards and agencies.

**8. GENERAL**

8.1 This MOU may be amended in writing at any time by agreement of the Parties.

8.2 This MOU may be terminated at any time by the Minister by providing notice in writing, or upon the agreement of the Parties.

Dated this 4<sup>th</sup> day of November, 2013

<p><b>NEXTRIDGE INFRASTRUCTURE LP</b> by its General Partner, Upper Canada Transmission, Inc.</p> <p>Per:  Cindy Tindell Director</p>	<p><b>HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO</b>, as represented by the Minister of Energy</p> <p>Per: _____ Serge Imbrogno Deputy Minister</p>
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## 7. COORDINATION

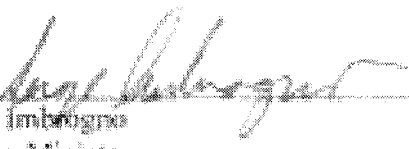
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Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013

<b>NEXTRIDGE INFRASTRUCTURE LP</b> by its General Partner, Upper Canada Transmission, Inc.	<b>HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO, as represented by the Minister of Energy</b>
Per: _____ Cindy Tindell Director	Per:  Serge Imbrogna Deputy Minister

## **Appendix A**

### **List of Aboriginal Communities**

1. Animbiigoo Zaagi'igan Anishinaabek First Nation (Lake Nipigon Ojibway)
2. Biinjitiwaabik Zaaging Anishinaabek First Nation (Rocky Bay)
3. Bingwi Neyaashi Anishinaabek (Sand Point First Nation)
4. Fort William First Nation
5. Ginoogaming First Nation
6. Long Lake No. 58 First Nation
7. Michipicoten First Nation
8. Missanabie Cree First Nation
9. Ojibways of Batchewana
10. Ojibways of Garden River
11. Ojibways of Pic River (Heron Bay First Nation)
12. Pays Plat First Nation
13. Pic Moberg First Nation
14. Red Rock Indian Band
15. Greenstone Métis Council
16. Red Sky Independent Métis Nation
17. Superior North Shore Métis Council
18. Thunder Bay Métis Council