



Ontario
Energy
Board

Commission
de l'énergie
de l'Ontario

DECISION AND ORDER

EB-2025-0089

ATTAWAPISKAT FIRST NATION

Application for an Electricity Distribution Licence

BY DELEGATION, BEFORE: Brian Hewson
Vice President
Consumer Protection & Industry Performance

March 13, 2025

DECISION AND ORDER

Attawapiskat First Nation (AFN) submitted a third request to the Ontario Energy Board (OEB) on February 14, 2025, for an extension to its electricity distribution – owner only licence ED-2002-0387, to avoid non-compliance with section 57 of the *Ontario Energy Board Act, 1998* (OEB Act).

This Decision and Order is being issued by the Delegated Authority pursuant to section 6 of the OEB Act. The Delegated Authority has considered the application without holding a hearing pursuant to section 6(4) of the OEB Act.

AFN's electricity distribution – owner only licence ED-2002-0387 is set to expire on May 31, 2025. In order for the applicant to continue to own the distribution system operating within the service area set out in the existing licence, the applicant requires an electricity distribution – owner only licence pursuant to section 57 of the OEB Act.

AFN is a licensed electricity distributor that owns an electricity distribution system located on Attawapiskat Reserve No. 91A. The distribution system is operated by Attawapiskat Power Corporation¹(APC), a wholly owned subsidiary of AFN.

On May 6, 2024, AFN requested an extension to its licence term from May 31, 2024, to November 30, 2024, because it planned to file a request to the OEB for leave to transfer ownership of the electricity distribution system assets to APC to streamline ownership/operation and associated regulatory matters. AFN requested the OEB extend its licence term until November 30, 2024, to provide adequate time to complete the transaction. On May 28, 2024, the OEB issued a Decision and Order extending the licence term until November 30, 2024.

On August 19, 2024, AFN requested that the OEB further extend its licence term from November 30, 2024, to May 31, 2025. AFN stated that the extension was necessary because the transaction may not be completed before the November 30, 2024, licence expiration date.

On February 14, 2025, AFN made a further request to the OEB that the term of the licence be again extended to November 30, 2025. AFN stated that the additional

¹ Attawapiskat Power Corporation is a licensed electricity distributor under ED-2001-0090.

extension is necessary because while it continues to make progress on the transaction as it may not be completed before May 31, 2025.

After considering both the applicant's request and its requirement to hold a licence to continue carrying out activities as a licensed electricity distributor after May 31, 2025, the OEB finds it expedient to extend the licence term on an interim basis until November 30, 2025, to allow the transaction to proceed.

IT IS ORDERED THAT:

1. The term of Attawapiskat First Nation's electricity distribution – owner only licence ED-2002-0387 is extended until November 30, 2025. The conditions of licence remain unchanged.

DATED at Toronto March 13, 2025

ONTARIO ENERGY BOARD

Brian Hewson
Vice President, Consumer Protection & Industry Performance