



May 9, 2022

VIA RESS

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

Dear Ms. Marconi,

**Re: Enbridge Gas Inc. ("EGI")
Dawn to Corunna Replacement Project
Board File Number: EB-2022-0086**

We are counsel to Chippewas of Kettle and Stony Point First Nation, together with Southwind Corporate Development Inc. ("**CKSPFN**"). Please find enclosed CKSPFN's Notice of Intervention requesting intervenor status and cost eligibility in the above-noted proceeding.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Vollmer".

DT Vollmer

c. Tania Persad, EGI
Adam Stiers, Manager, Regulatory Applications, EGI
Charles Keizer, Torys LLP
Phillip Lee, Southwind
Don Richardson

Encl.



Chipewas of Kettle & Stony Point First Nation

6247 Indian Lane
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

EB-2022-0086

ONTARIO ENERGY BOARD

IN THE MATTER OF the *Ontario Energy Board Act, 1998*, S.O. 1998, c. 15, Schedule B, as amended (the “Act”); and in particular section 90(1) and section 97 thereof;

AND IN THE MATTER OF an Application by Enbridge Gas Inc. for an Order or Orders granting leave to construct natural gas pipelines and ancillary facilities from the Township of Dawn-Euphemia to St. Clair Township;

AND IN THE MATTER OF an Application by Enbridge Gas Inc. for an Order or Orders approving the proposed forms of agreements for Pipeline Easement and Options for Temporary Land Use.

NOTICE OF INTERVENTION

OF

CHIPPEWAS OF KETTLE AND STONY POINT FIRST NATION (“CKSPFN”)

AND

SOUTHWIND CORPORATE DEVELOPMENT INC. (“Southwind”)

May 6, 2022



Chippewas of Kettle & Stony Point First Nation

6247 Indian Lane
Kettle & Stony Point FN, Ontario, Canada N0N 1J1

Application for Intervenor Status and Cost Eligibility

1. The **Chippewas of Kettle and Stony Point First Nation, together with Southwind Corporate Development Inc.** (“CKSPFN”), hereby requests intervenor status in the matter of the application of Enbridge Gas Inc. (“EGI”) for various orders pursuant to section 90(1) and 97 of the Act as set out in EGI’s application filed March 3, 2021 (the “Application”).

CKSPFN and its Interest in the Proceeding

2. CKSPFN is a relatively new intervenor in Ontario Energy Board (the “Board” or “OEB”) proceedings. CKSPFN is located in southern Ontario along the shores of Lake Huron, 35km from Sarnia, Ontario. The community has 1,000 members who live on-reserve and 900 who live off-reserve. Southwind is a wholly owned economic development Corporation of CKSPFN
3. CKSPFN is affected by this Application with respect to potential impacts on treaty rights, land use and cultural heritage. CKSPFN has traditional territory, and associated rights and interests protected by the *Constitution Act, 1982*, that may be impacted by the outcomes of this proceeding.
4. CKSPFN’s intended participation will include the following:
 - a) issues related to the need for the project, project alternatives, project cost and economics, environmental impacts, and land matters;
 - b) whether the duty to consult and accommodate with Indigenous Communities potentially affected by the proposed project has been discharged with respect to the application; and
 - c) generally, to represent the constitutionally recognized Aboriginal rights and interests of CKSPFN, its members, and Southwind.

The Intervenor’s Intended Participation

5. CKSPFN intends to be an active participant in this proceeding, including in any pre-hearing procedures, interrogatories or technical conferences, settlement conferences, and provide submissions. CKSPFN also intends to participate in any oral hearings of this matter, and in written or oral submissions, as well as any other parts of the proceeding that the Board should order. CKSPFN will act responsibly to coordinate with other intervenors where common issues may arise and may be addressed. Subject to the development of the record in this proceeding, CKSPFN may also submit evidence.

Nature of Hearing

6. CKSPFN believes it is premature to assess whether a written or an oral hearing is more appropriate in this proceeding until interrogatories have been answered.



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Costs

7. CKSPFN hereby requests cost eligibility in this proceeding. CKSPFN is, in accordance with s. 3.03(b) of the Board's *Practice Direction on Cost Awards*, eligible to seek an award of costs as CKSPFN is a party that primarily represents a unique interest or policy perspective that is relevant to the Board's mandate and to the proceeding.

CKSPFN's Representative

8. CKSPFN hereby requests that further communications with respect to this proceeding be sent to the following:

Chippewas of Kettle and Stony Point First Nation
Southwind Corporate Development Inc.
9119 W Ipperwash Rd Unit A,
Lambton Shores, ON N0N 1J3

Attention: Phillip Lee
Email: philip.lee@southwindcorp.ca

AND TO ITS COUNSEL

Resilient LLP
Bay Adelaide Centre
333 Bay Street, Suite 625
Toronto, ON M5H 2R2

Attention: Lisa (Elisabeth) DeMarco
Telephone: 647-991-1190
Facsimile: 1-888-734-9459
Email: lisa@resilientllp.com

Attention: Jonathan McGillivray
Telephone: 647-208-2677
Facsimile: 1-888-734-9459
Email: jonathan@resilientllp.com



Chippewas of Kettle & Stony Point First Nation

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AND TO ITS CONSULTANT

IBA Braiding Ltd.

4606 Concession 11
Puslinch, ON N0B 2J0

Attention: Don Richardson

Email: don@ibabraiding.com



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ALL OF WHICH IS RESPECTFULLY SUBMITTED THIS

9th day of May, 2022

Lisa (Elisabeth) DeMarco
Resilient LLP
Counsel for CKSPFN