

MANITOBA PUBLIC UTILITIES BOARD

Re :

MANITOBA HYDRO

NEEDS FOR AND ALTERNATIVES TO
REVIEW OF MANITOBA HYDRO'S
PREFERRED DEVELOPMENT PLAN

Regis Gosselin	- Chairperson	
Marilyn Kapitany	- Board Member	(np)
Larry Soldier	- Board Member	
Richard Bel	- Board Member	
Hugh Grant	- Board Member	(np)

HELD AT :

Mystery Lake Hotel

58 Cree Road

Thompson, Manitoba

May 14, 2014

Pages 10760 to 10970



“When You Talk - We Listen!”



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1 --- Upon commencing at 2:18 p.m.

2

3 THE CHAIRPERSON: Good afternoon.

4 We're going to start with an opening prayer by Elder

5 Catherine Beardy, Elder Catherine Beardy from Fox Lake.

6

7 (OPENING PRAYER)

8

9 THE CHAIRPERSON: Good afternoon,

10 everyone. My name is Regis Gosselin. I'm the Chairman

11 of the Public Utilities Board, and as such, I Chair the

12 panel conducting the Needs For and Alternatives To, or

13 NFAT, review of Manitoba Hydro's Preferred Development

14 Plan.

15 The review is taking place pursuant to

16 the terms of reference issued to the Public Utilities

17 Board by the Province of Manitoba. I have requested

18 the -- that copies of the terms of reference be placed

19 at the back of the hearing room should anyone want a

20 copy. The terms of reference are also available on the

21 Board's website.

22 There are a total of five (5) members on

23 the NFAT panel. Three (3) of us are here this

24 afternoon, two (2) couldn't make it, unfortunately. So

25 on my immediate right is Mr. Rick Bel, and on my

1 immediate left is Mr. Larry Soldier. The panel is also
2 joined today by its executive director, Mr. Hollis
3 Singh, and as well, by its legal counsel, Mr. Sven
4 Hombach.

5 Manitoba Hydro's Preferred Development
6 Plan involves the largest infrastructure project ever
7 undertaken in the Province of Manitoba, and the
8 province is relying on the NFAT panel to make a -- a
9 recommendations in respect of the Needs For Hydro's
10 Preferred Development Plan and an overall assessment as
11 to whether or not the plan is in the best long-term
12 interests of the Province of Manitoba when compared to
13 other options and alternatives.

14 The panel has heard evidence for more
15 than forty (40) days, and the panel will be hearing
16 closing arguments starting next week. Now, most of
17 that information is already available on the PUB's
18 website, and I would recommend that you take the time
19 to consult the website to see the information that's
20 available there if you're seeking more information.

21 Now, that site includes information from
22 Manitoba Hydro in respect of their project. It
23 includes answers to Information Requests, expert
24 reports filed by Intervenors, and expert reports filed
25 by the independent consultants which were hired by the

1 Public Utilities Board. So the panel -- pardon me, the
2 website also includes daily hearing transcripts. So I
3 encourage all of you to take the time, if you can, to
4 consult those materials.

5 Now, as part of the review, the panel
6 also wants to hear from interested members of the
7 public. And that's why we are having these sessions
8 today. The public has been encouraged to provide input
9 and comments on the -- on Manitoba Hydro's plan. The
10 Board has received several written presentations from
11 citizens and organizations. Those written submissions
12 have been posted on the Board's website and will also
13 be included in the transcript of proceedings.

14 The panel has heard -- has held a day
15 for oral presentations in Winnipeg on February 27th and
16 heard from several other presenters throughout the
17 hearing process. And I -- I recognize some of you here
18 in the room who have been in Winnipeg to speak to the
19 panel already, so welcome again to those of you who
20 were in attendance in Winnipeg.

21 Now, recognizing that Winnipeg is a long
22 way from the Nelson River, today is for people residing
23 in the North to share their views. And the panel looks
24 forward to hearing what you think of the proposed plan.

25 Now I'm going to ask the Board's legal

1 counsel, Sven Hombach, to explain the procedure to be
2 followed today.

3 MR. SVEN HOMBACH: Thank you, Mr.
4 Chairman. I'd like to welcome everybody to the hearing
5 room. And I just want to take a moment to explain the
6 process for today. The Public -- the Public Utilities
7 Board has rules of practice and procedure in place that
8 allow for two (2) different types of participants.

9 On the one hand, there are Intervenorors,
10 who have a full right of participation, can adduce
11 evidence, can cross-examine parties. But there's also
12 a second group of participants called presenters.
13 Presenters are essentially members of the public that
14 have a right to have their views expressed and have
15 them heard by the panel. They can file an oral -- they
16 can file a written submission. They can also make oral
17 presentations to the Board that's outside the normal
18 evidentiary record. And today is a day that's reserved
19 specifically for presenters.

20 Now, since the Province of Manitoba
21 issued its terms of reference for the NFAT review last
22 April, a notice of hearing has been published in major
23 newspapers in Manitoba on two (2) separate occasions.
24 Manitoba Hydro has also served the notice of hearing on
25 all prior Intervenorors of record in Manitoba Hydro

1 proceedings, before -- both before the PUB and before
2 the Clean Environment Commission. And a separate
3 public notice was published for today's session here in
4 Thompson.

5 I have with me a schedule that lists
6 those people that have registered to deliver
7 presentations today. And as you should be aware,
8 there's two (2) sessions today. There's one (1)
9 session in the afternoon, and then at 5:30 the panel is
10 regrouping again for an evening session.

11 If you'd like to make a presentation and
12 you're currently shown on the schedule, please approach
13 me during the break and we'll see if it's possible to
14 fit you in, either in the afternoon session or in the
15 evening session.

16 I also have with me copies of the formal
17 NFAT terms of reference for those of you that would
18 like to have access to them.

19 I would like you to take note of a -- of
20 a few items. Now, as the Chairman mentioned,
21 presentations don't have the status of formal evidence
22 under the Board rules, so you won't have to swear an
23 oath to tell the truth. You can just proceed with your
24 presentation. But they do form part of the public
25 record. And our trusted court reporter is actually

1 preparing a transcript of today's session that's going
2 to be reviewed by the NFAT panel and that's going to be
3 posted on the Board's website.

4 Each presenter will have fifteen (15)
5 minutes today to deliver a presentation. Or if you're
6 presenting as part of a group panel, you will have half
7 an hour. You won't be cut off in mid-sentence after
8 fifteen (15) minutes, but we do have an ambitious
9 schedule for today. There's a lot of people that would
10 like to speak. So we will ask you, after about fifteen
11 (15) minutes, to gradually wrap it up.

12 If after today's session you'd like to
13 file a written presentation, you can still do that by
14 emailing it to the Public Utilities Board at
15 publicutilities@gov.mb.ca, or you can approach me and I
16 can actually provide you with the email address.

17 Several people have asked to deliver
18 Power Point presentations or show some short videos,
19 and you'll see I have a laptop in front of me. That's
20 connected to the projector system here. So if you'd
21 like to provide any type of electronic presentation,
22 please approach me and we'll get it uploaded here.

23 Now, barring any procedural questions
24 from you, I would suggest that we start with this
25 afternoon session's first presenter, Mr. Gerhard

1 Randel.

2 THE CHAIRPERSON: Before Mr. -- Mr.
3 Randel starts, I just wanted to express my appreciation
4 for you having coming to meet with us. I know you have
5 other things to do -- I know you have other things to
6 do, so thank you very much for having taken the time
7 and trouble to -- to come here to -- to meet with the -
8 - the panel.

9 I also want to express my -- I want to
10 apologize the fact that we were late. We expected to
11 be here a lot earlier, so please accept my excuses for
12 that -- the late start. So with that, we'll -- we'll
13 hear from Mr. Randel.

14

15 PRESENTATION BY MR. GERHARD RANDEL:

16 MR. GERHARD RANDEL: Good afternoon,
17 Mr. Chairman, members of this August Board, madam court
18 reporter, and fellow citizens of Northern Manitoba.
19 This is a great opportunity for us to share with you
20 some alternatives that we have here and some ideas that
21 we have in the North.

22 The North is the region that generates
23 the electricity which is used in the rest of the
24 province and which is exported. And it is the North
25 that lives with these dams every day, lives with the

1 power generating stations every day. So this is a
2 unique opportunity for the panel, as well as for us, to
3 share these ideas with you.

4 You'll note my presentation is entitled,
5 'Burying Manitoba Hydro's Overhead High Voltage Power
6 Transmission Lines is the Reasonable Alternative'.
7 Now, I would hope that you've had a chance to read it,
8 read the submission that I made. And the -- do you
9 have it before you?

10 THE CHAIRPERSON: No, we don't have it
11 before us but we did receive it, and it's on -- it's on
12 our drop box, so --

13 MR. GERHARD RANDEL: Did you have a
14 chance to read it?

15 THE CHAIRPERSON: I did have a chance
16 to read it.

17 MR. GERHARD RANDEL: Okay. Do you have
18 any questions, first of all, if I may -- I may ask?

19 THE CHAIRPERSON: No, but for the
20 benefit of -- of the people in the room, perhaps you
21 could just go over that fairly quickly.

22 MR. GERHARD RANDEL: Okay. First of
23 all, we begin with Manitoba Hydro's statutory
24 obligation, which is to meet the power supply needs of
25 Manitoba and to do so as efficiently and reliably as

1 possible under Section 2 of the Manitoba Hydro Act,
2 which I will not repeat for you here.

3 The environmental and financial costs
4 alone make building more dams an inefficient prospect,
5 nor are dams the answer the Manitoba's power problems.
6 Building more dams will not reduce the number of power
7 outages due to weather-related or other emergent
8 causes.

9 This is because it is the power
10 transmission delivery portion of the Manitoba Hydro
11 infrastructure that is the vulnerability in the system.
12 It's the lines. Ice storms, heavy snow fall, strong
13 winds regularly down overhead transmission towers,
14 causing ratepayers to lose heat and electricity in the
15 middle of winter. And here in the winter you know, of
16 course, it's very harsh.

17 Nor does building more dams reduce the
18 costly transmission line loss to -- in the inefficient
19 overhead high voltage transmission lines. We'll talk
20 about this more later. This is a key aspect as to why
21 you -- the lines should be buried.

22 The generating stations begin in the
23 vicinity of Gillam, and they terminate in the south of
24 the province. During that over 800 kilometre stretch,
25 approx -- it has been estimated that approximately 30

1 to 60 percent of the electricity that is generated is
2 lost through the heat that is generated by the
3 electromagnetic force -- electromagnetic field of the
4 overhead power transmission lines. It's a huge waste.

5 If the lines are buried, this loss is
6 drastically reduced. And the resultant electricity
7 that is saved can then be utilized to meet the
8 contractual obligations which Manitoba Hydro has
9 undertaken ahead of any approval that it's received, or
10 may or may not receive, from this August Board.

11 This submission will set forth the
12 urgent necessity of ensuring the most efficient and
13 reliable system for Manitoba's ratepayers, as mandated
14 under Section 2 of the Act. The immense costs to the
15 ratepayers of building two (2) dams is questionable
16 without having adopted the alternative.

17 The submission will conclude that
18 bearing Manitoba Hydro's high voltage powerlines that
19 run from the dams in the north of our province
20 southward is the best alternative for meeting our
21 province's needs.

22 In arriving at its conclusion, the
23 submission will examine burying overhead high voltage
24 transmission lines in terms of the costs and the
25 benefits of overhead and buried powerlines.

1 Again, Manitoba Hydro proceeded to adopt
2 the costliest, least efficient means of generating
3 power supply required to service new contractual
4 obligations. Cost estimates for the Keeyask and the
5 Conawapa generating stations have recently been
6 projected at 17.2 billion, or more, depending on
7 whether or not the Minnesota transilition --
8 transmission line is included in the cost estimate.

9 These costs will be borne by Manitoba
10 Hydro ratepayers and will likely increase significantly
11 before the construction of the generators -- generating
12 stations is completed. Manitoba Hydro has effectively
13 ignored the purpose and object of its statutory
14 obligations to Manitoba ratepayers, as well as to the
15 Manitoba public at large. And according to the matter
16 that I gave you, more and more material that I have
17 provided, along with the submission, more and more
18 Manitobans are seeking to live off the grid,
19 particularly here in the north, and there's an article
20 that I included in the -- in the submission that
21 relates to this.

22 Since Manitoba Hydro's application seeks
23 to expand new markets outside of Manitoba without first
24 maximizing power production, reliability, and
25 efficiency within the province, meaning burying the

1 Hydro lines, Manitoba Hydro's proposed construction of
2 the Keeyask and Conawapa generating stations do not
3 meet Manitoba Hydro's statutory obligation.

4 Manitoba Hydro has not acted in good
5 faith in its application process since it has
6 negotiated contracts for the construction of the
7 Keeyask generating station during the Board's current
8 NFAT hearing process, and that's according to an
9 article by Bruce Owen, 'Hydro Hikes Cost of Northern
10 Dams', and it's also included in the -- in the
11 materials I submitted.

12 Manitoba Hydro did not act in good
13 faith. The alternative of burying Manitoba Hydro's
14 high-voltage power transmission lines is much safer
15 with none of the health, environmental, and economic
16 costs which are imposed upon Manitobans by Manitoba
17 Hydro's overhead power transmission lines. The
18 alternative of burying Manitoba Hydro's high-voltage
19 power transmission lines maximize power production,
20 reliability, and efficiency, thereby meeting Manitoba
21 Hydro's primary statutory obligation. And I will,
22 simply for the record, read the Section 2, Purposes and
23 Objects of the Act:

24 "The purposes and objects of this Act
25 are to provide for the continuous of

1 a supply of power adequate for the
2 needs of the province and to engage
3 in and to promote economy and
4 efficiency in the development,
5 generation, transmission,
6 distribution, supply, and end use of
7 power, and in addition are to provide
8 and market product services and
9 expertise related to the development
10 of generation, transmission,
11 distribution, supply, and end use of
12 power within and outside the
13 province, and b) to market and supply
14 power to persons outside the province
15 on terms and conditions acceptable to
16 the Board."

17 That is a secondary right that the --
18 Manitoba Hydro has. Primarily they should be promoting
19 the economy and ineff -- and efficiency for the
20 ratepayers who have to bear the costs of these -- of
21 these dams that they want to use to export power. And
22 this, in terms of statutory interpretation, the Seme --
23 Supreme Court has stated that it's not only the direct
24 wording of the Act, but also the debates in -- in the
25 legislature and so on that would be taken into

1 determining what the legislature meant when it -- when
2 it wrote this section.

3 And you will find that in the debates,
4 if -- if you mean to pursue this further with -- with a
5 study, you will find the debates were quite lively in
6 about why should we build dams and increase the rates
7 on our ratepayers when we haven't done the best that we
8 can to lower the rates even -- even further than they
9 are now.

10 The safety of high voltage transmission
11 lines is an important issue that involves great human
12 and economic costs. Overhead lines are subject to
13 major safety concerns that are largely minimized or
14 eliminated completely when these lines are buried. I
15 will touch on these briefly, because of my limited
16 time, but they are extensively explored in the written
17 sub -- in the submission.

18 Overhead high voltage lines are unsafe
19 for the health of any living organism. They are known
20 to cause several debilitating and fatal illnesses. The
21 threat to children is -- is immense. Children, it's
22 been shown, are two (2) to three (3) times as likely to
23 develop leukemia if they live near overhead high
24 voltage transmission lines. And that's according to a
25 study, the fact sheets I gave you, 'High Voltage Power

1 Lines and Leukemia, 1970-1983', Wertheimer and Leeper,
2 and Feychting and Ahlbom in 1993. Those are all
3 articles which are referenced in the submission.

4 A further study showed this danger to
5 extend 600 metres out from the lines themselves.
6 Another study showed a causal link between
7 electromagnetic fields from overhead high voltage
8 transmission lines and childhood leukemia. These are
9 fatal cancers.

10 As heartbreaking a reality as this is,
11 electrical workers who work on the overhead high
12 voltage power lines themselves share similar increases
13 in the rates of leukemia. One (1) study showed that
14 one (1) of the worst of cancers, bone marrow cancer, or
15 acute myeloid leukemia, occurred in electrical workers
16 who were exposed to the electric magnetic field of
17 overhead high volt power -- power lines.

18 Another study showed a link between
19 leukemia and brain tumours in electrical workers. Yet
20 another study showed a twofold increase in the overall
21 incidence of leukemia among electrical workers working
22 on overhead high voltage transmission lines; brain
23 cancer; other cancers; Alzheimer disease. The list
24 goes on. Obviously, electric shock.

25 Health issues of buried high voltage

1 transmission lines in comparison pose little or no
2 health risk. This has been shown to be for the --
3 because the -- the soil shields the electromagnetic
4 fields which are normally associated. Also, the buried
5 lines can be placed closer together. And, therefore,
6 we take advantage of a phenomenon known as phase
7 cancellation, which I'm sure you're all familiar. It
8 means that the electromagnetic field that is generated
9 in high voltage lines -- overhead lines is minimized so
10 that the electricity gets put back into the lines.
11 That is then delivered. And that is why you don't
12 waste the electricity with buried lines.

13 And if you could kindly, counsel, show
14 us the first video, video number 1. This is an example
15 of galloping lines. This is why high voltage lines are
16 placed separate and apart. It's because of the danger
17 of our high winds that we have here on the prairie and
18 -- and, therefore, the lines must be placed further
19 apart. This creates the electromagnetic field. This
20 creates the problem and the conditions for these
21 immense health risks that we have here in the province
22 and, as well, set up for immense power outages, as
23 well. Hello, little guy.

24 Yes, these are called galloping lines.
25 And this is in Winnipeg. This is on -- in YouTube.

1 You can find this exactly. These things, when the
2 winds get high, they will hit each other and cause --
3 first of all, these are hideous monstrosities, these
4 structures. Anyone who lives near there, your property
5 value is nothing. The dangers -- you can't use the
6 land for growing crops or -- or recreation or anything
7 like that. And the lines themselves are -- are
8 generating these huge electromagnetic fields, which the
9 reason why -- that's why they're so far apart. Thank
10 you very much, counsel.

11

12 (BRIEF PAUSE)

13

14 MR. GERHARD RANDEL: In a minute.
15 Thank you. Aft -- after a major storm in Christmas of
16 2013 you may remember where three hundred thousand
17 (300,000) households were without power in the east of
18 our country, in Toronto. Toronto City Councillor Joe
19 Mihevc argued for burying Toronto's high voltage lines
20 over a twenty (20) year period, stating that the costs
21 of these kinds of storms needs to be a part of the
22 calculation.

23 Councillor Mihevc proposed altering the
24 cost-benefit calculation for burying overhead high
25 voltage power transmission lines. He cited the city's

1 dependence on Hydro infrastructure and emergency
2 preparedness as reasons for burying the lines.

3 In 2012, October, several thousand
4 Manitoba Hydro customers were without power for several
5 days when a snowstorm hit Southeastern Manitoba. A
6 further eight thousand (8,000) Manitoba Hydro customers
7 were without power on 1 April, 2013, due to a short-
8 circuit on the overhead high voltage transmission lines
9 for the second time in two (2) days, caused by fresh
10 snowfall and dirt.

11 Overhead transmission lines are unsafe
12 for helicopters and the hot air balloons. You may have
13 heard recently in the news in the state of Virginia in
14 the -- in the States, three (3) people died in a hot
15 air balloon accident after striking power lines. This
16 is a sad, common occurrence.

17 Now, again regarding helicopters if you
18 would, counsel. These are electrical workers doing
19 maintenance on overhead lines. Note the danger -- this
20 guy is suspended. It's insane. The -- the lines are
21 live. Even if he would never get injured, he would
22 still be subject to these insane leukemia rates bec --
23 both of these guys. Because they don't turn the lines
24 off for the guys to work on them. They leave them on
25 because, you know, it's money that they would lose. So

1 what's a few lives?

2 If the lines were buried, you would
3 never have to do this. This -- this job would be
4 history. These guys would have a much safer life and
5 it would be much happier for their kids. Thank you,
6 counsel.

7 Reliability is the next issue. The
8 reliability of overhead high voltage lines involves
9 another high cost which must be calculated.

10

11 Has it been? Okay. So we will go -- we
12 have geomagnetic storms, vandalism, and now we come to
13 deficiency in the European example.

14 Europe is at the forefront of modern
15 technology utilized to bury overhead high voltage power
16 transmission lines. Buried lines are way more
17 efficient than overhead lines. Increased efficiency is
18 crucial to meeting Manitoba Hydro's statutory
19 obligation to its ratepayers.

20 The first example is Germany. This
21 major -- the fourth-largest economy in the world, major
22 industrialized nation. The winds may howl, the snow
23 may fall, but in Germany the lights stay on. This is
24 because that country averages twenty-one (21) minutes a
25 year of power outages. It's because most of the medium

1 to low voltage lines, Germany's an urban nation, are
2 buried. And they're working on burying their high
3 voltage lines that go between the major urban centres.

4 These power outages cost money to Hydro.
5 Every time they can't sell the power because of the
6 power outages, it costs. It's an added cost.

7 The transmission loss we've already
8 discussed. In the Province of Alberta, \$220.3 million
9 was the estimate by the Alberta Electric System
10 operator in the year 2008, were their transmission line
11 losses because of they have overhead lines. If these
12 lines were buried, this loss would be almost
13 negligible.

14 Europacable -- and I would ask the Board
15 to consider a study involving Europacable -- is the
16 European cable industry association that represents 85
17 percent of Europe's cable manufacturers. European
18 manufacturers have considerable experience in bur --
19 burying the lines.

20 The most recent figures, of which is
21 submitted with the written submission, the backup infor
22 -- material is there, is approximately one and a half
23 (1 1/2) times the initial cost of overhead lines. This
24 will be exactly what Manitoba Hydro will not tell you.
25 They will tell you, as they did in the Bipole III

1 hearings, that it's eight (8) to ten (10) times. And
2 they have no basis for this. This is ancient history.
3 This is -- and they are not keeping up with the modern
4 technology and the Europeans are on top of it because
5 they know. This is a -- a key component to the -- to
6 their future of independence in terms of electricity
7 generation.

8 MR. SVEN HOMBACH: Okay. You'll have
9 to wrap it up.

10 MR. GERHARD RANDEL: Wrap it up.
11 Aesthetics. Nobody can deny these are ugly and hideous.
12 My recommendations are: Based upon the evidence
13 presented, I recommend that the Public Utilities Board
14 of the Province of Manitoba commission a study to
15 determine the following: whether the building of the
16 Keeyask and Conawapa dams violates Section 2 of the
17 Manitoba Hydro Act and amendments thereto; whether the
18 entry into of contracts by Manitoba Hydro to acquire
19 materials and services towards the building of the
20 Keeyask and Conawapa dams violates the intent and
21 purposes of this Needs For and Alternatives To hearing;
22 and to determine the consequences and penalties to
23 Manitoba Hydro of entering into such contracts prior to
24 receiving approval from this August Board to build the
25 Keeyask and Conawapa dams.

1 The transmission loss to ter -- to
2 determine the transmission loss over the past ten (10)
3 years of Manitoba Hydro's overhead high voltage power
4 transmission lines, which currently I could not find
5 anywhere on their website. It's -- I don't know if
6 they have even published it. Extending from the point
7 of transmission to their point of termination and to
8 determine the ongoing costs over the operational life
9 of Manitoba Hydro's overhead high voltage power
10 transmission lines, including estimated transmission
11 loss costs, maintenance costs, losses in income to
12 Manitoba Hydro from power outages, losses to the
13 Province of Manitoba from lower property and other
14 taxes as a result of Manitoba Hydro high voltage power
15 transmission lines, costs to Manitoba health for the
16 damage resulting from these lines, and the -- and to
17 determine the aesthetic costs, the environmental costs,
18 and finally the costs of burying these lines from their
19 point of generation to their point of termination,
20 utilizing experts in the field from Alberta and -- and
21 Europacable with experience in determining such costs.

22 Finally, I recommend the Public
23 Utilities Board of the Province of Manitoba to hold a
24 hearing to review the Commission findings and to make a
25 ruling that is in the best interest of Manitoba Hydro's

1 ratepayers and in the best interests of the Province of
2 Manitoba as to whether to accept the alternative of
3 bearing Manitoba Hydro's overhead high voltage power
4 transmission lines to building the Keeyask and/or the
5 Conawapa dams. I thank you very much for your time and
6 for your attention.

7 THE CHAIRPERSON: Thank you very much
8 for the very extensive presentation. I just want to
9 make sure that we set the record straight. The -- the
10 panel is not in a position -- the panel is not in a
11 position to approve the project. The panel's authority
12 is to make recommendations to the government. It's up
13 to the government to decide whether or not the project
14 should proceed.

15 Typically, the -- the role of the panel
16 in respect of Manit -- I'm sorry, the role of the Board
17 in respect of Manitoba Hydro is to set rates for
18 electricity. It's not in a position to decide whether
19 or not capital projects can proceed or not. So I just
20 want to make sure that we set the record straight on
21 that.

22 So with that, unfortunately, we have to
23 keep moving on. Thank you very much for taking the
24 time and trouble in preparing a very thoughtful
25 presentation.

1 MR. SVEN HOMBACH: Mr. Cook, Jason
2 Cook, please.

3

4 (BRIEF PAUSE)

5

6 PRESENTATION BY MR. JASON COOK:

7 MR. JASON COOK: Okay. The -- I have
8 some briefing notes that I'm going to be reading. And
9 I was going to give them to the panel, but I think it's
10 best that they listen and look at me when I'm talking
11 so you get the direct information that I'll be
12 presenting. They'll be here -- handed out to you for
13 future reference -- use. Okay.

14 My name is Jason Cook. I'm from
15 Thicket Portage. And because this proceeding is a Need
16 For and Alternative To review, the issue to determine
17 which Manitoba Hydro Development Plan is in the best
18 interest of Northern residents and other issues
19 identified by Manitoba Hydro in its application. The
20 PUB role is to, among other things, review and address
21 the impact on domestic electricity rate, as well as
22 socioeconomic impacts.

23 A brief history on the community of
24 Thicket Portage, Thicket Portage is located between
25 Wintering Lake and Landing Lake. Landing Lake is

1 adjacent to the Nelson River system and presently under
2 the administration of Aboriginal and Northern Affairs
3 with an elected mayor and council.

4 Thicket Portage has been in existence
5 since the late 1880s and once was a trapping and a
6 fishing community. Since the mid-1955, the community
7 was a depot for Canadian Nickel Company, which was
8 later changed to Inco. The community residents did not
9 -- didn't receive any compensation for the land that
10 was used by traditional land users, meaning the
11 trappers and fishermen. The community was not fully
12 acknowledged.

13 A development and operation of previous
14 hydro projects had numerous impacts, which include the
15 environment, the ecosystem, fisheries, wildlife, and
16 plants, water supply, navigation.

17 Thicket Portage residents pay Hydro
18 rates through social assistance there's no -- since
19 there is no employment in the community, no economic
20 development. Government and corporations have
21 extracted our forests for their gain, and our community
22 has not benefited from the workforce that came into our
23 traditional resource area. The commercial fishing is
24 limited due to the fluctuation of water level in lakes,
25 and the quota set by the government.

1 Where is the law of equality, equity,
2 and fairness? We live under the government system
3 established by Manitoba government. I'm not here to
4 debate the system pro -- processes, right or wrong.
5 However, I'm here to convey to you how existing Hydro
6 system -- systems affected our traditional land and our
7 people.

8 With respect to the residents of Thicket
9 Portage, they are members of the Pimicikamak, Split
10 Lake, OCN, and the Metis Federation. The majority of
11 the population are Pimicikamak as their parent First
12 Nation.

13 The Nelson River system has erosion, and
14 our ancestors' burial sites have been desecrated, not
15 knowing where they are buried anymore. We need to
16 control the damage that has been done and continue as
17 other Hydro projects are being developed.

18 It is also my opinion that it's not
19 necessary for the purposes of the proceedings to fully
20 resolve rate mitigation issues, but it is important to
21 acknowledge the potential that some group of consumers
22 will be worse off. Therefore, I suggest the PUB in
23 this proceeding should provide a direction to Manitoba
24 Hydro to specifically and explicitly address the future
25 socioeconomic rate impact of the final development

1 plan.

2 Our homeland and environment has been
3 destroyed. Our traditional land economies have been
4 destroyed. Navigational waterways are no longer safe
5 for travel. Our animals and fish are no longer
6 healthy. Our ancestors have not been respected.

7 We have the responsibility to make sound
8 and conscious decisions. Historically, our people have
9 been very good providers; good, responsible men who
10 cared after the welfare of their families. History
11 shows that the project have and will continue to
12 adversely effect the community of Thicket Portage.
13 Sharing the wealth of natural resource development
14 should be done in a transparent, accountable, visible,
15 fair, and equitable way and means.

16 We are surrounded by Hydro dams, yet we
17 the Northern residents continue pay higher rates of
18 power than the Southern customers. The numerous
19 initiatives that have been taken at the federal and
20 provincial and territorial levels to address the
21 problems faced by indigenous people have been
22 insufficient. Aboriginal peoples' concerns and well-
23 being merit high priority at all levels and within all
24 branches of government, and across all departments.

25 Concerted measures based on mutual

1 understanding, real partnership with Aboriginal people
2 through their representative institutions are vital to
3 establishing long-term solutions. To that end, it is
4 necessary for Canada to arrive at a common
5 understanding with Aboriginal people of objectives and
6 goals that are based on full respect for the
7 constitutional treaty and its internationally recognized
8 rights.

9 In conclusion of my presentation to the
10 panel, I want to thank you for giving me the time and
11 opportunity to share my views and opinions. Thank you.

12 THE CHAIRPERSON: Thank you very much,
13 Mr. Cook. I guess one (1) question I have, and my
14 understanding was that Manitoba Hydro charges the same
15 rate to all residential customers across the province,
16 including those up North. Now, you indicated that
17 you're paying higher rates.

18 Now, is that because it's colder up here
19 than it is in Winnipeg, or is it because...

20

21 (BRIEF PAUSE)

22

23 MR. JASON COOK: In -- in our
24 community, we pay an average of three hundred and fifty
25 dollars (\$350) a month. And I was in Cross Lake about

1 a month -- a month -- a month and a half ago and some
2 of them are paying six hundred dollars (\$600) a month.
3 Are the ones in Winnipeg play -- paying that price? I
4 don't think so. You know, we're all surrounded by
5 Hydro development projects in our North, backyards, yet
6 we are the ones that are paying the higher price.

7 And just to give you some more
8 information about the navigational system. The
9 waterways in our community, both lakes, the Wintering
10 Lake and the Landing Lake which is -- branches off into
11 the Nelson River system. And our water levels
12 fluctuate. They go up and down.

13 It got so bad that the -- the rocks, the
14 reefs were sticking out. People hit them. We lost
15 three (3) men from that. In the last forty (40) years
16 since Hydro's been developing projects, we've lost
17 members in our community just because of water levels.
18 And Hydro said the water level doesn't -- doesn't go up
19 or down. I have pictures to show you, but I don't know
20 what -- how much time I have here to -- to convey my
21 message.

22 THE CHAIRPERSON: Well, you can
23 certainly send us the pictures. We'll take a look at
24 them. And if we can't do it today, we can certainly do
25 it once we're back in Winnipeg, so.

1 MR. JASON COOK: Okay. That's fine.

2

3 (BRIEF PAUSE)

4

5 MR. SVEN HOMBACH: So you can certainly
6 contact me during the break. I'll provide you the
7 email. You can send any pictures to the Board that are
8 part of the presentation. The next person on the
9 schedule is Fawn Morales. Fawn Morales?

10 If Ms. Morales is not here, there was
11 someone that had approached me, asking if she could
12 prepare a presentation, Leona Massan. Perhaps, Mr.
13 Chairman, with the panel's indulgence we could use the
14 time slot for Ms. Massan instead?

15

16 (BRIEF PAUSE)

17

18 PRESENTATION BY MS. LEONA MASSAN:

19 MS. LEONA MASSAN: Okay. My name is
20 Leona Massan. For once, I can speak really loud.
21 Okay. Without getting yelled back. Okay. My name is
22 Leona Massan. And I originally come from Gillam,
23 Manitoba. And when Manitoba Hydro came to our
24 community when I was younger -- come sit beside me.
25 Okay. And -- okay. God. Okay.

1 When I was -- when I was younger I
2 remember seeing a lot of stuff. Well, actually I
3 should just start off. I always wanted this
4 opportunity to speak about what I grew up with when I
5 was younger in Gillam and what I saw when we come to
6 social issues when it comes to the development and
7 building of the hydro dams.

8 When they first came to town, I remember
9 one (1) of our great-grandmother's house was bulldozed
10 down. I remember that. And where they bulldozed her
11 house down, they built Manitoba Hydro houses for
12 employees. We never -- that old woman, our old
13 grandmother, she died homeless. Can you imagine her
14 heart, you know? Even to see her when you're young,
15 how heartbroken she was.

16 And there was a lot of things that went
17 on in Gillam. But one (1) main thing I want to bring
18 forward that has bothered me for many years is the
19 death of my mother. I believe if -- and Manitoba
20 Hydro, if they didn't come to our community, I wouldn't
21 have been where I was at. I wouldn't have been put
22 into the foster care system. I would have been used
23 and abused in that system.

24 I was moved away from my people. The
25 language was taken away from me. I didn't know my

1 brothers and sisters for a very long time. I didn't
2 even know a lot of my cousins. On my mother's side, I
3 don't know them.

4 From what I understand of her death is
5 that when Manitoba Hydro came to -- I mean, came to
6 Gillam, there was a person, I believe it was the feds
7 and the province, who second a -- a person to come to
8 Gillam and to get it ready to do whatever he had to do
9 to get the town ready.

10 Those guys that killed my mother, they
11 never spent one (1) day in jail, not one (1) day. They
12 never went to court. They never went to jail. Nothing
13 happened to them. I want something done. I want some
14 justice done for her because of Manitoba Hydro's greed.
15 And you guys got your positions. You guys got hired.
16 You guys are getting paid by that.

17 Our Elders back home, when this guy
18 talks about the rate that we have to pay for Hydro,
19 some of our Elders in Gillam are on a limited budget.
20 Some of their Hydro bills are from six hundred (600) to
21 a thousand dollars a month. Some of our Elders have a
22 limited income of a thousand dollars a month. How in
23 the world are they going to keep warm? How are they
24 going to cook?

25 You know why our power is so high in

1 Northern Manitoba? Our power goes from Gillam. It
2 gets shot down to Winnipeg and it gets shot back up.
3 That's why we pay high -- higher Hydro rates. You guys
4 in the South don't pay as much as we do. I have a
5 friend who lives over there. Her Hydro bill is maybe,
6 say, forty-two dollars (\$42) a month compared to a
7 thousand, and yet we live in the shadows of the dams.

8 And when that guy talks about our
9 ancestors being buried, I remember asking the -- what's
10 his name, Bob Brennan, one time when he came to Norway
11 House, I asked him, Where's your grandparents buried?

12 And he goes, Why?

13 I says, You know, if I went and unburied
14 her and dug her up and moved her, I would get charged.

15 Why does a corporation have so much
16 power to do that to our people? They get away with
17 raping our women when those Hydro employees come into
18 town. Do you know how many children were born from
19 those people that came into town, the men that came
20 into our communities? Who's responsible for bringing
21 up those kids? The band and the families. That guy
22 who comes into town doesn't pay no child support,
23 nothing, and we have to pick up the tab. Hydro has not
24 contributed one (1) penny to bring up any of their kids
25 that they left behind by their employees that came into

1 our communities and impregnated our young women.

2 When you think about rates, maybe you
3 should charge them different rates when they want to
4 come and dig up our rivers and system. Our -- the jobs
5 that come out of those developments, it takes only four
6 (4) years to build a band -- a dam, four (4) years, and
7 the majority of those jobs don't go to our people.
8 They go to people that are unionized first, people who
9 have been working on dams, companies. Those companies
10 come into town. They don't need to hire our people.

11 Our people get the dead-end jobs, the
12 cooking, the cleaning, and the cleaning up of the shit.
13 We don't never move up in -- in management positions.
14 We're always left at the bottom of the bucket, always.
15 Wherever you look, we're always in the bottom of the
16 bucket. Even though it's all our resources, we never
17 benefit from it.

18 I'm not sure what Hydro's worth is
19 today, maybe \$800 million with exports and imports. We
20 don't get nothing out of that, not one (1) cent. We
21 don't get no royalties. We don't get no benefits. We
22 don't get anything, and then our Elders have to suffer
23 with a thousand dollar (\$1,000) utility bill? That's
24 not right. That is not right. I wonder how you guys
25 can sleep at night knowing that you're doing this to

1 our Elders and our people who live in the North.

2 And you guys are extracting all our
3 resources at an alarming rate. I'd be interested to
4 know if you would want to drink water from our -- from
5 our river system. I remember when I was young, the
6 Nelson River was very clear. You can go swimming. You
7 could see the bottom of the water. It was so
8 beautiful. Now you can't even see the bottom of the
9 water, you -- you -- 'cause it's so murky, and there's
10 so much mercury in there.

11 And you know another thing they don't
12 tell you about dams? They heat up the water. What
13 does that do to the permafrost? It erodes it.

14 Some of our people got jobs working on
15 the shoreline picking up trees. For how long can they
16 do that? To me, that's not meaningful employment.
17 Where they going to go up? In management?

18 That's what we were left with. Oh,
19 Hydro gave us great beaches, by the way, too. Never
20 had them before. The alarming rate of the erosion.
21 The fish. The eagles. The bears. The plants, and
22 people.

23 Sometimes I even wonder why should --
24 why should we Northern people, the ones that live right
25 in the shadows of the dams, why do we even have to pay

1 Hydro? I think our Elders shouldn't pay a dime of
2 Hydro. Not one (1) of them. They've given enough. I
3 think they should have free Hydro. I think all of us
4 in Territory 5 should be given free Hydro. I think
5 that should be part of our benefits.

6 You got a benefit. You got a good job.
7 You get to sit here. You get to travel, and that's not
8 including the other benefits you get. Your health,
9 your dental, your eyeglasses, all of that. You get all
10 that benefits from sitting on the Utilities Board that
11 is this -- a part of Manitoba Hydro.

12 None of us in this room got those
13 benefits. We got to struggle. I got to pay out of my
14 own pocket for my own glasses. I got to pay for
15 everything that comes from -- whatever I buy comes out
16 of my pocket. It doesn't come from nowhere else.

17 I don't know what kind of power you guys
18 have. Do you guys just set rates?

19 THE CHAIRPERSON: It depends. We set
20 rates for hydro and natural gas, and also for water and
21 sewer, and the last thing we do as well is we do rates
22 for automobile insurance. When it comes to the project
23 that we're talking about today, all we can do is make
24 recommendations to government.

25 MS. LEONA MASSAN: Make

1 recommendations? That's all you guys do. So I'm just
2 wasting my breath.

3 THE CHAIRPERSON: No, I don't think you
4 are. I think we -- your comments are being recorded
5 and will be part of the public record, and certainly,
6 the panel will consider them.

7 MS. LEONA MASSAN: Consider them in
8 which way? And how are you considering --

9 THE CHAIRPERSON: When we make our
10 recommendations --

11 MS. LEONA MASSAN: -- when you make --
12 make your recommendations for rates?

13 THE CHAIRPERSON: Yeah. No, when we
14 make recommendations to government.

15 MS. LEONA MASSAN: For the government
16 to build more dams.

17 THE CHAIRPERSON: Well, I think that
18 will depend on what we recommend to the government, but
19 the government will make its own decisions.

20 MS. LEONA MASSAN: But it's still based
21 on your recommendations?

22 THE CHAIRPERSON: Well, the government
23 will decide what the government will decide.

24 MS. LEONA MASSAN: No, but I mean the
25 government will make their decision based on your

1 recommendations from what we, the public, tell you. Is
2 that what you're saying?

3 THE CHAIRPERSON: Well, the government
4 will be receiving a set of recommendations and will
5 make decisions based on --

6 MS. LEONA MASSAN: Your
7 recommendations. This Board's --

8 THE CHAIRPERSON: Not necessarily. Not
9 necessarily.

10 MS. LEONA MASSAN: -- this Board's
11 recommendations?

12 THE CHAIRPERSON: You know, I can't
13 predict what the government will decide.

14 MS. LEONA MASSAN: Okay.

15

16 (BRIEF PAUSE)

17

18 MS. LEONA MASSAN: So you guys keep --
19 I'm just trying to get back onto...

20

21 (BRIEF PAUSE)

22

23 MS. LEONA MASSAN: Yeah, a lot of things
24 happen in Gillam. And I wanted to tell a story for a
25 long time. You know, what -- I -- I don't know what

1 else to say. I just lost my train of thought. But,
2 yeah, I don't think our -- our Elders and, you know,
3 our -- the rates of our Hydro should be lowest in the
4 province.

5 I don't think I could stop this. I
6 don't think I could even use you to help me stop this.
7 So I guess you're no good to me. So this is basically
8 just a sham for us to voice our opinions. And it's not
9 going to go nowhere. You're just deceiving.

10 THE CHAIRPERSON: Well, I don't think
11 that's the case.

12 MS. LEONA MASSAN: In a way, I do, I
13 think. Interesting. Okay. Well, thank you for your
14 time.

15 THE CHAIRPERSON: Thank you.

16

17 (BRIEF PAUSE)

18

19 MR. SVEN HOMBACH: In light of the
20 comments that you just heard, I am wondering if I
21 should maybe take a few minutes to actually explain the
22 PUB's process and what the PUB is being asked to do.
23 Regularly, the PUB only sets Manitoba Hydro rates. It
24 doesn't do anything else with respect to Manitoba
25 Hydro.

1 But last April, as the -- as Manitoba
2 Hydro was embarking on its Preferred Development Plan,
3 the Province of Manitoba issued a written terms of
4 reference to the Board. It can do that under the
5 Public Utilities Board Act. And it asked the Public
6 Utilities Board to look into Manitoba Hydro's Preferred
7 Development Plan, which consists of Keeyask, which
8 consists of Conawapa, and related transmission line,
9 and including an interconnection into the United
10 States.

11 Out of that process, the panel will
12 issue a report to the Province of Manitoba. And that
13 report is going to have recommendations to the province
14 as to the Needs For and the Alternatives To the
15 project. What the province does with it is ultimately
16 out of the control of the PUB, but the province will
17 certainly take it into consideration.

18 Now, the process that has been followed
19 so far, the session that we have here today is really
20 just one (1) aspect of it. Manitoba Hydro filed its
21 written NFAT case last August. It's about five
22 thousand (5,000) pages, and it deals with everything
23 from financial matters to environmental matters,
24 socioeconomic matters.

25 And the Public Utilities Board appointed

1 nine (9) different independent experts that were
2 looking at various aspects of Hydro's Preferred
3 Development Plan. And they issued their own report to
4 the PUB, analyzing those specific issues.

5 On March 3rd, the actual hearing
6 started. The Board has heard about forty (40) days'
7 worth of evidence. It's heard from Manitoba Hydro,
8 which has been cross-examined. It has heard from the
9 independent experts that the panel actually appointed.
10 And it's heard from several Intervenors. It's heard
11 from the Consumers' Association of Canada, from the
12 Green Action Centre, from MKO, Manitoba Keewatinowi
13 Okimakanak. It's heard from the Manitoba Metis
14 Federation. It's heard from MIPUG, the Manitoba
15 Industrial Power Users Group. And it's heard from a
16 number of presenters.

17 There's been a session similar to the
18 one (1) today in late February in Winnipeg. And
19 throughout the course of the hearing, there have been
20 presentations as well. All of that the panel is being
21 asked to tie together to issue one (1) comprehensive
22 report to the province as to the Needs For and the
23 Alternatives To the project.

24 The actual terms of reference, I
25 mentioned those at the beginning of the session. I

1 brought a number of copies. They're in the back of the
2 room. So if you're curious on what the panel's
3 actually being asked to do, you may want to take them
4 with you and just read them at your leisure, because
5 that -- that'll provide you with a better understanding
6 of what's actually within the power of the Board and
7 what isn't.

8 MS. LEONA MASSAN: You know, the other
9 thing, too, is when they first built the dam in the
10 '70s here I guess, for Thompson so we could, you know,
11 power up Thompson for the mine right? I don't think
12 they did an environmental study. I don't think Kettle,
13 Limestone, those dams, Long Spruce have every had an
14 environmental study before the dams.

15 Are they doing one (1) for these other
16 two (2) dams? Like I know probably they are in some
17 senses, but how could you do an environmental study
18 after the fact?

19

20 (BRIEF PAUSE)

21

22 MR. SVEN HOMBACH: Let me address that
23 issue as well. The -- the NFAT panel is not being
24 asked to conduct an environmental assessment for these
25 dams, but there actually has been an environmental

1 assessment process. That was conducted by the Clean
2 Environment Commission, and it's taken place so far
3 only with respect to one (1) of the dams, namely
4 Keeyask. And the Clean Environment Commission issued
5 its report, I believe, approximately a week ago. And
6 it recommended that an environmental licence be issued
7 for Keeyask subject to a number of conditions.

8 If you look on the website of the Clean
9 Environment Commission, you can actually download that
10 report. There's another environmental report that the
11 Federal Canadian Environmental Assessment Agency
12 issued. It's called a Comprehensive Study Report.
13 That's available as well. If you're looking to get
14 documents, I suggest you -- you may approach Manitoba
15 Hydro, or just to download that as well.

16 So the NFAT panel itself isn't
17 conducting the environmental assessment, but it's taken
18 place with respect to Keeyask. It hasn't taken place
19 with respect to Conawapa, mind you.

20 MS. LEONA MASSAN: So if you're doing -
21 - not doing an environmental study like from those
22 other dams and you -- how can you do a -- a fair com --
23 a fair research study compared to what happened before
24 the dams came and after the fact? So that study was
25 only done on the one (1) dam. Noth -- nothing has been

1 done before that time with environmental study.

2 They never told us about that kind of
3 stuff. We never had any consulting or anything coming
4 to us when we were in Gillam, or I don't remember
5 hearing any of that stuff in our communities back in
6 the day. So how could -- well, I guess if you paid a -
7 - a right amount of money, you can get anything.

8 So they only did one (1) environmental
9 study on one (1) dam. And based on that, they're going
10 to try to let these other two (2) dams go, even though
11 there was none done before then. That -- that just
12 can't -- it doesn't sound right. It doesn't sound
13 good. You don't know what's going to happen after
14 these other two (2) dams are built.

15

16 (BRIEF PAUSE)

17

18 MR. SVEN HOMBACH: I can advise that
19 this panel doesn't know what's going to happen with
20 respect to Conawapa, whether or not the province
21 ultimately wants a -- a hearing for that. That --
22 that's outside this panel's control. For Wuskwatim,
23 there was an environmental assessment and a similar
24 NFAT hearing to this conducted altogether by the Clean
25 Environment Commission about ten (10) years ago. I

1 can't speak to the other hearings.

2 We do have to move on at this point to -
3 - to other presenters. Next on the list of the
4 presenters is the MKO. And I understand that there's a
5 three (3) person panel consisting of Michael Anderson,
6 Flora Beardy, and Roger Ross.

7

8 (BRIEF PAUSE)

9

10 PRESENTATION BY MKO:

11 MR. MICHAEL ANDERSON: Bonjour, Me.
12 President. Tansi, bonjour. (CREE LANGUAGE SPOKEN).
13 My -- my name is Michael Anderson. I'm the director of
14 Natural Resources for MKO, and I am joined today by
15 Elder Flora Beardy and Councillor Roger Ross. Flora is
16 from York Landing, Manitoba, a citizen of the York
17 Factory First Nation, although she's here as a citizen
18 of York Landing, and Councillor Roger Ross is with the
19 Manto Sipi Cree Nation, and he's kindly agreed to share
20 his expertise and experience.

21 Just as a brief introduction, Councillor
22 Ross has been working on administrative and financial
23 matters with the First Nation since at least 1980.
24 I've got the -- is that better? Probably, I -- if I
25 had another microphone, I could bring it for us.

1 But I with -- without further ado, I'll
2 just turn the presentation over. The -- we have an
3 ambitious set of ideas we'd like to share, and the way
4 to get through it would be to have -- begin with Elder
5 Beardy, and then move on to Councillor Ross. Thank
6 you.

7 ELDER FLORA BEARDY: Tansi, panel, we
8 meet again. My name is Flora Beardy, for those that
9 don't know me, and welcome to everyone else that's
10 here. I just want to share some of my -- my thoughts
11 and concerns from the community of York Landing.

12 It is my understanding that there will
13 be a Manitoba Hydro rate increase of about 4 percent
14 every year for the next twenty (20) years or so. The
15 proposed Manitoba Hydro rate increases will be a
16 hardship, especially for those who are on fixed
17 incomes, such as senior citizens.

18 I do not recall Manitoba Hydro talking
19 with us about these rate increases. I spend on our
20 groceries a little bit less than what we pay for Hydro
21 all year. Our grocery bill would exceed our Hydro bill
22 if I shopped in the community of York Landing.

23 Because we shop in Thompson, we manage
24 to spend a little bit less on our food than we do on
25 our Hydro bills. For example, I can purchase two (2)

1 4-litre bottles of milk in Thompson for the price of
2 one (1) 4-litre milk in the store in my community. I
3 can do this when I travel to Thompson by road during
4 the summer months -- during the summer months when the
5 ferry is available and during the winter months when
6 the winter road is available.

7 Prices of food in our community are very
8 high. We try to shop in Thompson every chance we get.
9 Sometimes seven (7) or eight (8) people will get
10 together for a charter plane and go shopping. It is
11 not as costly as seven (7) or eight (8) of us going on
12 scheduled flights with Perimeter Airlines. Charters
13 are also better if seven (7) or eight (8) of us want to
14 shop together, because the Perimeter flights are often
15 sold out and we have to go on standby. Every year,
16 travel rates go up on Perimeter.

17 When we travel on the scheduled flights,
18 we leave groceries at Perimeter cargo, but we are not
19 guaranteed that the groceries will be on the next
20 flight. When this happens, our foods, vegetables and
21 other dairy products, spoil.

22 I shared this story about how we shop
23 for food to show that we are always thinking about how
24 we can feed and provide for our families and make ends
25 meet with the little money that we have. We also try

1 to take advantage of every trip out of the community to
2 shop for food and the things that we need for our
3 families.

4 I also share this story so that you can
5 understand that those of us on fixed incomes in our
6 communities, like seniors, can't just go shopping at a
7 discount store. We do a lot of planning together to
8 save money on food and other things so we can pay our
9 other bills, like our Hydro bills.

10 I have heard that some people say that
11 because we supposedly have free housing on the reserve
12 that people on fixed incomes should have more money to
13 pay for things like our Hydro bills. We do not get
14 free housing on our reserve. The band has to pay the
15 mortgages for the houses. The people who have jobs pay
16 rent to the band, and the band pays the mortgage.

17 There is a shelter allowance for people
18 on social assistance, and the band uses the shelter
19 allowance to pay the mortgage. The band pays the Hydro
20 bills for people on social assistance. The rest of the
21 people have to pay for their own Hydro bills, and if
22 they can't pay, they fall into arrears. If they are in
23 arrears too long, Hydro will disconnect their house.

24 When the spring comes, like right now,
25 it should be a time for looking forward to hunting

1 geese, catching pickerel, and planning for our Goose
2 Camp Day celebrations, but we see May 15th as a day
3 when Hydro crews come into start disconnecting people
4 who are in arrears on their Hydro bills. To keep a
5 home from being disconnected, the band will make
6 arrangements to pay for the bills that are in arrears
7 with money that the band doesn't really have.

8 Hydro says they will start going into
9 the communities on May 15th. It is still very cold
10 this time of year. People have had their meters
11 disconnected when they are not at home. This has
12 happened in the past. Families have lost food that was
13 in their freezers because of no power. Extra money is
14 needed to pay for these lost foods.

15 We all have game and fish in our
16 freezers to feed our families. It takes a lot of
17 effort and money to harvest and replace these foods if
18 they are lost. Families will resort to anything to
19 protect their children. Disconnections cause a lot of
20 stress for everyone.

21 When a house is disconnected, extension
22 cords are sometimes run from one (1) home to another.
23 This is very dangerous. A meter was once removed from
24 an unoccupied home and connected onto a house where a
25 meter had been disconnected. I don't know what Hydro

1 did in this case, but this is also dangerous.

2 If a home becomes unoccupied because
3 there is no electricity in the home, rodents will get
4 into the house, and mould will set in, which is a
5 health hazard. It is very expensive to renovate a
6 house that has mould, and sometimes families have no
7 choice but to live in a house that has mould.

8 There is more than one (1) family
9 sharing most of the houses in our community, and there
10 is a lot of washing and cooking and bathing, so we have
11 to keep the electricity connected. Electricity is a
12 necessity in our homes. We use electricity to heat our
13 homes, and there are cold days during every month up
14 here in the North. Only a few of our houses have wood
15 stoves. Most of our -- our Hydro bill is for heating
16 our houses.

17 Hydro should come into the community and
18 do workshops, and help us understand the options and
19 opportunities for their Power Smart and low income
20 programs. The brochures really do not give us all the
21 information that we need, and it would be -- it would
22 be good to have this information explained in Cree.

23 Hydro should work with us to deliver the
24 home insulation and other Power Smart Programs for
25 every single house on the reserve. This would help

1 reduce our Hydro bills. If we do not qualify because
2 we are in arrears, then maybe this program should
3 change in some way.

4 I have looked at the document Manitoba
5 Hydro gave to explain why there are two (2) electric
6 meters on the houses of Hydro employees at Gillam.
7 This document says that Hydro employees pay a lower
8 electricity rate to heat their houses, and that this
9 rate is the same as the lowest average heating cost in
10 Winnipeg. If every house in York Landing had two (2)
11 Hydro meters like the Hydro employees so that we paid
12 the same heating costs as the lowest average heating
13 cost people pay in Winnipeg, this would really help us
14 lower our Hydro bills.

15 I understand that we pay for some of the
16 cost of our own Hydro compensation and mitigation
17 programs when we pay our Hydro bills. We shouldn't
18 have to pay Hydro back for the same programs that are
19 supposed to compensate us for the adverse effects of
20 Hydro projects. This would also reduce our Hydro
21 bills.

22 It is important that Manitoba Hydro do
23 everything possible to help us keep our Hydro bills as
24 low as possible. If Manitoba Hydro did all of these
25 things and really worked with us to reduce our Hydro

1 bills, there would be more trust and a better
2 relationship between Hydro and the people in our
3 community. Ekosi. Thank you for listening.

4 MR. MICHAEL ANDERSON: Thank you very
5 much, Elder Beardy. Councillor Ross...?

6 MR. ROGER ROSS: Hello. Good
7 afternoon. (CREE LANGUAGE SPOKEN). I just want to say
8 thank you to the panel. I guess one (1) of the things
9 that is mentioned in my Cree language. That's the
10 first language that's -- that's -- that we -- that I
11 understand, that we were first taught, it was when we
12 grew up.

13 I think these are some of the hearings
14 that I -- this is the first hearing I've been to. I
15 guess one (1) of the things that's -- it's kind of sad
16 to see that I see lots of Elders here that are very
17 interested and to hear what's has been discussed. I
18 don't see any here -- like -- like, for people, like,
19 to translate what has been said right now. All we hear
20 is that we -- it's like we have to write something in
21 English in order to present something. I'll do a
22 presentation, then I'll just make some of the pres --
23 some of the -- some of the summaries in the
24 presentation.

25 The Manto Sipi Cree Nation is concerned

1 about the -- about the potential impact of proposed
2 increase in Manitoba Hydro electrical rates at
3 approximately double the rate of inflation, or about 12
4 percent per year for at least the next twenty (20) to
5 twenty-two (22) years.

6 The Manto Sipi understands that these
7 rate increases will be consistent with moving forward
8 with Manitoba Hydro Preferred Development Plan that
9 involves the construction of Keeyask and Conawapa
10 generating stations. Manto Sipi also understands that
11 some of the same amount of rate increases are relate to
12 covering Manitoba Hydro's costs of the repairs and
13 maintenance and replacement of existing infrastructure.

14 Manitoba Hydro and the province of
15 Manitoba must do everything possible to reduce the
16 Hydro bills paid -- paid by First Nations. This can be
17 done by maximizing Power Smart in every home and
18 facilities in our community, and by reducing the rates
19 the First Nations are -- are charged for electricity.

20 The residential and commercial on the
21 First Nation facility accounts at the Manto Sipi Cree
22 Nations are also already experiencing difficulty and
23 paying electrical bills at current Hydro rates, let
24 alone -- let alone paying bills resulting from the
25 rates that increase at -- at about 4 percent per year

1 for the next two (2) decades or longer.

2 I have reviewed a list provided to MKO
3 by Manitoba Hydro of the number of residential and
4 general service accounts in each of the MKO First
5 Nations and the amounts that are in arrears as of April
6 2014, like under Tab 3 of the MKO Panel book of
7 documents.

8 Just listen, he said there are a total
9 of one hundred (100) -- a hundred and twenty thousand
10 (120,000) -- a hundred and twenty (120) residential
11 accounts and thirty (30) general service accounts at
12 Manto Sipi, for a total of a hundred and fifty-six
13 (156) electrical service accounts. Of these hundred
14 and thirty-three (133), or 85 percent point two (.2)
15 are in arrears of April 2014. According to Manitoba
16 Hydro, the amounts in arrears as of April 2014 for all
17 electrical accounts of Manto Sipi, over nine hundred
18 and sixty-two thousand (962,000).

19 There are many issues surrounding
20 payments, arrears, and disconnections as a result of
21 the existing Manitoba Hydro rates and bill. Every year
22 we have an equal payment plan amount. And every year
23 there is an increase in the EPP amount because of the
24 rate increases.

25 It is important that Power Smart

1 initiatives be available to meet -- to everyone in our
2 communities to help us reduce our bills. When Manitoba
3 Hydro worked with Manto Sipi on phase 1 of an Home
4 Insulated Program, Hydro only selected the houses that
5 paid their electricity bills. Manitoba Hydro told us
6 that people who are in arrears don't qualify. When
7 Manitoba Hydro asked Man -- Manto Sipi, asked Manitoba
8 Hydro about doing a phase 2 Home Insulation Programs,
9 Manitoba Hydro said there are too many accounts in
10 arrears, so there will be no phase 2 Home Insulated
11 Programs.

12 With such a high percentage of accounts
13 in arrears, the very people who need Power Smart
14 programs the most to reduce their bills, don't get the
15 help they need. Manitoba Hydro has to do everything it
16 can to help reduce our electricity bills, particularly
17 for low-income people and people who are in arrears.

18 Another important issue for Manto Sipi
19 Cree Nation is that the First Nation is usually called
20 upon by First Nation citizens to pay for amounts of
21 individual accounts that are in arrears when the
22 accounts are subject to disconnection. Manto Sipi
23 understand that this is a situation of most Northern
24 Manitoba First Nations. Manto Sipi doesn't -- simply
25 does not have any independent source of revenue that

1 could be used to provide loans to our citizens with
2 jobs so they could -- so that they could pay their
3 Hydro bills when they find themselves in arrears.

4 When this happens, Manto Sipi has to pay
5 the Manitoba Hydro with monies that are intended to
6 provide other programs and services in the communities.
7 With the increasing roles on contributions
8 arrangements, such payment to Manitoba Hydro to pay
9 arrear accounts may some day be at risk for being
10 subject to claw back of the loans are not repaid.

11 Another approach to bill reduction is
12 rate regulation, or special electricity rates that is
13 taking into consideration the circumstance of Northern
14 First Nation. Manitoba Hydro say that we pay the same
15 rates for electricity in Manto Sipi as in Winnipeg.
16 Because of our Hyd -- Hydro bills, our citizens believe
17 that we are still charged more for our electricity than
18 in Winnipeg.

19 Before we were connected to the North
20 Central Transmission Project in 1997, our Hydro bills
21 were less than a hundred dollars per month, even at a
22 higher diesel rate -- service rates. We replaced most
23 of our wood stoves with forced air electrical furnaces
24 when retrofitting our homes from 15 amp service 200 amp
25 service -- 200 amp services. Today the largest part of

1 our Hydro bills in our community is related to heating.
2 And our bills are often to three (3) to four hundred
3 (400) per month.

4 Manto Sipi is still paying off the costs
5 of these retrofits, which we have to carry out at our
6 own expense. I have reviewed Manitoba Hydro Exhibit
7 181 from NFAT hearings about the two (2) electrical
8 meters used on a house -- houses of Hydro employees
9 living in -- in Hydro Corporation housing north of 53rd
10 parallel. If every home and facility in Manto Sipi
11 were equipped with two (2) meters and charge a flat
12 rate that is based on the lowest average heating cost
13 in Winnipeg, this would go a long way toward reducing
14 our Hydro bills. It would be fair to charge the same
15 flat rate for heating to all Northern First Nations
16 which are north of the 53rd parallel.

17 Another important issue when it comes to
18 rising electrical cost is AANDC's O&M funding policy.
19 Under the O&M policy, in most case, except for schools,
20 AANDC only contributes a percentage or estimate cost of
21 operating our buildings and of providing services,
22 including electrical costs.

23 For example, AANDC only contributes 20
24 percent of the estimated electrical costs for what
25 AANDC describes the category 3 assets, such as the band

1 office and arena. In addition, AANDC only contributes
2 80 percent of investment costs for category 2 assets,
3 such as water and wastewater treatment system and 90
4 percent of the estimate costs were category -- category
5 1 assets, such as roads. In the case of the school,
6 AANDC contributes a hundred percent of estimated
7 operating costs, including electricity cost.

8 It is -- it is AANDC's policy that a
9 First Nation must use own-source revenues and user fees
10 paid by citizens to make up the gap between AANDC's
11 estimate of operating cost and a percentage of estimate
12 O&M costs that is actually contributed by AANDC.

13 Manto Sipi is a remote community without
14 all-weather road access. Manto Sipi Cree Nation does
15 not generate or receive sufficient own-source revenue
16 to cover the gap betwee -- between AANDC's estimate of
17 their operating costs and the percentage of estimate
18 O&M costs that is actually contributed.

19 In addition, the citizens of Manto Sipi
20 do not have income to pay the magnitude of the user
21 fees that is necessary to cover these gaps. The result
22 is that the First Nations, like Manto Sipi, are placed
23 in a situation of managing a pertinent financial
24 shortfall between the estimated O&M cost of our
25 buildings and facilities and a percentage of the

1 estimate received as contribution from AANDC.

2 It is important to keep in mind that the
3 shortfall between AANDC O&M contribution and the actual
4 cost, including electricity cost, is actually much
5 larger. This is because AANDC use a national cost
6 reference manual instead of the records of our actual
7 bills to calculate the estimate of an annual O&M cost.
8 That is AANDC use of reference.

9 They estimate how much electricity
10 should be used each year by our building and services
11 instead of looking at the record of our actual Manitoba
12 Hydro bills. Our actual Hydro bills can be 40 percent
13 higher or more in the AANDC formula estimate of
14 electricity use and the cost for the same building,
15 keeping in mind that AANDC only contributes a fraction
16 of the estimated electricity cost for that same
17 building.

18 All of this affects our ability to pay
19 Hydro bills in our community. As well, Manto Sipi does
20 not expect that AANDC will automatically increase the
21 annual electricity cost component or the O&M
22 contribution to match Manitoba Hydro rate increases at
23 double the rate of inflation. In fact, the O&M funding
24 envelope at AANDC Manitoba region is increased at an
25 average of only about 2 percent per year.

1 The AANDC funding envelope for Manitoba
2 is limited. If AANDC decide to match an annual
3 Manitoba Hydro electricity rate increase of what, like,
4 4 percent per year. This may mean that AANDC will cut
5 funding -- will cut funding to other programs and
6 services. There may be less funding to address
7 investment, infrastructure, or emergencies.

8 Manitoba Hydro and the province of
9 Manitoba must do everything possible to reduce the
10 Hydro bills being paid by First Nations, otherwise the
11 proposed annual rate increase at about double the rate
12 of inflation will result in an ever-widening gap
13 between our Hydro bills and would adversely affect our
14 ability to pay these bills.

15 It is important that effective bill
16 reduction means including Power Smart and rate
17 mitigation are implemented by Manitoba Hydro and the
18 Province of Manitoba, including an assurance of
19 payment of increasing Hydro bills doesn't mean a -- a
20 reduction in level of community programs and service to
21 northern Manitoba, nor to the First Nations like Manto
22 Sipi. I'd like to thank you. Merci.

23 MR. MICHAEL ANDERSON: If I might, I --
24 I'll just put up a -- a map of the MKO region. I meant
25 to put this up earlier, but my laptop decided it was

1 having a difficult time talking to the projector, so I
2 had to -- yes, I'll hold it closer. Sorry.

3 We were talking before, the Manto Sipi
4 Cree Nation is here, and York Landing is here, and this
5 is the -- the Nelson River channel, and the Kelsey
6 project and the dams that you were looking at today. I
7 understand that you flew from Limestone back upstream,
8 so you would see them all in sequence back to Kelsey.

9 These -- this area of the MKO region is
10 accessible only by ice road in the wintertime, and
11 that's only for a few weeks a year, otherwise by
12 aircraft, as well as the northern regions. This is
13 Northlands and Sayisi Dene. The MKO region covers
14 approximately three-quarters (3/4) of the present day
15 political boundaries of the province of Manitoba. The
16 ancestral territories of the MKO and First Nations
17 extend into Saskatchewan, and the Northwest Territories
18 and Nunavut, and northwest Ontario, so it's a very big
19 area.

20 There are thirty (30) First Nations in
21 this region, and over sixty-five thousand (65,000)
22 Treaty First Nation citizens, all of whom are customers
23 of Manitoba Hydro. The -- I wanted to follow a little
24 bit along on a couple of comments that were made, and
25 I'll just touch on some of the material that's in our

1 written presentation.

2 The first would be that the information
3 that we had provided Manto Sipi was Manitoba Hydro's
4 Information Request response to MKO in the Interim --
5 2014 Interim Rate Application, and we've set the
6 documents at Tab 1, Tab 2, and Tab 3 of what we've
7 called the MKO NFAT panel book of documents.

8 I had wanted to bring your attention
9 particularly to Tab 3, which is the listing of all
10 general service and residential accounts in arrears and
11 the amounts in arrears. The quick -- the quick math on
12 all of the accounts, general service and residential in
13 the MKO First Nations, is that 86.3 percent of all
14 accounts are in arrears as of April 2014. That's
15 throughout this entire region.

16 So our First Nations are clearly having
17 difficulty paying the existing Hydro rates, as the
18 counsellor and as Elder Beardy had said, let alone
19 rates that would result from steady 4 percent increases
20 for the next two (2) decades.

21 The other key issue, though, that comes
22 up from material that's been before the Board during
23 the NFAT proceedings, including in questions by MKO
24 counsel George Orle, is that if everyone -- account
25 holder who is in arrears isn't eligible for Power

1 Smart, that means that 86.3 percent of all the Manitoba
2 Hydro customers in the MKO First Nations are ineligible
3 for Power Smart.

4 So MKO's objectives are to really focus
5 on bill reduction, both through the aggressive
6 application of Power Smart measures similar to those
7 that were in the excellent presentation by Mr. Dunsky
8 before the Board in Winnipeg regarding Manitoba taking
9 ownership of those programs as a turnkey to get the job
10 done.

11 Clearly with the gaps in financial
12 resources, the lack of ability just to drive to Home
13 Depot and buy the components, and so forth, all the
14 logistical issues that are associated with travelling
15 in and out of First Nations community, including those
16 that Elder Beardy was talking about, about just
17 obtaining food, about actually planning charters from
18 York Landing to Thompson to buy food, that it's
19 important that in order to deliver and achieve real
20 penetration in DSM programs and conservation, Hydro
21 must take ownership of them to deliver them. Also to
22 change the rules regarding eligibility, because right
23 now 86 percent of our accounts are ineligible, so will
24 be passed by according to the information provided by
25 Councillor Ross.

1 So in addition to the aggressive nature
2 of demand-side management programs that are really
3 required to get the job done, as -- as Mr. Dunsky had
4 pointed out, the other side of it is bill reduction
5 through rate mitigation measures.

6 We find it interesting that folks like
7 Morrison Park were talking about what I call a 'rainy
8 day fund' to put money into in the event that there's
9 revenue disruption in the future or due to drought or
10 changes in the export marketplace, so that the province
11 may contribute funds directly to Manitoba Hydro instead
12 of raising rates again. I believe the term that was
13 used by the expert advisors was 'rate exhaustion' and -
14 - and exhaustion being having rate increases for a
15 period of two (2) decades.

16 So they were talking about a form of
17 rate mitigation, and that could also be by adjusting
18 financial targets over time. But we have five (5)
19 other suggestions, some of which we brought to the
20 Board's attention previously to reduce rates for First
21 Nations.

22 The first, as Elder Beardy had raised is
23 the removal of mitigation costs from rates so that none
24 of the mitigation costs are part of the allocation of
25 costs that go into the cost of service study that's

1 used for designing rates. When we presented this in
2 the cost of service proceeding in 2006, the Board
3 acknowledged it and placed it in its Order 117/'06 as a
4 matter that Hydro ought to review.

5 They indicated between MKO and Indian
6 Affairs, but of course, Indian Affairs's position at
7 the time was that they really didn't have anything to
8 do with removing the mitigation costs that are part of
9 Hydro's cost of business and that that was a matter
10 between Hydro and the Board and MKO and the First
11 Nations.

12 So as -- and Elder Beardy was indicating
13 the concept is that so that the value of the benefits
14 intended by compensation and mitigation are not in
15 effect clawed back through the rates, to remove them.
16 Our consultant at the time estimated that would lower
17 rates by approximately 4 percent for what we called
18 Hydro-affected First Nations. That should be pursued.

19 In addition, during the same proceeding
20 we described an allocation of a greater share of net
21 export revenue to First Nation customers. And the
22 rationale for that was the change in circumstance.
23 When the projects were initially constructed, they were
24 built for the needs of the province. That's the
25 language that's used in the original Northern Flood

1 Agreement.

2 And we attached exhibits in the '06 proc
3 -- 2006 cost of service proceeding that indicated
4 clearly that -- that the irreversible adverse
5 environmental effects were set in place for the needs
6 of Canada, and more particularly for the needs of the
7 province.

8 Interestingly, in 1977 under the Water
9 Powers Act it was unlawful to export energy from
10 Manitoba. So the legislation had to be changed to
11 provide -- the legislation had to be changed shortly
12 thereafter to provide for interconnections and export
13 sales with the United States. But at the time the
14 Northern Flood Agreement was signed, it was illegal to
15 export power from Manitoba, under the statute at least.

16 So the circumstances that were explained
17 to the First Nations during the NFA and also during the
18 Comprehensive Settlement Agreements that were signed
19 beginning in 1992 with Tataskweyak and others, did not
20 contemplate the substantial change in the operations of
21 the Manitoba Hydro system to focus largely on export
22 operations. It wasn't included in the community
23 consultation reports or in the records of the
24 discussions.

25 So beginning in the mid-1990s, when the

1 value of energy produced by Manitoba Hydro became
2 greater in the export market than it was in -- for
3 domestic sales for a period of time and the amount of
4 power that was being sold substantially increased, this
5 changed the relationship not only between the
6 communities, but the intention of arriving at the
7 mechanisms for sharing that export revenue that appear
8 in the cost of service study.

9 It's our view that a greater share of
10 net export revenue to -- ought to accrue to First
11 Nation customers, particularly Hydro-affected First
12 Nation customers, because of this substantial change in
13 circumstance between the original arrangements and the
14 current operations today.

15 The other has been mentioned twice by
16 both speakers, by Elder Beardy and by Councillor Ross,
17 and that's what MKO describes as the equivalent to gas
18 rate for the -- the heat portion of bills. We were
19 very excited when we saw Manitoba Hydro Exhibit 181.
20 That one (1) -- in that it's very clear that Manitoba
21 Hydro has calculated what it believes to be the average
22 -- the lowest average cost of heating in Winnipeg. And
23 -- and absent any other further discoveries or
24 examination on that matter, we would -- we would assume
25 that it includes the cost of gas.

1 Earlier in the proceeding we were
2 beginning to discuss the -- the growing gap and the
3 effective heating cost between gas-serve customers and
4 all-electric customers and discussing the benefits to
5 customers of gas switching, switching from electric
6 heat to gas in order to capture those benefits.

7 We established through our Information
8 Request in the interim rate application that, of
9 course, and it's on the record, that no MKO First
10 Nation is served by natural gas, so nobody can switch.
11 So it would mean that, since the Manitoba Hydro had
12 determined in its Exhibit 181, which is at Tab 8 of the
13 MKO book of documents, NFAT panel book of documents,
14 that it used the language:

15 "As the accommodations vary with
16 respect to energy efficiency and
17 building standards, heating costs
18 also vary widely. As such, to
19 maintain equity amongst employees,
20 they are charged a flat rate which is
21 deducted through payroll deduction.
22 The flat rate is derived from the
23 lowest average heating costs in
24 Winnipeg adjusted annually."

25 Well, simply put, we believe that if

1 it's equitable for Manitoba Hydro employees to pay the
2 equivalent of the Winnipeg heating rate north of the
3 53rd parallel, it's also equitable for Manitoba Hydro
4 to charge every First Nation customer the same rate.

5 And as you notice from the map on the
6 screen, all of our First Nations, with the exception of
7 Wuskisipihk, are north of the 53rd parallel. So the
8 same standard of equity -- the same standard of equity
9 that applies to Manitoba employees ought to apply to
10 First Nation customers in the north and to pay -- and
11 to charge any -- Winnipeg equivalent gas rate to all
12 northern customers.

13 The other, as mentioned in earlier
14 proceedings, and that's the allocation of a net export
15 revenue to reduce the diesel cost of service. As the
16 Board will recall, MKO was in the middle of a mediation
17 between Indian Affairs and Manitoba Hydro to address
18 the diesel service. May 1st, 2014 was the trigger date
19 where Manitoba Hydro was to contribute net export
20 revenues on a basis equivalent to that contributed to
21 grid-served customers to the diesel class.

22 This would substantially reduce the cost
23 of service in the diesel zone and may result in other
24 changes, for example, like the removal of the 2,000
25 kilowatt hour step for general service customers which

1 are First Nation customers as well. As we've
2 indicated, MKO is the only Intervenor that represents
3 both general service and residential customers, and so
4 we're very keen on that.

5 But that -- that rate reduction also
6 would have an affect across the board, for example, to
7 the First Nation education accounts because, of course,
8 the cost of services would be lower -- the cost of
9 service would be lower, so, therefore, the government's
10 -- subsidy by government customers would also be
11 similarly reduced with an additional allocation of net
12 export revenue to reduce the diesel cost of service.

13 And the fifth possibility was, to some
14 extent, touched on by Mr. Williams and the Consumers'
15 Association and their inquiries regarding the
16 arrangements between Manitoba and the Nisichawayasihk
17 Cree Nation regarding water rentals.

18 We've also suggested only briefly but
19 would raise again now and intend to pursue in the
20 future, similar to the removal of mitigation cost from
21 the cost of service for rates, to remove water rental
22 fees from the cost of service that is charged hydro-
23 affected customers in particular.

24 And we would say to all MKO First Nation
25 customers water rental fees are the highest, the

1 largest single resource-based revenue source by the
2 Province of Manitoba. It's readily revealed by a
3 review of the public accounts, between \$120 million a
4 year and \$160 million a year. So a removal of that
5 portion of those costs from rates charged to First
6 Nation customers would similarly have an affect on
7 reducing rates.

8 So on the bill reduction through rate
9 mitigation side of the options, we have removal of
10 mitigation cost from rates, an allocation of a greater
11 share of net export revenue to First Nation customers,
12 which would be achieved, as was noted in Order 117/06
13 through the creation of a separate rate class for that
14 purpose for hydro-affected customers, to -- to
15 establish and implement the equivalent to gas rate for
16 all Northern First Nation customers based on the model
17 of the Gillam housing calculations, an allocation of
18 net export revenues to reduce the diesel cost of
19 service and the removal of water rental fees from
20 rates.

21 It's our view that it's absolutely
22 critical that every possible step be taken to reduce
23 the impacts on customer bills of the perspective 4
24 percent annual rate increases that are consistent with
25 proceed -- that are consistent with proceeding with the

1 Preferred Development Plan and that these are a -- a
2 shopping list of available options which can be readily
3 calculated, designed, and implemented. In addition to,
4 of course, the aggressive implementation of
5 conservation measures in each of our First Nations.

6 On the -- on the matter of O&M costs, I
7 just had wanted to briefly touch on that, because that
8 was -- that was a central feature in the mediation
9 process that we had with Indian Affairs. And the
10 process of dealing with the -- the costs, I just wanted
11 to bring your attention in this case to Tab 6, which
12 are the eligible costs from the -- the evidence of Fred
13 Mills in the 2010 proceeding.

14 I had also wanted to bring to the
15 Board's attention that entire exhibit, CAC/MKO-7
16 attachment in response to the Information Request to
17 MKO from the Consumer's Association in which the entire
18 evidence of Mr. Mills is -- is set out.

19 Councillor Ross was discussing it, but I
20 wanted to try to just briefly touch on what these
21 tables mean. In the second column from your left,
22 what's called the NFR factor is the percentage of the
23 estimated operating cost that is actually funded by the
24 O&M process. The Board may recall that in 2002 MKO,
25 with the Board's kind assistance, issued a subpoena to

1 Mr. Mills to bring him before the Board to explain how
2 Indian Affairs doesn't fund First Nations. We thought
3 it was very important, because issues of arrears and
4 presumed thoughts about accountability and so forth
5 were being discussed at the Board and we wanted to make
6 sure that the record was set clearly straight.

7 And if we look at the very first
8 category of buildings where it has an NFR factor of
9 point two (.2), that's the 20 percent for category 3
10 assets that were being discussed by Councillor Ross.
11 You can see that's the office, the band office,
12 garages, and also recreational facilities like the
13 arena. So many of the most recognizable facilities in
14 a First Nation like the band office and the arena, only
15 receive 20 percent of every dollar of estimated
16 operating costs in O&M funds. So for ever dollar of
17 estimated cost the band is funded twenty (20) cents.

18 So it has to make up a shortfall in
19 funding based on the estimate of eighty (80) cents for
20 every dollar of operating costs. And as Councillor
21 Ross had pointed out, this is never compared to the
22 actual Hydro bill. So to begin with, for every dollar
23 of operating cost the First Nation has a shortfall of
24 80 percent of its operating cost, even as estimated by
25 Indian Affairs using the National Cost Reference

1 manual. And then the actual bills are considerably
2 higher by a factor, as Councillor Ross pointed out, of
3 40 percent.

4 So there's a substantial operating go
5 forward shortfall now in the revenues available to pay
6 Hydro bills because of an institutional mechanism for
7 funding First Nation accounts. I would also point out
8 in this that there isn't a mechanism where these
9 accounts are trued up. And so, therefore, this process
10 continues with only a 2 percent top-up, as we would
11 call it, for the Manitoba regional envelope every year.

12 In the evidence of Mr. Mills, which is
13 highlighted in our attachment at the -- Tab 5 of the
14 MKO/NFAT book of documents, which is our response to
15 CAC/MKO-2a in the NFAT proceedings, that there's no
16 assurance. Mr. Mills had advised the Board there was
17 no assurance that the department would be matching
18 regular rate increases and that they might have to
19 change their funding priorities internally within the
20 region in order to accommodate increases in electrical
21 costs.

22 In this case it was for diesel customers
23 specifically, but it's our understanding that this is
24 generalized to grid-served customers as well where they
25 would be subject to increases in their external

1 operating costs that are not captured within the design
2 of the O&M funding mechanism.

3 So it means that -- again that bill
4 reduction is really what's on everyone's mind as we
5 look for -- as we look at the prospect of 4 percent
6 annual rate increases for the next two (2) decades.

7

8 (BRIEF PAUSE)

9

10 MR. MICHAEL ANDERSON: So the object
11 then is that the bill reduction, through the aggressive
12 application of DSM, through a turnkey ownership
13 recommended by Mr. Dunsky, we would endorse those
14 recommendations; as well as a suite of rate mitigation
15 measures to reduce the bills that are actually charged
16 to Hydro-affected customers in particular, and to all
17 First Nations in order to bring their billings in line
18 with their ability to pay.

19 But also in terms of becoming more in
20 line with the actual relationship between our First
21 Nations and Manitoba Hydro and the special
22 circumstances of our First Nations. So we have
23 included all of that in our written submission, which
24 we have -- or will shortly circulate to all of the
25 parties electronically as well as our documents, and

1 are happy to entertain any questions the Board may have
2 at this point.

3

4 (BRIEF PAUSE)

5

6 THE CHAIRPERSON: Thank you for that
7 very extensive and thoughtful presentation to -- to the
8 Board. Unfortunately we're out of time and, so we'll
9 have ample opportunity to discuss some of these issues
10 amongst the panel in the coming days. And so this is
11 timely for us to understand the issues that are
12 peculiar to MKO and its members, so thank you very much
13 for that.

14 MR. MICHAEL ANDERSON: You're welcome.

15 MR. SVEN HOMBACH: Mr. Chair, I note
16 we're a bit behind schedule for the afternoon session.
17 There's two (2) additional presenters on the list. If
18 the panel is prepared to just continue, we can do that.
19 If a break is required, now might be an opportune time.

20 The next presenters on the schedule are
21 Ralph Beardy and Counsellor Conway Arthurson of Fox
22 Lake. Okay. Five (5) minute break.

23

24 --- Upon recessing at 4:12 p.m.

25 --- Upon resuming at 4:21 p.m.

1 PRESENTATION BY FOX LAKE CREE NATION:

2 MR. RALPH BEARDY: Good afternoon. I
3 would like to thank you for this opportunity to make
4 this presentation today. We understand the important
5 work that has been bestowed on this panel, and the
6 responsibility imposed on you. My name is Ralph
7 Beardy. I'm a Fox Lake Cree Nation Band member. I'm a
8 business owner and entrepreneur.

9 I've been -- I hold my bachelor of
10 science degree in civil engineering. I currently --
11 I'm a principal owner in two (2) companies; an
12 engineering company called Oodanoketoh Incorporated and
13 a power line construction company called Wawasum Energy
14 Incorporated.

15 My engineering company Oodanoketoh is
16 100 percent First Nation owned, and we work exclusively
17 with First Nations providing project management
18 services and civil design services. Our company vision
19 is to provide technical services for -- for First
20 Nations to promote sustainable development. I have two
21 (2) other partners also -- who are also First Nation
22 members. They're from Ebb and Flow, and Oxford House,
23 and I have two (2) other employees from St. Theresa
24 Point and also from Fox Lake. Sorry.

25 I'm also part owner in a power line

1 construction company called Wawasum Energy. This --
2 this company provides procurement and construction
3 services for power delivery projects. This private
4 company is majority owned by First Nations people, and
5 this company is a startup but to date we have received
6 a great response from Manitoba Hydro and the Union.
7 There is great promise in this company in harassing the
8 young Aboriginal -- in harassing the young Aboriginal
9 labour market.

10 Fox Lake council has asked me to share
11 my perspectives from the point of view of a Fox Lake
12 member whom is a business owner and who is currently
13 performing work with Fox Lake with the intent of adding
14 some context to Fox Lake situation with respect to
15 Manitoba Hydro's Preferred Development Plan.

16 We hope to enlighten the panel today to
17 ensure that Fox Lake's interests and concerns are
18 captured, and the mess -- and the message the panel
19 will be presenting to the Minister regarding
20 socioeconomic impacts and benefits for Fox Lake. Our
21 goal today is to ensure Fox Lake's unique situation is
22 better understood, and to ensure we are not
23 misunderstood.

24 The best way to describe Fox Lake's
25 unique situation in relationship to Manitoba Hydro is

1 illustrated with the use of a metaphor. Fox Lake is
2 literally living with a eight hundred (800) pound
3 gorilla. Gillam is Fox Lake's traditional settlement,
4 and Gillam is Manitoba Hydro's operation centre in the
5 north.

6 Fox Lake can -- cannot ignore the fact
7 that Manitoba Hydro is operating from our historical
8 town site and operating three (3) generating stations,
9 two (2) converter stations, numerous converter --
10 numerous connector lines, and two (2) Bipole
11 transmission lines. Manitoba Hydro's presence cannot
12 be ignored and this presence will be magnified with the
13 implementation of Manitoba Hydro's proposed Development
14 Plan.

15 I don't intend to use this metaphor in a
16 disrespectful manner, but it highlights the disparity
17 in power between Fox Lake and Manitoba Hydro. The
18 realities and challenges Fox Lake must overcome when
19 faced with Manitoba Hydro's agenda. It is a reality
20 that Fox Lake must expend a lot of resources and time
21 in discussing Manitoba Hydro's agenda and at times this
22 agenda can be overwhelming.

23 The tasks that fa -- fall to Fox Lake
24 under Manitoba Hydro's agenda are difficult to address
25 when competing interests arise. We understand the

1 panel's terms of reference is very specific in terms of
2 Manitoba Hydro's Preferred Proposed Development Plan,
3 but from Fox Lake's perspective it is very difficult to
4 isolate any of Hydro -- Hydro's plans with respect to
5 dealing with socioeconomic impacts.

6 Our -- currently our firm is managing
7 projects and planning projects for Fox Lake and we
8 constantly have to deal with Manitoba Hydro's presence
9 both directly and indirectly. The projects we are
10 involved -- involved in consist of land development
11 projects such as housing projects, business
12 development, and infrastructure.

13 The main challenge we are faced with in
14 promoting these projects is the lack of a Fox Lake Cree
15 Nation land base in and around the town of Gillam. Fox
16 Lake needs more land to address the housing needs of
17 its members, to construct more suitable buildings to
18 house community and government services, to develop
19 businesses to benefit and fuel the economy in the
20 region.

21 Manitoba Hydro is a stakeholder in these
22 discussions with Fox Lake due to the following reasons:
23 Manitoba Hydro and the Town of Gillam have a close
24 financial relationship; Manitoba Hydro subsidizes the
25 town of Gillam with annual grants. Normally Manitoba

1 Hydro's interests are supported by the Town of Gillam.

2 The Town of Gillam does not act contrary to Manitoba

3 Hydro's interests.

4 Manitoba Hydro's proposed Development
5 Plan will also impact development in the Town of Gillam
6 during the construction and operations of these
7 projects. Manitoba Hydro is creating a greater demand
8 on land to meet its future land requirements in Gillam.
9 This additional demand for land will create a competing
10 interest to Fox Lake's plans, historical claims, treaty
11 rights, as well as Aboriginal rights.

12 Manitoba Hydro's estimated budget for
13 the Gillam redevelopment expansion plan project is
14 estimated to be over 350 million. Fox Lake is also
15 challenged and provi -- challenged with providing
16 services to residents in Gillam where there's no
17 funding available. Manitoba and Manitoba Hydro must
18 address this -- this disparity.

19 From a personal perspective, I was born
20 and raised in Gillam. I was raised in the Fox Lake
21 historical settlement located adjacent to Gillam. I --
22 I've seen the Town of Gillam grow throughout the years,
23 but -- but not much has changed with respect to Fox
24 Lake having the land to develop a sustainable
25 community.

1 In spite of these realities and
2 challenges, Fox Lake endures to persevere. To ensure
3 there's no misunderstanding, Fox Lake is typically
4 progressive thinking. As you are aware, Fox Lake is a
5 partner of the Keeyask project which is part of the
6 propo -- Proposed Development Plan.

7 After years of deliberation with our
8 people and balancing the pros and cons, Fox Lake
9 decided to support this project. Fox Lake has had to
10 balance the negative impacts and the benefits of the
11 Keeyask Project. We understand our way of life has
12 been altered indefinitely through the flooding of our
13 traditional lands, the adverse impacts to the
14 environment, and the social impacts to our people.

15 The project brings hope to our members
16 that future generations will see -- will receive the
17 full benefits from the potential investment income.
18 Fox Lake has received additional benefits, such as
19 employment, training, and business opportunities.
20 These benefits will form a foundation for Fox Lake's
21 economic development plans and contribute to fueling
22 the regional economy. Fox Lake is currently --
23 currently having discussions with Manitoba Hydro
24 regarding the Conawapa Project, and Fox Lake is hopeful
25 -- hopeful a mutual beneficial agreement can be

1 reached.

2 Fox Lake has a vision for its people, a
3 vision that includes sustainable development, a vision
4 that includes Fox Lake playing a major role in driving
5 the economy in the North that will generate benefits
6 for all Manitobans and create prosperity. To
7 accomplish our vision we will need the continued
8 commitment from Manitoba and Manitoba Hydro to invest
9 in our people through training and employment, creating
10 business opportunities, and providing partnership
11 opportu -- opportunities in developing our natural
12 resources.

13 This support will empower Fox Lake in
14 continuing -- continuing to climb the ladder of
15 sustainable development. Manitoba and Manitoba Hydro
16 has to continue with these commitments because one (1)
17 thing is of certain, Fox Lake is not going anywhere.

18 I will thank you. I'd like to thank the
19 council for inviting me today and making this
20 presentation, and the Public Utility Board for
21 providing me the opportunity. I'd like to intruce --
22 introduce Mr. Conway Arthurson -- Conway Arthurson to
23 make some closing remarks related to Fox Lake's history
24 and aspirations.

25 MR. CONWAY ARTHURSON: Thanks, Ralph.

1 Again, I'm going to go into some of the historical
2 background with Fox Lake. And I -- I've got bullets
3 here that I'll speak on and elaborate more on,
4 depending on how much time we have.

5 But again, Fox Lake signed -- to Treaty
6 5 under the Fort York Band at York Factory in 1910.
7 And we received separate band status in 1947 as the
8 Gillam Band. And we changed our name to Fox Lake Band
9 in 1949. And since then we've requested reserve land
10 in the Gillam area since the '40s. We continue to do
11 that today. We've done it in the '50s, the '60s, the
12 '70s, the '80s, and the '90s, and -- and the 21st
13 Century, as well.

14 In 1963 and 1965, Manitoba Hydro
15 conducted studies on the potential of hydro development
16 on the Nelson River. And as a result of that, and as a
17 result of those studies, Hydro decided to build Kettle
18 transmission line and the redevelopment of Gillam.
19 During that time, which was a very important time for
20 Fox Lake, we were officially classified as squatters in
21 the Gillam area, and we were branded the Indian
22 problem. I'm not too sure what that means, but it
23 doesn't sound positive for us, especially when we were
24 considered squatters in our own land.

25 In 1977, we received reserves in Fox

1 Lake, which is about 40 miles south of Gillam, an
2 additional reserve a hundred miles down the -- down the
3 track near Pikwitonei, near Armstrong Lake. And so
4 today those two (2) reserves, which encompass about
5 9,000 acres, not one (1) band member lives on that
6 land.

7 In 1985, after thirteen (13) years of
8 negotiating with Manitoba Hydro, we finally got a
9 reserve to live on in Bird, which is about 55
10 kilometres east of Gillam. Unfortunately, that -- that
11 reserve is only 98.7 acres, and because of the water
12 table around it we cannot build anymore. There's no
13 more land available on the Bird Reserve to build
14 anything. There's very little left for us to build on.

15 We also received 3.21 acres in the Town
16 of Gillam in 2009, and those were twenty (20) lots that
17 were purchased by the Federal Government in 1966. And
18 because we never had funding, because we never had
19 additional resources, we could not support our people
20 as much as we could. Hydro redeveloped Gillam in the
21 1960s and are doing so again to accommodate future
22 development. And Fox Lake cannot and will not be left
23 out the way we were left out in the '60s. The laws of
24 the lands have changed. They have to talk to us.

25 And the reason why I -- I wanted to talk

1 about the historical background on -- on reserve land,
2 we were there before Hydro. We were there for many
3 years in and around that area. Our people have lived
4 off the land for many, many years before Hydro came.
5 And when they came they created the water power reserve
6 in 1966, I believe. They also created the LGD of
7 Gillam, which was expanded in 1972. And as a result of
8 that, that land in and around the Gillam area became
9 what they called occupied Crown land.

10 And under the Natural Resources Transfer
11 Act of 1930, the Federal Government laid aside a
12 provision in there for them to allow the -- for -- for
13 the Federal Government to live up to the terms of a
14 treaty by selecting land. And as a result of that they
15 agreed with the province in the 1930 Transfer Act to
16 set aside unoccupied Crown land so that the Federal
17 Government can live up to the conditions of reserve and
18 -- and the treaty.

19 This hasn't happened in Fox Lake. We
20 still have an outstanding treaty land obligation. It's
21 a -- it's a framework that was signed in 1997 and it's
22 still on the table. We've been unwilling to sign that
23 for various reasons.

24 But my point to all this is that in
25 order for Fox Lake to -- to prosper and to live the

1 life we want, we need a land base. And with Gillam
2 being redeveloped, we have a -- a Aquitinuk (phonetic)
3 Adverse Effects Agreement for the convertor station.
4 We have a draft agreement that's kind of going back and
5 forth with our -- with our lawyers.

6 And one (1) provision in there, what
7 they offered us was eight (8) serviced lots in the Town
8 of Gillam. And they costed those lots out at two
9 hundred thousand dollars (\$200,000), which is 1.6
10 million. Manitoba Hydro has plans of developing three
11 hundred and fifty (350) lots. And that lot worth two
12 hundred thousand dollars (\$200,000) times three hundred
13 and fifty (350), that's \$70 million. That's without a
14 house. They still have to build a house on that lot
15 and that's another two hundred and fifty (250) to three
16 hundred thousand dollars (\$300,000).

17 So I don't know, somebody can do the
18 math if they want, but that's -- you know, that's about
19 \$150 million just on lot development with a house.
20 That's not including the development of the new roads,
21 the new school, and the various things that Manitoba
22 Hydro wants for their employees. And it's important
23 that the Public Utilities Board and this NFAT panel
24 understands the need from Fox Lake that we need to have
25 more reserve land in Gillam.

1 In our -- in our 2004 Settlement
2 Agreement with Manitoba and Manitoba Hydro, the
3 Minister has a letter in our agreement that -- that
4 supports more reserve land in Gillam. And Manitoba
5 Hydro has hired a firm, an architectural firm,
6 Hilderman Cram Thomas and Frank (sic), I believe it's -
7 - they're called. And they have what they call a
8 master plan.

9 And in that master plan there's not one
10 (1) word of Fox Lake getting a reserve in Gillam. And
11 when I asked Mr. Frank about that, his answer was, The
12 people sitting on that committee on your behalf said
13 they do not want a reserve land, because they want the
14 opportunity to vote in the municipal election in
15 Gillam.

16 So with that master plan it's flawed.
17 It's not encompassing our interests and our needs in
18 order to sustain ourselves. And -- and this -- this
19 panel, Need For An Alternatives To, talk about
20 Conawapa, Keeyask, and Bipole 3. When we talk about
21 Hydro, we have to include everything, including the
22 redevelopment of Gillam. Without that future
23 development, they will have no need to redevelopment of
24 Gillam.

25 So when we -- when we talk about Hydro

1 and future development, we have to look at everything
2 collectively, holistically. And it's important that
3 this panel understands the need for Fox Lake to have
4 more reserve land in Gillam. They don't it once in the
5 '60s when we were first classified officially as
6 squatters.

7 Times have changed. Laws have changed.
8 The duty to consult and accommodate First Nations
9 people is protected by the Supreme Court of Canada, and
10 we need to be able to have reserve land in Gillam to
11 call our own. We want to build a hotel. We want to
12 build other businesses.

13 We're trying to build a VLT Centre, and
14 we had to steal -- or not steal, but we had to take a
15 residential lot out of those twenty (20) to build a VLT
16 Centre because it has to be on reserve. Any VLT Centre
17 that's off reserve gets 20 percent on the dollar. If
18 it's built on reserve we get 90 percent on the dollar.
19 So we had to make a decision, and it cost us one (1)
20 Band house, one (1) family to live on reserve in order
21 to -- to build that VLT Centre.

22 That's not the ideal thing, but we had
23 no other choice 'cause we need -- we need to develop
24 our businesses for our people. And without a land base
25 we're just a regular Manitoban. We've been there

1 before Hydro came, and we're not planning on going
2 anywhere. And it's important that Hydro understands
3 the need for Fox Lake to have more reserved land in
4 Gillam in order to protect ourselves, to take advantage
5 of the opportunities, and to have a place of -- to call
6 our own 'cause we were pushed out in the '60s. And we
7 will not allow this to happen again.

8 I'm not too sure how much time we have?

9 MR. SVEN HOMBACH: If you could wrap it
10 up.

11 MR. CONWAY ARTHURSON: Okay, thank you.
12 And again like I said, I -- I want to thank the panel
13 for taking the time to listen to us, and I hope in your
14 recommendations that the reserve land in the town of
15 Gillam is a priority for you guys, as well as Manitoba
16 Hydro, 'cause we're ready, waiting, and -- and we
17 retained the services of Ralph and his firm to provide
18 the technical aspect of what needs to be done. And we
19 need more resources, more people, to do what we need to
20 do. Ekosani.

21

22 (BRIEF PAUSE)

23

24 THE CHAIRPERSON: I do have a question.
25 Have you -- have you attempted to negotiate with

1 Manitoba Hydro to get more reserve land?

2 MR. CONWAY ARTHURSON: I don't think
3 it's up to Hydro to give us reserve land. What we need
4 from Manitoba Hydro is support for more reserve land,
5 and we'll make that submission, too, to the Federal
6 government to have more reserve land. And because it's
7 considered occupied Crown land, we need that support of
8 third-party interest holders, such as the town of
9 Gillam and Manitoba Hydro.

10 MR. SVEN HOMBACH: Thank you very much.
11 Next on the list are Jackson Osborne and Charlie
12 Paupanekis of Pimicikamak.

13

14 (BRIEF PAUSE)

15

16 PRESENTATION BY PIMICIKAMAK FIRST NATION:

17 MS. SHELLY PAUPANEKIS: Tansi. Hello.
18 My name is Shelly Paupanekis. I'm from Cross Lake. I
19 am forty-seven (47) years old and I'd like to tell you
20 my -- my story. I was fortunate and blessed to have
21 caught the beauty of Cross Lake's rivers, lake, forest,
22 and land because I was raised in Cross Lake -- in
23 beautiful Cross Lake as a child.

24 Our community had waters, land, good
25 enough for water consumption, food provision, and

1 recreation for families. Our parents hunted -- our
2 grandparents and parents hunted moose, geese, ducks,
3 and trapped beaver and fished a variety of fish to feed
4 our families. Our waters were clean and clear, safe
5 enough to swim in in the summer and skate in in the
6 winter. This was our way of life.

7 When I was a child our people were
8 healthy and happy. Now, to eat moose meat, geese,
9 duck, beaver, fish is a treat. We don't see or eat
10 these on a regular basis as we used to. We used to
11 swim on high waters down the bank. My children were
12 not as fortunate and blessed as I was to experience the
13 beauty of the land and waters in our community of Cross
14 Lake.

15 Due to the Jenpeg hydro dam taking and
16 giving water at -- at times we were not aware of, an
17 incident -- an accident occurred in -- in my family.
18 Seventeen (17) years ago in the summer of 1997, my
19 eleven (11) year old son went swimming with his friends
20 on a Monday morning where they -- where they swam
21 during the week. He was a good swimmer.

22 He had a diving accident in which he hit
23 a rock with his -- like he hit his head on a rock under
24 the water which -- and the water, because he couldn't -
25 - he couldn't see the rock under the water because our

1 water was -- was dirty and murky -- murky, yeah.

2 Hardly safe enough to swim in.

3 And still today my son walked up from
4 down the bank to our house crying in fear, tissue of
5 flesh and blood pouring from his head over his eyes.
6 As a mother and a parent, that is what no one should
7 see. As a child enjoying recreation -- his recreation
8 activity, swimming, that is not what should happen. If
9 you are a parent, how would you like -- how would you
10 like it if that was your child? In this incident, it
11 happened to my child.

12 I am a woman who grew up in faith in
13 God, his mighty healing and miraculous power. I called
14 my grandfather, the late George Paupanekis Sr., who was
15 a preacher. He prayed for my son right away. Then I
16 called the ambulance. My son was treated at the -- at
17 the local nursing station with twenty-eight (28)
18 stitches on the top of his head. And he received
19 medication. He received ten (10) stitches inside and
20 eighteen (18) stitches outside.

21 Fortunately, he did not get sent out to
22 the hospital. I give thanks to God for his miraculous
23 intervention for my son. As time went on, my son and I
24 went to the store to do some shopping. And he said to
25 me -- he brought this awareness to me. He said, Mom,

1 why did Hydro have to take our water? And that's when
2 it occurred to me about the water level that went down
3 in a considerably -- considerable amount that weekend,
4 which is the cause of this diving accident.

5 We put a claim with Manitoba Hydro. And
6 according to the court, the evidence was not enough for
7 our case to receive anything. And to this day, my son
8 hasn't received anything for his accident. Manitoba
9 Hydro apparently was not at fault.

10 Well, I know for a fact that the water
11 level did go down a lot after that weekend. My son's
12 diving accident, leaving him with twenty (20) stitches
13 on the top of his head -- on the top of his head, is
14 evidence enough for me.

15

16 (BRIEF PAUSE)

17

18 MS. SHELLY PAUPANEKIS: I do believe
19 Manitoba Hydro was at fault.

20

21 (BRIEF PAUSE)

22

23 MS. SHELLY PAUPANEKIS: There is no
24 swimming pool recreation building in -- buildings in
25 Cross Lake. My grandchildren swim in our dirty and

1 murky water in the summer. I'd also like to say --
2 speak about my grandparents. My -- my grandfather and
3 grandmother fished, trapped, and provided for their
4 family -- for their children, my father and his nine
5 (9) siblings. Grandpa and grandma were hardworking
6 people.

7 Since 1997, when the hydro dam started
8 running in Jenpeg, they didn't really hunt or fish or
9 trap as much as they used to. My dad only went out to
10 hunt, fish -- hunt and fish on weekends, so they --
11 they shopped for food at the store.

12 Grandpa and granny ended up having
13 diabetes. My grandmother's leg was amputated. My
14 father, William, he -- he had diabetes, as well. He --
15 both of his legs and one (1) hand was amputated, and a
16 few fingers on his other hand. His brothers, Allan
17 (phonetic), John (phonetic), Andrew (phonetic), Russell
18 (phonetic), their legs were amputated. My Auntie
19 Florina (phonetic), her leg was amputated just
20 recently.

21 My Uncle Russell passed away last
22 spring, my dad this past December 2014 (sic), and Uncle
23 John in January 2014. Before the -- before...

24

25 (BRIEF PAUSE)

1 MS. SHELLY PAUPANEKIS: Growing up
2 where I grew up, I do believe my people were healthy
3 and happy with the land and the rivers that they lived
4 off of. I am thankful that I did not lose my son that
5 day.

6

7 (BRIEF PAUSE)

8

9 MS. SHELLY PAUPANEKIS: I, for one
10 (1), along with my brothers and sisters, I am against
11 more hydro dams that destroy our lands, and waters, and
12 resources, and recreation. I do not want any more
13 dams. That is my presentation to you people today.
14 And with that I say good afternoon and God bless.

15

16 (BRIEF PAUSE)

17

18 MR. JACKSON OSBORNE: (CREE LANGUAGE
19 SPOKEN). I say a greetings to you guys, so the panel
20 here this afternoon. Welcome to Treaty 5 territory.
21 And also to my brothers and sisters here in the room
22 here tonight from the Treaty 5 Territory. (CREE
23 LANGUAGE SPOKEN).

24 What I'm saying is I greet my brothers
25 and sisters from the Treaty 5 Territory are here this

1 afternoon to -- to present their presentation to the
2 panel. My name is Jackson Osborne. (CREE LANGUAGE
3 SPOKEN). I'm a treaty person under under the Indian
4 Act. My treaty number is 1090, given to me by the
5 government. I'm sixty-two (62) years old. I'm getting
6 old. What I do back home is I'm unemployed. I live
7 with my wife who is a cancer survivor. She's sixty-
8 five (65) years old. I'm sixty-two (62) years old.
9 I'm a photographer. I've been married forty (40)
10 years. I have fourteen (14) grandchildren. I want
11 them to have hope and future.

12 I'm a historian. I like to research
13 history from day 1 till now, what happened to our land,
14 our treaties, the Indian Act, the list goes on. I'm a
15 photographer since 1988 to now. I try to study what's
16 going on in the hydro projects, so. I've brought some
17 pictures for the panel to see. I brought only -- only
18 two hundred and fifty-three (253) pictures for you guys
19 to look at, only.

20 I have a thousand pictures -- more than
21 a thousand pictures, videotapes, VHS, digital, CDs. I
22 have a lot of pictures. That what I -- that's what I
23 do. I don't get paid doing this. I do it on my own
24 time. So you're going to see some pictures, at least
25 five (5) pictures. If you don't mind.

1 I wanted to show you what environment
2 damages we're talking about here.

3

4 (BRIEF PAUSE)

5

6 MR. JACKSON OSBORNE: This is my late
7 dad, Charlie Osborne. He worked for Manitoba Hydro for
8 so many years. He never went to school. He was a
9 guide. From Lake Winnipeg to Gillam Island, he was a
10 guide for Manitoba Hydro. All these years he worked
11 for Hydro they never told my dad why he worked for
12 Manitoba Hydro. He was a guide for so many years with
13 other people.

14 He left us about five (5) years ago. He
15 was a trapper, a fisherman, a guide, a storyteller. He
16 had wisdom, never went to school. He worked for
17 Manitoba Hydro. He raised eleven (11) of us in the
18 family, five (5) boys and six (6) girls. My mom is
19 gone. She left us in 1992. So my dad knew biologists
20 from -- regarding Hydro projects. He seen a lot. He
21 was a guide. And he helped a lot of university
22 students at that time that were fresh from Winnipeg,
23 interns, plasterers, drillers, the list goes on. And
24 he did that for work -- for work for the government.

25 After he was still alive here in Cross

1 Lake, he had to pay his Hydro bill from his pension
2 money. After working for Manitoba Hydro for so many
3 years, I don't know if -- if he paid taxes, that I
4 don't know. Because he never -- he never went to
5 school, eh? He went with these guys. He -- he learned
6 from them and they learned from him. So that's one (1)
7 picture. Thank you.

8 This picture was taken 2005 I believe,
9 sir. Okay, that picture there that you see was taken
10 in 2005. You see a lot of water there. This picture
11 was taken in 2005. This is Cross Lake. In 1988 all
12 this water was gone. Almost all of it was gone in
13 1988.

14 I have evidence. I have proof. I have
15 plenty of things of this. When the water was so dry in
16 '88 they used this land for recreation. There was a
17 guy here jogging in 1988. So I have all this evidence,
18 eh, on the videotape.

19 I just want to tell you a story about
20 this environmental damages about here. And that's the
21 third picture there. That's in Jenpeg downstream.
22 These are our Elders, our warriors. The one (1) on the
23 left is my late dad, Jerry Osborne (phonetic). The one
24 (1) in the centre is my late uncle Etienne McKay
25 (phonetic). On the right my late uncle Richard Monias

1 (phonetic). So you can see a picture there. They're
2 all gone now.

3

4 (BRIEF PAUSE)

5

6 MR. JACK OSBORNE: I'll show you two
7 (2) more pictures here before I start talking here.
8 What I really want to say.

9

10 (BRIEF PAUSE)

11

12 MR. JACK OSBORNE: That picture is
13 Jenpeg, near the Jenpeg gate that picture there was
14 taken. But after that the Hydro gave us some money to
15 do a cleanup, environmental cleanup in the Jenpeg area
16 just west from Cross Lake in 2000 -- somewheres in
17 2000. But I don't want to go into detail about that.
18 They gave us some money to clean up our mess.

19 And this is the last picture I want to
20 show to you, panel. That photo is in Cross Lake in
21 1988. All that area that you see used to be water --
22 water in 1988. And you can see guys walking there that
23 land that were actually travelled by boat. And you can
24 see a volleyball net on the shoreline. So that was in
25 1988.

1 So thank you very much for allowing me
2 to share some pictures -- some of the pictures what I
3 do of environmental damages.

4 So we have the NFA, Northern Flood
5 Agreement, that was signed in 1977; that was thir --
6 thirty-seven (37) years ago. We still have it, and
7 we're not going to let it go.

8 We're talking about our -- our brother
9 talks about land -- land here. The government promised
10 us land exchange thirty-seven (37) years ago. So far I
11 believe there's only five (5) or six (6) transfers made
12 after thirty-seven (37) years to receive reserve
13 status. Thirty-seven (37) years, only five (5) or six
14 (6) lands were transferred out of so many were
15 selected.

16 We have Article 9 under Northern Flood
17 Agreement. It says, Before any decision is made that
18 we'll be consulted. Before any decision is made that
19 Pimicikamak and Cross Lake will be consulted. And
20 that's happening right now. I think they're talking on
21 the table right here.

22 So I want that thing to be implemented.
23 We want the agreement, the Northern Flood Agreement to
24 be implemented. After thirty-seven (37) years we still
25 haven't. Our treaty relationship with the Crown,

1 there's spirit and intent of the treaties. That's on
2 top. Below the treaties are the governments, and we
3 have to be consulted and accommodated. We want that,
4 too. And we have existing rights under the
5 constitution.

6 What you have seen, panel, the pictures,
7 Hydro projects have violated our treaty rights. They
8 have violated our BCN (phonetic) rights, and we want
9 something in return. For me as an Inninu, the
10 Pimicikamak from Cross Lake, I'm tell -- I'm telling
11 you, panel, tell the government I want no more dams
12 until -- until, but of today, I don't want no more
13 dams.

14 I have the evidence that prove what the
15 times have done to our land. Like I said before, I
16 want my children, my grandchildren, the unborn, to have
17 a future and hope. If our land is destroyed, our
18 environment, no place for the kids to swim, then what -
19 - what hope do they have? What future do they have?

20 I look at your Hydro bill, your Hydro
21 rates. It says seven (7) cents -- seven (7) cents
22 something like kilowatt hours -- kilowatt hour somebody
23 charge Hydro, eh, seven (7) cents. Okay. I'll tell
24 you. My actual bill right now is -- in the month of
25 March four hundred and eighty-five dollars (\$485), my

1 house. March, the month of March.

2 I'm not counting November, December,
3 January, February, the coldest. March, this year it's
4 four hundred and eighty-five dollars (\$485). Now, we
5 hear that Hydro rates are going to go up 4 percent
6 every year if the Keeyask was -- if the dam's was going
7 to be built. Twenty (20) years from now my Hydro bill
8 is going to be over one thousand dollars (\$1,000).

9 Now, I'm not working. I'm sixty-three
10 (63) years old. There goes all my pension money. I
11 live with my daughter in the house. She's got four (4)
12 kids. She's got no job. Just got on welfare. Some of
13 our Hydro bill is -- gets paid by the welfare system.
14 And I owe Manitoba Hydro for my house over seven
15 thousand dollars (\$7,000). I have two (2) houses.

16 One is with electricity. The old house,
17 over thirty (30) years, there's only -- I -- I use only
18 wood -- wood stove. Some power, a little bit as in
19 power. And I still owe Hydro seven thousand (7,000)
20 for my old house all these years even though sometimes
21 my whole house I don't use it. I turn the power off.
22 They still charge me. I still receive a Hydro bill.
23 That's what's happening on our reserve.

24 It operates -- I pay two hundred and
25 seventy dollars (\$270), I think, on my Hydro bill. And

1 this is what's happening in our territory. You know,
2 some day when I hope that we have sat together like
3 this today, in a good relationship, a good
4 understanding. We sit together around a table and say,
5 Okay, we're coming to your territory. This is what
6 we're going to do. This is what is going to happen to
7 you guys.

8 That'll never happen. Never happen.
9 When Jenpeg was built, we were not consented (sic).
10 They built it already, then after -- three (3) or four
11 (4) years later that's when the Chief from Cross Lake,
12 the support bands got together and form a North Flood
13 committee. It already started. They haven't told us
14 it was too late. I wished this had happened. I wish
15 we wouldn't be sitting here today talking and arguing,
16 whatever. I wish it had happened, not only at that
17 time, but from day one in 1875 till now.

18 But they wanted to get rid of us, the
19 Indians. The wanted to get rid of Indians over the
20 land and resources. But the difference is God are
21 greater, put Indians here, not the government. That's
22 the difference. That's why we're still alive today.
23 That's the difference.

24 So that's my presentation here. That's
25 what I -- I could talk all -- all day here. I want to

1 -- I just wanted to bring my -- my attention to you
2 panel here. I know you're appointed by the government.
3 Whether you say, no, or, yes, the government might
4 still just go on and push it, push for more dams. And
5 I know there's an election coming up -- or provincial
6 election coming up and there's lots of -- Federal
7 election coming up. Why are they going to come to us
8 and be good to us? Good Indians, eh.

9 We did this before. It's like flying
10 ducks, this government. They come in and they fly out
11 again. (CREE LANGUAGE SPOKEN). Sorry, Larry. I've
12 seen this. I've seen this. I'm not a politician, but
13 I know what happened. I know what happened to Indian
14 people. And I know what the Prime Minister has done to
15 us, the government, even today as we speak they're
16 attacking our education.

17 So with that, I'm not scared to talk. I
18 have evidence and proof here. I can speak what I want
19 to say. If you want to challenge me, go ahead and
20 challenge me. Okay, I want to ask you a question, if
21 you don't mind. Can I ask you a question? Okay.

22 I have four (4) questions here. Do we
23 need more dams and why? Do we need more dams and why?
24 Are you -- are you in a position to answer that or is
25 it the government's position?

1 MR. SVEN HOMBACH: Just as I explained
2 earlier, that the decision that the panel's being asked
3 to make, the report where we submit it to government by
4 June 20th. But at this point, the decision hasn't been
5 made yet. And closing submissions from all the
6 evidence that the panel heard actually won't be until
7 next week. So it's just a bit premature to -- to ask
8 the panel this question.

9 MR. JACKSON OSBORNE: Thank you. The
10 next question is -- the next question is: How are you
11 going to pay the -- how are you going to pay the dams?
12 Who's going to pay for the dams that are going to be
13 built in Keeyask? Is it going to be like government?
14 Is it going to be Manitobans or is the government going
15 to borrow money?

16 THE CHAIRPERSON: Well, I'll attempt to
17 answer the question. The government -- you know, the
18 dam will be built by Manitoba Hydro using private
19 contractors and its own staff. To pay for the dam,
20 they will be borrowing money and putting some equity
21 into the project.

22 Now, the money that they have borrowed
23 will be paid back by revenues that they earn from the -
24 - from the dam. And...

25 MR. JACKSON OSBORNE: They heard me.

1 Thank you.

2 THE CHAIRPERSON: So the revenues that
3 they earn from the dam will be coming from Manitobans
4 and it'll be coming from sales that they make in the
5 export markets. So those will be sales that they make
6 in the US or Saskatchewan, but they will be sales that
7 they make.

8 So whatever money is earned from that
9 dam will be used to pay the loan that was -- the money
10 they borrowed to pay for the construction. Now, if
11 there isn't enough money from the sales that they make
12 outside Manitoba, Manitobans will have to pick up the
13 difference.

14 MR. JACKSON OSBORNE: So all this power
15 from the north, where is that power going to go to?
16 Who's going to buy that power; Minnesota, Wisconsin, or
17 what?

18 THE CHAIRPERSON: Well, they --
19 Manitoba Hydro has signed a number of contracts mostly
20 with US interests; you know, either Minnesota or
21 Wisconsin. In addition to that, they've sold some
22 power to Saskatchewan. So it will be sold to a
23 different -- a number of different locations, or a num
24 -- a number of different customers.

25 MR. JACKSON OSBORNE: So we're going to

1 be stuck with the bill if they don't -- if they don't
2 find the money, the northern people, Manitobans?

3 THE CHAIRPERSON: Yes, that's right.

4 If -- if there isn't enough revenue that they earn from
5 the sales outside the province, the balance will have
6 to be picked up by Manitobans.

7 MR. JACKSON OSBORNE: I see the -- the
8 policies says public shareholders. Are Indians still
9 considered public, or are we just subjects?

10 THE CHAIRPERSON: Well, no, you're --
11 you're a citizen too, like I am.

12 MR. JACKSON OSBORNE: Okay. You're not
13 from Indian Affairs, that's right.

14 Okay. Panel, thank you very much for my
15 presentation. I hope you bring (sic) my presentation
16 seriously for my kids, our grandchildren, and the
17 unborn, and for the land of Treaty 5 Territory. Thank
18 you very much.

19 THE CHAIRPERSON: Thank you for taking
20 the time to come to see us. Thank you.

21

22 (BRIEF PAUSE)

23

24 MR. SVEN HOMBACH: That concludes the -
25 - the sessions for this afternoon. Now, as you're

1 probably aware, there's an evening session as well
2 that's scheduled to start at 5:30. That was the theory
3 as of this morning. Right now it's about 5:15. The
4 panel got in about two o'clock and came straight here.
5 So it might be helpful if the panel had a bit of a
6 break to grab some food, and if we could regroup.

7 One (1) of the presenters that was on
8 the evening session, Mr. Chairman, has indicated that
9 she will not be able to attend today after all. So I'm
10 looking for guidance from the panel. Perhaps it may
11 make sense to -- to regroup at 6:00 or 6:15 to provide
12 the panel a -- a bit of a break.

13 Okay. We'll regroup at six o'clock. If
14 there's anybody in the room that would like to present
15 today that's not currently registered, please come see
16 me during the break and we'll see if it's possible to
17 fit you in. Thank you.

18

19 --- Upon recessing at 5:16 p.m.

20 --- Upon resuming at 6:12 p.m.

21

22 MR. SVEN HOMBACH: Good evening
23 everyone, and welcome back to the evening presentation
24 session for the NFAT tribunal. For those of you that
25 weren't here in the afternoon, I'd briefly like to

1 introduce the panel members that are here today to --
2 to hear from you. In the middle is Regis Gosselin. He
3 is the Chairman of... Sorry, technical difficulties.
4 Are you getting it?

5

6 (BRIEF PAUSE)

7

8 MR. SVEN HOMBACH: Okay. We'll start
9 over. Good evening, and welcome back to the evening
10 session for the -- the NFAT presentations. My name is
11 Sven Hombach. I'm the legal counsel to the Public
12 Utilities Board, and in front of you are three (3)
13 members that are sitting on the NFAT panel and that
14 will be hearing the presentations. In the middle is
15 Regis Gosselin, the Chairman of the Public Utilities
16 Board and the Chairman of the NFAT panel; Mr. Richard
17 Bel and Mr. Larry Soldier, both of them also panel
18 members.

19 In the afternoon session, a question
20 that has come up is why are we here and what is this
21 panel actually being asked to do. So I want to take a
22 minute just to explain the entire process before we get
23 started with a presentation.

24 Normally, the Public Utilities Board
25 only deals with Manitoba Hydro's electricity rates but

1 doesn't have jurisdiction over Hydro otherwise. It
2 can't tell Manitoba Hydro whether to proceed with a dam
3 or not, or whether to spend money on a particular
4 capital project or not.

5 But last April the Government of
6 Manitoba asked the PUB to hold this hearing into
7 Manitoba Hydro's Preferred Development Plan and issue a
8 report to the province with recommendations as to
9 whether or not the Plan should proceed and whether
10 there was a need for the Plan and what the alternatives
11 to the Plan are.

12 The Preferred Development Plan that
13 Manitoba Hydro has presented consists of two (2)
14 generating stations, it's Keeyask and Conawapa, as
15 well as transmission infrastructure and an
16 interconnection line into the United States to
17 facilitate exports.

18 The hearing is nearing its end at this
19 point. The NFAT filing by Manitoba Hydro came in on
20 August 16th of last year. The Public Utilities Board
21 was given the power under the terms of reference to
22 appoint one (1) or more independent expert consultants
23 to look at various aspects of the Preferred Development
24 Plan and then make recommendations to the Board.

25 That took place. The PUB actually

1 appointed nine (9) different independent experts that
2 looked at everything from construction costs to export
3 contracts to environmental matters. Each of them
4 prepared a report that was filed on the record. And on
5 March 3rd, the oral portion of the hearing began.

6 Since then, the Board has heard
7 testimony over more than forty (40) days. It's heard
8 from several Manitoba Hydro panels, each of which was
9 subject to cross-examination by counsel for the PUB, as
10 well as by counsel for various Intervenor groups that
11 participated. It's heard from the various independent
12 experts and it's heard from other experts that were
13 retained by various Intervenor groups.

14 And when I say, "Intervenor," I want to
15 briefly explain the ways members of the public can
16 participate. The Board conducts its hearing pursuant
17 to rules of practice and procedure that allow for two
18 (2) different types of participants. Number 1 are
19 intervenors. Intervenor have a right to fully
20 participate in the hearing. They can hire experts.
21 They can adduce evidence. They're going to be subject
22 to cross-examination. They can cross-examine. And
23 there were five (5) different groups that received
24 Intervenor status: CAC, the Consumers' Association of
25 Canada; GAC, the Green Action Centre; MIPUG, the

1 Manitoba Industrial Power Users Group; MKO, the
2 Manitoba Keewatinowi Okimakanak; and MMF, the Manitoba
3 Metis Federation.

4 But there's also an opportunity for
5 members of the public to speak to the panel for fifteen
6 (15) minutes on the record and make their views heard.
7 Now, that testimony is not evidence in the same way as
8 you have evidence in court. Presenters don't have to
9 swear an oath, but they are going to be on the record.

10 And at the start of the hearing on
11 February 27th, the panel had a day for presentations in
12 Winnipeg. Since then, a number of people have given
13 presentations over the lunch hour. But there hasn't
14 been a presentation in Northern Manitoba yet and, of
15 course, the dams are closest to here. So today is
16 reserved to hear from people in northern Manitoba.

17 The registered presenters this evening
18 will each have fifteen (15) minutes and, even though
19 it's not evidence per se, it is going to be transcribed
20 on the record. So our trusted court reporter will
21 prepare a transcript. That transcript will likely be
22 on the NFAT website and available sometime tomorrow.

23 So with that, Mr. Chairman, I suggest we
24 turn it over to the first presenter of the evening, Ms.
25 Fawn Morales.

1 PRESENTATION BY MS. FAWN MORALES:

2 MS. FAWN MORALES: Good evening. My
3 name is Gloria Fawn Morales. My maiden name is Beardy.
4 I'm originally from Pimicikamak Cree Nation. Status
5 number, if that's relevant, is 5391. In fact, today I
6 am here because it's a Need For and Alternative To. My
7 alternative is kind of -- my need for the alternative
8 is actually love, flower power. But anyways, the
9 reason why I state that is because it takes somebody to
10 love what they do to give the best for everybody: the
11 environment, the ecosystem, for my people, for my
12 daughter. She's the main reason why I sit here
13 tonight, is because of her.

14 Since she was born, I have been
15 constantly fighting for her rights, to her father for
16 example, to treaty rights, to living on the land, to --
17 to just having access to fish and duck and moose. If
18 you look into -- in my freezer, you'll find all that
19 wild stuff. It's just packed full of fish, ducks.
20 'Cause when hard times come, that's all I rely on. As
21 a single parent, that's all I have to eat. And from
22 living on the Nelson River, I have seen the effects of
23 swimming in the muddy waters, like you have heard from
24 several accounts from several people. But I'm not
25 going to get into that.

1 My alternative to you is a challenge to
2 the engineers to establish a lock port, just as they do
3 in Lockport, Manitoba, in Southern Manitoba. Last
4 summer, we had paddled down to Winnipeg on a canoe
5 quest specific to protecting our waterways. And I just
6 found the lock port very intriguing because it's not
7 only a way for safe boat passage, but it could also be
8 a way for safe fish passage.

9 If you establish a -- a routine like,
10 for example, let's say in this make-believe world you
11 had this lock port established at every dam along the
12 Nelson River, that's a constant stream where fish could
13 continually move up and down the river freely. And the
14 -- and the lock ports would be open every morning when
15 the sun would rise and released upstream within, like,
16 a couple hours after it being open. And every night
17 when the sun goes down, it would be opened to let the
18 fish travel the other way and it would be constant.
19 The animals will learn this pattern. They will have an
20 opportunity to live.

21 Who's to say that sturgeon and caribou
22 are the primary candidates for protection? We -- I --
23 I live on whitefish. Pickerel is a rare commodity.
24 It's also called walleye to the Southern people. But,
25 you know, it's very important. Like, I seen sturgeon

1 maybe ten (10) times in my life. I am twenty-eight
2 (28). And the sturgeon I've seen -- the biggest one I
3 seen was when I was eight (8) years old and it was a
4 slab of it. Maybe about eight (8) inches. That's not
5 very big compared to what my grandfather had said they
6 had caught many, many years ago.

7 And, honestly, you plan to see profits
8 by 2026. You are planning a future that is not even
9 guaranteed to you as people. You have blood flowing
10 through your veins. You eat food filled with hormones
11 and all these pesticides. You eat that food. You
12 drink the water.

13 Everybody is connected. You can feel it
14 in the atmosphere today. You feel it, you know it.
15 You wake up two (2) o'clock in the morning and you just
16 have that feeling that something is not right. Even,
17 finally, the States admitted that it is a global
18 catastrophe that it's due to climate change and global
19 warming. Everything adds and it accumulates. All the
20 water that flows through Nelson River, it's
21 accumulation of all these pesticides from the South.

22 Nobody considers the North. We are
23 actually the first ones, the first casualties in this
24 war. It's what I hear the Americans say -- how does it
25 go. A few thousand to save a million, right? Or

1 something like that? Well, that's -- that's the case
2 here. And the casualties of this war are our fish, our
3 marine life. You go down to Churchill. The Churchill
4 River is swamped with sediment. It is drowning those
5 fish that are usually accustomed to clean, crisp water.

6 Have you been out on the land? Have you
7 tried the water? Compared to what you get in the
8 Nelson River and the Burntwood River, this water is
9 dead. It's pretty close to dead. The fish that you
10 pull out of the water, it's pale and meek. The fish is
11 mushy and yellow. We get our fish off a trap line out
12 of the Nelson tributary that actually flows into the
13 Nelson tributary, so we don't have those contaminants
14 coming from the South into that waterway. And the fish
15 is just delicious.

16 And we grew up on that fish. The fish
17 is our medicine. When we were sick, you'd get a
18 spoonful of oil. Fish oil, as nasty as that was,
19 that's what we got. And it is important that we
20 preserve this. Not just the sturgeon. Not just the
21 caribou. It is the complete web.

22 Take Yellowknife, for example. The
23 Americans thought that the wolves were pests and they
24 were to be exterminated. They hunted the last wolf in
25 1970-something. And for thirty (30) years there were

10881

1 no wolf in -- wolves in that region. And they've had -
2 - they just wondered, Well, what's wrong with this
3 area. We have erosion -- erosions of our rivers. No
4 fresh trees, no new trees. The oldest trees -- there
5 is no middle-age trees. The trees were seventy (70)
6 years old or little -- little spouts. Nothing in
7 between.

8 So they did the whole assessment.
9 Biologists came in, did the assessment. And they found
10 that the only factor in that was the removal of the
11 wolf. Because they removed the wolf, the entire
12 ecosystem collapsed. There was no wildlife there.
13 There were no trees because the elk ate all the trees
14 that were there and had never gave them the opportunity
15 to grow.

16 So they reintroduced the wolves into
17 that territory. Ten (10) years later, they have new
18 aspen growths, new vegetation. The rivers are
19 established. There's hardly any erosion, not as much
20 erosion as there was before. This all factors into our
21 ecosystem in the North.

22 And it is important that it is
23 established. It's important that you challenge these
24 engineers to come up with innovated designs to make use
25 of what they have. We have the technology. We have

1 programs that could simulate different models. We have
2 all that stuff that we need to do.

3 When we're at Jenpeg, I could see the
4 lights from fifty (50) kilometres to a hundred
5 kilometres away. That is light pollution, light
6 pollution that -- that disturbs the flight paths of
7 birds. You know, maybe you could put capsules -- or
8 what do you call that? I'm not a technical engineer.
9 But they have light specific to that to contain that
10 light pollution from going into the air. I could see
11 it when I'm in Cross Lake. I could see that light.
12 And Manitoba Hydro has the leverage to make these
13 changes everywhere. Be the change we want to see.
14 Innovate.

15 Hydroelectric energy is really good
16 energy, I must admit. The programs that were
17 established were awesome. The damage that was done was
18 devastating, and it's bittersweet. I have been part of
19 an organization, the Ininiwi Aski, for the past decade.
20 And Manitoba Hydro has been sponsoring us to do these
21 canoe trips from Cross Lake to Gods Lake and back, and
22 to Winnipeg last year. Well, they didn't sponsor us
23 last year.

24 But what I'm saying is, is that you guys
25 can be the change, you know. You're not going to not

1 go out there and not build a dam. That's going to
2 happen regardless of what we say and what we oppose.
3 If it was up to us, there'd be no dams on these rivers.
4 But that's not going to happen because millions of
5 people down south need the energy, need it to heat
6 their homes. It beats nuclear energy. It beats coal.
7 Every twelve point nine (12.9) seconds
8 we have 1 acre of forest being devoured through
9 forestry. Manitoba Hydro devoured 8,300 kilom --
10 square kilometres of forest, approximately. That's
11 640,000 acres of permanently gone boreal forest.
12 Canada makes up 19 percent of the boreal forest, and
13 we're at a point where we need the trees. We need that
14 CO2 to be eaten up by these trees so we can breathe.
15 Our children today suffer allergies, asthma, sicknesses
16 that we did not have twenty (20) years ago. Even in
17 your homes, even in the cities, we can't have eggs,
18 peanuts, oranges. That's unheard of.

19 And so I challenge the engineers to
20 think outside their gargantuan (sic) fortress to come
21 up with something really innovated to change the world.
22 And I challenge them to go forward to Brazil to help
23 them utilize their dams there, instead of killing off
24 the indigenous people there as well. We are fortunate
25 here in Canada to have established rights, but it still

1 goes on today, exterminating the little people.

2 I really hope you can be the change for
3 our future tomorrow. Ekosan.

4 MR. SVEN HOMBACH: Thank you, Ms.
5 Morales. Next on the list of presenters is Alberteen
6 Spence of Tataskweyak.

7

8 (BRIEF PAUSE)

9

10 PRESENTATION BY MS. ALBERTEEN SPENCE:

11 MS. ALBERTEEN SPENCE: Good evening. I
12 have here with me my first teacher in life, my mother.
13 And I had registered for myself to speak, but I had
14 heard so much mention of the fixed -- the fixed income
15 and the fixed budgets. That's really...

16 We had heard quite a bit of information
17 on the fixed budgets that a -- a number of communities
18 experienced, whether they're on a pension or... Most
19 First Nations communities are 85 percent unemployed, so
20 they're on social assistance, and then the budgets are
21 fixed. And you -- you seen some information from MKO,
22 Michael Anderson, on -- on what happens with those
23 budgets, and they're not given dollar for dollar with
24 the utility bills.

25 And so I'll just -- I just wanted her to

1 share some of that -- that burden that our Elders
2 share. You know, and my parents worked hard all their
3 lives as labourers, and they should be in their
4 retirement. And, you know, everybody looks forward to
5 having a retirement and -- but, these Hydro bills, I
6 just want her to share that part.

7 MS. MARTHA SPENCE: Thank you. My name
8 is Martha Spence. I'm one of those reverends for TCN.
9 I'm seventy-one (71) years old. I'm just -- thank my
10 daughter, invite me to come and sit with her here. I
11 always want to support my children.

12 Like I said, I'm seventy-one (71) years
13 old. I'm retired. And then I get calls from the
14 collection agency that I owe them, Manitoba Hydro,
15 three thousand five hundred and fifty-five dollars
16 (\$3,555). That was about -- I call it history, but I
17 think that's about ten (10) years ago. I'm not quite
18 sure. But when I went to live in Quebec to serve
19 there, and when -- when I was there I was sent a bill.

20 Now I've been having calls, and I had a
21 call the other day. And I don't know how I'm going to
22 pay it so fast, you know. It gives me a bad name now,
23 you know, to have to owe that much to them, Manitoba
24 Hydro. You know, that's -- that's a lot to me and my
25 income only.

1 Well, me, I get seven hundred and fifty
2 (750). So does my -- my husband gets seven fifty
3 (750). But we have other things to pay. And then my
4 husband is the one. I can't get it in my name. So my
5 husband's under his name to pay for that -- the bill
6 every day, Manitoba Hydro. The first bill was two
7 hundred ninety dollars (\$290). But I went to the
8 office and asked them if they could fix that, so he
9 still pays two hundred dollars (\$200) a month.

10 And so we try to be easy on -- on the --
11 the power in our -- in our home. And it's very hard
12 sometimes, because I like to have my family to come and
13 visit and do things with us, and it -- it -- I know it
14 costs a lot of money. And it -- it really bothers me
15 when things going on like this that -- that we are very
16 much being controlled how to live on our -- for our
17 lives. It has been happening for many years.

18 First it was residential school, his
19 use. I didn't go to residential school. I had grade 2
20 1/2 in Split Lake, and that's all I had. I taught
21 myself how to read and write. I'm very thankful. I
22 thank the Creator who lead me and give me all these
23 things to do today. And I could speak English and I --
24 I can write my -- my language, Cree syllabics, and read
25 it, you know. And so I am a priest.

1 Anyway, but, this is really something
2 that it's been happening to us and there's -- I hear
3 many of my people cry. They're sick. They're sick
4 because of what happened to them at the residential
5 schools. They still continue on to do that, Child and
6 Family Services, today. They still do that. They
7 still take children out, you know. They don't try to
8 solve problems in -- in our own area.

9 And that's really something that now the
10 Hydro, it's affecting us many ways at homes and, you
11 know we go through all these sickness and they didn't
12 believe me when I told them. I talked to them maybe
13 twenty (20) years when they were starting negotiating
14 in Split Lake. I said we have to do something, you
15 have to say something to the Manitoba Hydro, what are
16 they going to give us in place. Nothing yet.

17 It doesn't so much in our community and
18 we've been affected for many years now, the Manitoba
19 Hydro. And -- and -- this is we still hear crying
20 people like that. They get sick like cancer nowadays.
21 They didn't have cancer before that. It just bang,
22 bang, bang. Just left and right people have cancer,
23 and it's very sad that to happen. Diabetes and all
24 kinds of sickness because of the water. If you come
25 and stay there one (1) week, would you drink that from

1 the lake? And even the -- the -- from water treatment
2 plant -- and I try to talk fast here. But that's -- I
3 want to just a point that I want to put there.

4 And even the -- the highway, the dust in
5 our community, you know, that's -- that's killing us,
6 too. So it's -- it's not easy to live on that and
7 near. I know Manitoba Hydro will make billions and
8 billions and billions of dollars, so why don't they
9 work with us and give us something. That's what I want
10 to say. Thank you.

11 MS. ALBERTEEN SPENCE: Thank you, Mom.
12 She mentioned the roads. That's another thing, that
13 Highway 280 is not paved and there is so much -- we
14 just put in a claim today with AutoPac. And -- and us
15 little people have to pay higher rates. We pay far
16 more. We don't have utility trucks like Manitoba
17 Hydro. And they can drive those company trucks and
18 it's all covered. But us regular folks, we get hit
19 hard with -- with the road conditions and -- and it --
20 and you -- you were lucky to fly. You didn't ride the
21 road.

22 It -- it is pretty rough, and we --
23 we've asked Steve Ashton to pave it for -- for a long
24 time. And I've seen in some of the presentations when
25 they were selling Hydro to the people, they would put

1 images of paved roads as part of the deal in the '80s.

2 So where are they?

3 So I ran for the Green Party in the last
4 federal election. And, you know, I -- I'm -- for many
5 generations our family have lived in the North. My --
6 both my parents were born along the river with
7 midwives. We're -- we're traditional homeland -- we're
8 from this territory. And there's been a lot of changes
9 over the years to the -- to this massive river and
10 water system. And, you know, the reason is to create
11 energy. And the -- the one dam, Kelsey, was made for
12 Thompson. And look at how much population is here in
13 Thompson and, you know, we built the blue chip company
14 with -- it was once Inco, but it's Vale Inco now. You
15 know, we didn't get much shared resources from that,
16 you know. And -- and, you know, a lot of the
17 ratepayers here at Thompson got a -- a lot of breaks.

18 So with the other dams, there's -- we --
19 we don't seem to be in any kind of energy crisis. And
20 when you say you have to go back to the Manitoba
21 government, I -- I'm not sure who you're referring to,
22 because we have the main machinery, the Liberal party,
23 the Conservative governments; European-based, you know,
24 ideologies of political. And -- and so now we've, you
25 know, entered into those systems and we vote. You

1 know, we choose a party.

2 But, you know, I would argue that
3 Manitoba Hydro has its own government, you know. It
4 has its own, you know -- it's grown to be a
5 corporatocracy. You know, it -- it's -- it's -- Hydro
6 -- Hydro projects are funded through International
7 Monetary fund and World Bank and these projects are set
8 up all over the world. So the -- the government of the
9 day, I suppose, that's who you answer to. NDP had
10 approached International Monetary Fund or World Bank
11 and borrowed billions of dollars for these -- for these
12 projects. So they put in the preferred plan, you know.
13 Building a -- a dam. So, we're looking at Keeyask.
14 That's meant to be seventy-nine (79) years old.

15 And I got to read Garland Laliberte's
16 critique and look at other critiques. And, you know,
17 that's a lot of information to take in. But, you know,
18 the language is a whole other language. You know,
19 there's -- there's algorithms involved. You've got,
20 you know, your cream of the crop on -- in the Hydro
21 upper echelons, you know, whizzing up numbers of
22 projected costs of, you know, whatever it is they're
23 looking at, you know, how much they're going to make on
24 these rates.

25 And there's so many aspects to this

1 whole dam. And they signed with Wisconsin at 400
2 megawatts and they -- they cut out of that contract, or
3 they -- they changed it and downsized to 100 megawatts.
4 The United States has their own energy policies.
5 Canada does not. I don't see -- I don't think we have
6 any kind of energy policy in -- in Manitoba.

7 So with alternatives, I don't support
8 the Keeyask dam for how it's -- how it's managed. I
9 don't agree with the numbers they project. I don't
10 agree with how they are putting forward this -- this
11 whole dam proposal. You know, I think it's set up for
12 some people to gain but not -- not for everybody. And
13 it's going to be build like genocidal -- a genocidal
14 effect on -- on First Nations. We're the ones who are
15 paying with our health, with our lives.

16 You know, you see this happening in
17 other dam projects throughout the world, where the
18 indigenous people are cast aside. In some places
19 they're shot. In India, you have actual full-out wars;
20 Burma, they've -- they've had full-out wars with guns,
21 saying, No dams. You're -- you're seeing uprising in
22 South America.

23 And we've been very cooperative, but I -
24 - I -- you know, the -- the way Manitoba Hydro and the
25 -- the NDP have been selling this dam, scaring

1 citizens. We need it for the economy, you know, using
2 like those Harper tactics with oil sands. You know,
3 that -- that aggressive -- what do you call it --
4 demand-side management now.

5 And, you know, that there's fear-
6 mongering that we're going to have some impending
7 energy crisis. We don't. And -- and that dam doesn't
8 even need to -- to start until 2017. You know, there -
9 - there isn't a real demand. Look it, they went from
10 400 megawatts back to one hundred (100). So Doer is,
11 you know, ambassador now, trying to sell the energy in
12 the oil sands. He's not doing too well, I hear.

13 So those numbers, you know, they're --
14 they're very shaky. This is a gamble. This is a huge
15 gamble and I don't agree with it, you know, not the way
16 it is. There's just too many cons, and the effects
17 have been devastating. It's divided up our homes.
18 Sometimes my mother and I didn't agree on this Hydro
19 dam. She worked on that side. I used to work. I -- I
20 have my education. I got discriminated because I -- I
21 work on a -- a First Nations reserve. I didn't make
22 the amount of money I did off reserve. There was no
23 wage parity.

24 And then I started reading the Hydro
25 stuff. I never wanted to get involved with it. It's

1 like a vortex. So I start reading this stuff. And
2 next thing you know, we're -- we're trying to halt what
3 was going, on at the community level, to -- to take a
4 breathe. And I asked at a previous meeting if we could
5 look at those numbers ourselves, instead of having to
6 rely on consultants. Consultants.

7 These -- there -- there's -- there is no
8 reason to go ahead with the Keeyask. It would be just
9 for greed. And you see amazing stories coming out of
10 Germany. I hear Germany coming up all the time, you
11 know, with their solar power. Like, this year they
12 just announced they -- they produced one hundred (100)
13 -- no, I wouldn't say one hundred (100) -- one (1)
14 terawatt. That's -- that's a massive amount of energy
15 from solar -- solar panels.

16 And there's different types of solar
17 panel technologies. But I'm hearing in Manitoba, in
18 government at the -- I've been to the legislative --
19 legislative building and talked to certain people about
20 this project, and they don't seem favourable. They
21 need to be convinced that there are alternatives, that
22 solar panels -- perhaps we could use those algae blooms
23 in Lake Winnipeg because it's become a reservoir.

24 And there's so many things we could do
25 with Lake Winnipeg. It's -- we've put it on the map.

1 Look at the legacy we've built. It's -- it's a dying
2 lake. That's what we've done to it. So why can't we
3 change those legacies, you know, and -- and utilize
4 some of the, you know, the brilliant minds out there?
5 Why is Harper so against the scientists? And, you
6 know, geothermal, you know, we're using some of that
7 and -- and wind. One (1) tera -- terawatt in -- in
8 Germany, they just announced that recently.

9 And I think-- the United Nations just
10 came out with a report on how terrible Canada is
11 treating us. And this is one of the prime examples of
12 what's happening, with what Manitoba Hydro has done to
13 Tataskweyak. Tataskweyak, you translate that, and it -
14 - it would translate into 'split'. It could be the
15 lake that was split, perhaps the trees that were split
16 in two (2) because that happens there, too. But
17 Manitoba Hydro has split the families apart by those
18 who support it and those who do not. And when we had
19 the Keeyask vote, it wasn't a unanimous decision. It
20 was something like fifty (50) plus one (1).

21 So there is a lot of arguing. People
22 want the money because, you know, you look at the media
23 and -- and they -- they report to the public that
24 Tataskweyak was getting millions of dollars. And the
25 auditor had just done a report and -- and they show

1 that the water and sewer project failed. It's still
2 sitting. It's -- it's a lawsuit in court, but where
3 did the money go? A lot of things going on with --
4 with the money.

5 But, you know, I'm -- I'm lucky and
6 fortunate to have a -- you know, somewhere warm to
7 sleep, but it was pretty hard keeping it warm this past
8 winter. It was a long, cold winter. And, yes, I would
9 have -- I want to have an alternative form of energy.

10 But everybody is sold on this dam
11 energy. We really need to wake up, wake up and -- and
12 stop being the sheep to the NDP or, you know, I -- I
13 think that it's the same. NDP, Liberals, Conservative,
14 whoever is in there, you know, it would still probably
15 be the same thing. To me, it's socialism.

16 MR. SVEN HOMBACH: Ms. Spence, I'll ask
17 you to wrap it up.

18 MS. ALBERTEEN SPENCE: So this is a
19 huge gamble, and -- and the gamble, you know, they're
20 playing with the money. It's regular folks. Regular
21 folks here in Thompson, all over, that are paying those
22 rates that are already high for First Nations. That --
23 you know, I haven't even -- we haven't even gotten to
24 the numbers part, you know, and -- and I'm having to
25 play catch up.

1 But with the information that's out
2 there, you know, people need to give their heads a
3 shake and reality and -- and be strong. You know, the
4 evidence is there, and -- and I -- I recommend that,
5 you know, why rush it. Why rush, you know, into a bad
6 decision? And so I -- I can't support it the way it
7 is. It would just be ill advised. It would be just --
8 just not smart. It wouldn't be power smart. Thank
9 you.

10

11 (BRIEF PAUSE)

12

13 MR. SVEN HOMBACH: Thank you both.
14 Next on the list is a panel from Tataskweyak. And
15 perhaps we can stand down for a minute and allow
16 parties to get into place.

17

18 (BRIEF PAUSE)

19

20 PRESENTATION BY TATASKWEYAK FIRST NATION:

21 ELDER EUNICE BEARDY: Tansi. Eunice
22 Beardy Desnihasen (phonetic). That's my church name.
23 My spiritual name is (CREE LANGUAGE SPOKEN).

24 I'm happy to be here to express some of
25 my concerns about Hydro damages. I've been sitting

1 here listening to everybody's presentation. And I
2 don't know how much -- how much of a say you guys have
3 as to whether the dam -- this increase is going to go
4 through. From what I understand, it's going to go
5 through anyway because Hydro needs all the money to
6 build those dams. Those damn dams. I had to say that
7 because it's how it makes me feel.

8 Damages. You know, when we look at
9 Hydro, whether it's the cost, whether it's tran --
10 transmission lines, whether it's the individual dams,
11 it's all the same thing. We can't separate them.
12 They're all damaging. The damages are so severe to all
13 of us. They damage the animals. They damage their
14 migration routes. They damage their health. And we,
15 as Native people, depend on those animals for our
16 health, for our food.

17 But slowly, that's being taken away from
18 us by Hydro, just because of the almighty dollar. They
19 don't think about the human aspect of their
20 destruction. Previously, Alberteen mentioned there's
21 division in families. And, yes, there is. But, hey,
22 hasn't that always been the government and -- a tactic?
23 Divide and conquer?

24 I truly believe that's what Hydro's
25 doing with our communities, too. And it hurts like

1 hell to see our families divided, because some of them
2 are getting a lot more of the candy than us. And some
3 of them don't get any. Is that fairness? I don't
4 think so.

5 There's damage to the trees. How would
6 you like it if you're walking -- I'm just using simple,
7 simple examples here -- and somebody took a handful of
8 dust and threw it in your face? That's what they're
9 doing to our trees. Our trees, we rely on them for our
10 breath to help us breathe. They're damaging those.
11 They cut them down. What do they do with those trees
12 once they cut them down? Are they offering them back
13 to the communities? I don't see that happening. I
14 don't know what they do with them. I would like to
15 know.

16 They're damaging our medicines. Our
17 medicines we come -- we take from our land, from the
18 waters so we stay healthy. We were a healthy nation
19 before Hydro came along. Our Elders knew exactly what
20 kind of medicines to give us. We didn't have all these
21 illnesses like cancer. That comes from the water.

22 A lot of the times we turn the water on
23 when we don't have bottled water in our homes. It just
24 tastes like chlorine. Now, that's just like drinking a
25 bottle of -- a bottle of Javex. And we discourage our

1 kids to get into the Javex. But you know what? We're
2 getting into it. They say they are cleaning that
3 water, but they're destroying us inside.

4 And it just really hurts that Hydro
5 continues to build these dams when it's not necessary.
6 Have they looked at any alternatives? Some of them
7 have been mentioned in prior presentations. And we
8 know what they are, so I'm not going -- I'm not going
9 to spend time reiterating those.

10 And I just want to talk about some of
11 the changes. The '77 agreement, that was never
12 honoured to its fullest. And then the '92 agreement,
13 that wasn't honoured either. Now they have Keeyask.
14 They passed the agreement. But they haven't lived up
15 to their previous agreements. When are they going to
16 wake up and smell the coffee and say when? What can we
17 do to make it better? What have we done that was
18 wrong?

19 But instead they say, Well, we -- we did
20 this wrong. We'll continue -- continue to do it no
21 matter how wrong it is. It just really upsets me that
22 it's always the almighty dollar. They don't have our
23 best interest in mind at all. Sure they -- they have a
24 lot of consultation, but where's the commitment to come
25 along with that consultation? It's not there.

1 It's not fair to us. This is our land.
2 We were put here by Creator to keep this land clean,
3 our water clean, and we're failing miserably because of
4 Hydro. And how are -- how is it going to be for our
5 grandchildren, our great-grandchildren, and their
6 great-grandchildren, and the unborn? There's not going
7 to be anything there. When I was a little girl you
8 could see to the bottom of the lake. We used to throw
9 dimes down there and swim for them. Now you can't even
10 see your hand under there.

11 And I know you're here to approve the
12 increase. Whether or not you do, I don't know. We're
13 still in the same boat. And our Hydro bills keep
14 increasing, increasing, every year. And you know what?
15 A lot of those houses, it's because of Hydro. Erosion.
16 And they keep reneging from their responsibility. They
17 say, Oh, you know what, our water's going to rise some
18 more. So we're going to move their service line up
19 higher so we don't have to pay the community. And it
20 has happened. I've witnessed it. They don't tell us.
21 They come and do it.

22 Now, why, why should we have to live
23 like that? And they say, "partnership." What kind of
24 a partnership is they get 75 percent. We get twenty-
25 five (25), but we have to split that twenty-five (25)

1 amongst a number of communities? Is that fair? I
2 don't think so.

3 And it really, really -- I'm really
4 concerned about what if the dam -- what if Hydro goes
5 into deficit? Just like this article. This article is
6 from Nelson House. They are expected to pay the
7 deficit, too. Out of what, 25 percent or less than
8 that? So our children will never see anything. It's
9 the Hydro people that are going to benefit. Our
10 consultants have been eating up our money like crazy.
11 They get money, and then soon as you make a phone call
12 they're charging that money. So nothing comes to us.

13 I really would like to see alternatives,
14 some fairness. And I know our Elders long ago had
15 requested they don't pay Hydro. That has never
16 happened. And those Elders are long gone. And we're
17 still fighting to get free Hydro for a minimum cost.
18 Don't charge us during the winter months when it's so
19 high. Make that recommendation. Take what we're
20 giving you. Take it seriously, because we're hurting.
21 Our communities are hurting. The future is going to
22 hurt more if nothing is done.

23 I'm really happy I came here just to
24 unload some of my concerns. These -- these licensing
25 processes, too, are a farce. You know, we in Split

1 Lake did a presentation to the licensing Board. But it
2 was just a -- a process. It was already decided it was
3 going to go through anyway for that Keeyask and for the
4 -- that Bipole. So it's just to make us happy. They
5 go through all these processes, but they -- it's
6 already been decided what's going to happen. And
7 that's how the government works. And we want it to
8 stop. Ekosi.

9 MS. CHARLOTTE WASTESICOOT: Good
10 evening to the Utility Board. And to the -- sorry --
11 I'm Charlotte Wastesicoot from Split Lake, Tataskweyak
12 Cree Nation. I want to thank the people from Treaty 5
13 Nations who have shared their concerns, because we have
14 the same concerns also. So I'm not really going to go
15 through all of that.

16 It was regarding the Hydro bills,
17 because I myself, as a -- is retired, and I have a very
18 limited income. And that's what takes most of my
19 little income, is Hydro. But lately I refuse. No more
20 of this. There's too much bullying from Hydro. They
21 get -- always get what they want. They manipulate our
22 leaders. There's so much deception and bribery or
23 intimidation. They say, Take it or leave it, the few
24 nickel and dimes that they offer.

25 The amount of money that they -- the --

1 the amount of damage that they have done to our
2 livelihood and -- and to our economy I'll call it: our
3 land and water and medicines and the animals. That was
4 our economy. We lived with those -- with them for
5 thousands and thousands of years before the white man
6 came to our ancestral land. And we were a healthy
7 nation.

8 And now, because of all the devastation
9 that Hydro is doing to our ancestral lands, there's so
10 much sickness. I'm sad to say in the last couple of
11 years it seems that there's -- we have to bury one (1)
12 of our loved ones because they die of cancer; mostly
13 cancer, heart diseases, kidney diseases, all these rel
14 -- that's related to these -- the change of lifestyle
15 that we are forced to live, to buy what -- whatever we
16 can afford from the store, those chemicals that -- that
17 are in those foods to preserve them, the preservatives.
18 And that's what's killing us. I'm not going to go into
19 detail, because all our people know that.

20 They are no -- there is no need for any
21 more dams. I only see greed, because it already has
22 enough for our -- our -- Manitoba. Since the United
23 States is so powerful and so smart, and whoever -- why
24 can't they use alternatives for their power? Like
25 Alberteen mentioned the solar power, wind power, and so

1 on. And she used Germany as an example. I totally
2 agree with her.

3 I don't get much chance to get on the
4 Internet, because we don't even have that in Split
5 Lake. We have MTS. It's very slow. And we have our
6 own people that are -- that have that business, but
7 they work out of Winnipeg and they have to travel quite
8 a bit. It costs a lot of money to travel back and
9 forth to maintain the system that we have in Split
10 Lake.

11 And I just wanted to mention this, too.
12 We were so happy when we were told that we were getting
13 -- we were getting the -- is it fiberoptic or optic
14 fibre or whatever you call that. And it didn't even
15 come to our community. It was all for Manitoba Hydro
16 in Gillam. It bypassed Split Lake. We don't even get
17 that. And here we were happy when we were told, Oh,
18 we're getting that. No. We don't get such things in
19 Split Lake. We don't -- I guess we don't count. We
20 only get -- the only thing that we get is the
21 illnesses, the diseases that are caused by this
22 devastation, these environmental damages.

23 And I want to share something that I
24 came across when I was -- for a few minutes, I was able
25 to get on the Internet. I want to share this that I --

1 our leader, our Grand Chief from Manitoba, Assembly of
2 Manitoba Chiefs. Because of all the things that we --
3 I wanted to share was regarding the utilities, Manitoba
4 Hydro, have already been said, very well said. And
5 there's documents that they left.

6 So I think I -- I want to share this.
7 It means a lot to me, because that's how our people
8 think. This is from Chief Nepinak, AMC. He had it on
9 his -- on his post:

10 "A great Anishinabi Elder once told
11 me that in a season of stories and
12 teachings when the snow starts to
13 fall there would be storytellers who
14 would begin to train the young ones
15 in such a way that it would seem at
16 first that the narratives were
17 disparate, jumbled, not streamlined
18 nor -- nor connected.
19 In time, as the season of stories
20 would continue, the young ones would
21 begin to see the interconnectedness
22 of these -- of this -- of things.
23 They would see that the puzzle pieces
24 of the once seemingly disparate
25 narratives actually fit together

1 perfectly, contributing to new,
2 holistic understandings of the world,
3 and a new awareness of connect --
4 connectedness of things.
5 In finding this way of thinking, not
6 one (1) circumstance of our existence
7 as Anishinabi, meaning people, we say
8 Innu in Cree, no matter how dis --
9 disparate should -- should be
10 dismissed as insignificant or
11 unconnected to the whole of this life
12 experience."

13 This is how a lot of us Anishinabi
14 think, what he just wrote. Anishinabi. And that's how
15 we think as Inninu too. When I consider the Harper
16 government, he's referring to that -- that they were
17 trying to push through that bill on education and our
18 education. He says:

19 "I am drawn to reality. That bill is
20 only part of a larger effort that
21 spans many governments and many time
22 periods since the arrival of Colonial
23 lawmakers. The goal is to annex
24 indigenous people into the Canadian
25 body politic by killing the Indian in

1 the child. It may be politically
2 expedient in the eyes of career
3 politicians to suggest that we accept
4 that prescribed law and its attempt
5 to enforce cus -- outcomes by way of
6 legislation because it breaks the
7 status quo.

8 My truth tells me that there is
9 nothing that this government has done
10 to advance the interests of
11 indigenous peoples. It has gone out
12 of its way to deceive the Canadian
13 public, how fool we are as indigenous
14 peoples. It has cut and slashed
15 vital services to our people while
16 paying its bureaucracy executives
17 bonuses for nickel and diming already
18 underfunded budgets.

19 It has eliminated policing programs
20 in our communities that helped people
21 feel safe in their communities that
22 need healing and are experiencing
23 great social calamities. It has cut
24 millions and millions of dollars in
25 housing to pretend that it is putting

1 new money into our communities in
2 other areas. It empowers divide and
3 conquer and conit -- and continues to
4 deny the existence of our true
5 sources of freedoms in our ancestral
6 lands.

7 When I consider the totality or
8 approach, a more holistic view of the
9 situation, how can I -- how am I
10 supposed to accept the First Nation
11 Education Act?"

12 He goes on to say:

13 "Don't let today's events in Ottawa
14 steer you away from the issue. We
15 still need to stop this bill."

16 End of quote. And that's exactly how we
17 feel. How -- how are we supposed to accept what the
18 damages are, what the numerous dams are doing to our
19 people? Killing them off like Alberteen mentioned and
20 as I -- that's exactly how I see this. This is only
21 from my own thoughts.

22 These dams are killing our people due to
23 the devastation, environmental damages. It's not just
24 the people, the human beings, but all that -- all the -
25 - our four-legged relations, the birds, the plants, the

1 medicines, and especially the water, which is the blood
2 of our Mother Earth.

3 And here the Queen had promised as long
4 as the sunshine -- as long as the sun shines, the water
5 flows, and the grass grows, that they would protect us.
6 I don't think so. They have not kept their promise --
7 that promise.

8 And when we think about the water that
9 flows, we think about the birth of our children. That
10 has not stopped, and neither has Mother Earth's waters
11 stopped. And we are challenging the government, the
12 province, Manitoba Hydro and all those that benefit
13 from them.

14 Yes, we -- we have -- it's easier for us
15 to live nowadays. We challenge those whose -- excuse
16 me, I didn't finish my sentence -- to find alternatives
17 so that they don't continue to destroy Mother Earth,
18 our way of life, our future gen -- generation. We want
19 them to have a safe environment wherever they -- they
20 might have to go if this dam goes ahead.

21 I know that they say it's not going to
22 affect Split Lake, but it has -- it has already
23 affected Split Lake tremendously. Like I said, there
24 is -- has been numerous deaths. Definitely incr -- an
25 increase of cancer patients. People on kidney

1 dialysis, kidney failure, diabetics, heart failures,
2 and so on. I can go on and on. And that's because of
3 the lifestyle change.

4 MR. SVEN HOMBACH: It's been twenty-
5 five (25) minutes already.

6 MS. CHARLOTTE WASTESICOOT: Okay. I --
7 I want to refer this to, like my -- my little
8 granddaughter will say, What are you doing, granny?
9 She said to me when I was writing this last night. And
10 I -- I told her -- and I told her what I was doing was
11 trying to make a -- a statement to make it better for
12 her in the future.

13 What about this, granny, she says. A
14 picture -- well, this was written by Chief Seattle.
15 It's a nice picture, a beautiful, clean environment and
16 the ground and all the birds. "The earth does not" --
17 this is what that says. I think you've heard it before
18 and I will continue to say this:

19 "The earth does not belong to man.
20 Man belongs to the earth. All things
21 are connected like the blood that
22 unites -- unites us all. Man did not
23 weave the web of life. He is but a
24 strand in it. Whatever he does, he
25 does to himself."

1 This was by Chief Seattle, and I thank
2 my little ten (10) year old granddaughter for bringing
3 that to my attention, because we teach our children
4 about that, too, about our sacred land, Mother Earth.
5 Thank you. (CREE LANGUAGE SPOKEN). God bless you.
6 (CREE LANGUAGE SPOKEN). Thank you.

7 MR. SVEN HOMBACH: You've been about
8 thirty (30) minutes, and we only scheduled you for
9 thirty (30) minutes. So you might want to think about
10 how to shorten it. We have two (2) other panels to go
11 yet.

12 MS. JANET MCIVOR: Okay. Well, I -- I
13 got this letter to read. It's not much. Okay.

14 MR. SVEN HOMBACH: Okay. But try to
15 keep it short.

16 MS. JANET MCIVOR: Yes. Yeah. Okay.
17 To -- to whom it may -- my name is Janet McIvor from
18 Split Lake:

19 "To whom it may concern. Re:
20 Potable water. My name is Jim Wavey.
21 My occupation, water treatment plant
22 operator for TCN, class 2 operator.
23 For twenty-six (26) years my main
24 concern is potable water, our daily
25 source of living for drinking,

1 laundry, et cetera. It is my job
2 that I maintain the water safe to
3 drink.
4 I'm at work 24/7. It's sad to say
5 that our water lake is not fit to
6 drink on our lake. Our water has to
7 be boiled before we can consume it.
8 I tried drinking it raw. It would
9 upset my stomach. Coffee, tea, don't
10 taste the same due to the fact that
11 it contain chemical in our water
12 treatment system.
13 When I was a child back in the early
14 '60s, we were able to swim and see
15 bottom. Currently we can't swim
16 anymore, other -- otherwise a rash or
17 some sort would develop on our
18 bodies.
19 Fish, sturgeon, et cetera, they don't
20 taste the same anymore due to mercury
21 poisoning. Water species deformed,
22 fish to sturgeon. In my occupation
23 as a water treatment plant, I've come
24 across green algae developed in the
25 sediment tanks, which never happened

1 before.

2 It could get worse. It gets worse
3 every year and it causes me a lot of
4 stress. Sometimes I feel like
5 quitting, but I can't because there's
6 no other certified operator. And I
7 care for the people, and this is the
8 reason why I can't quit.

9 Most of the communities are relying
10 on bottled water. It gets expensive
11 to buy water. I do my darndest to
12 keep the water safe to drink. I feel
13 sorry for the next operator that will
14 be taking over. It will be much
15 harder for him/her to operate the
16 water treatment plant. There is not
17 much technical equipment to analyze
18 the water, other than the water
19 quality testing equipment we now
20 have. The plant is in need of a
21 upgrading.

22 I believe Manitoba Hydro should share
23 this responsibility for the water
24 because unfit and unpotable to drink,
25 and assist in maintenance of water

1 treatment plant, pay for all
2 chemical, Hydro bill, and operator's
3 wages.
4 Potable water is the number 1
5 priority. I will be sixty-two (62)
6 at the end of May. I may not be
7 around to see the dam go up and
8 damage done by Manitoba Hydro.
9 Sometimes I cry for my children,
10 grandchildren, and great
11 grandchildren. Their future will be
12 wasted.
13 By the way, I've been offered a job
14 as a water treatment plant operator
15 in both camps at Keeyask: one (1) for
16 thirty-five dollars (\$35) an hour,
17 one (1) for twenty-six dollars (\$26).
18 I declined the offer due to the fact
19 that Keeyask project would be
20 destroying our land.
21 I am sure there's other ways of
22 finding power source rather than
23 building a dam down the river, which
24 is only a few miles from TCN. We
25 will be most highly affected area.

1 Same goes for York -- York Factory.
2 For TCN people, I am asking for ways
3 to look for other sources of power
4 other than building the dam.
5 As for Bipole III, it's another
6 project that will affect our resource
7 area. TCN is not agreeing to this
8 project. Without Bipole III, the dam
9 is useless. Bipole III should be
10 negotiated first. Why is Hydro
11 working backwards? TCN is not
12 agreeing to this project.
13 Why is Hydro brush clearing land in
14 Pikwitonei area when TCN said no? It
15 has come through us and our land
16 first. Currently Hydro is destroying
17 land in Pikwitonei resource area. I
18 hope it Pikwitonei is aware of the
19 situation.
20 Jobs that were promised are not very
21 promising. How -- now we see only a
22 handful of TCN employed for three (3)
23 months at most and they get laid off
24 and go on EI. Those jobs are
25 fluctuating all over. They -- they

1 subcontract briefly, mostly outsiders
2 for steady work. Sorry I couldn't be
3 there. Jim Wavey."

4 MS. MELANIE SPENCE: Hello. My name is
5 Council Melanie Spence from Tataskweyak Cree Nation. I
6 was voted into Council November 1st last year. I'm an
7 educator. I have my education degree. And while I was
8 obtaining that, I -- I went home for band meetings as
9 much as I could to keep up to date what was going on in
10 the community.

11 And I felt like this was the time to put
12 my name in to -- to see if the -- the people of Split
13 Lake needed me, someone vocal, educated, and
14 understands what is happening in a community and with
15 Manitoba Hydro.

16 When Bipole III was spoken -- was
17 brought about, I was angry. I was angry with what was
18 going on internally, where our consultants that were
19 hired by a former councils, chief and council, they
20 were making \$4 million a year. And today they make two
21 hundred thousand (200,000) a month. They made more
22 money -- they make -- they -- they profited, benefited
23 from all this -- this developing or negotiation
24 process.

25 We didn't even know what was going on in

1 our community. There was no -- there was no meetings
2 held there. There was confidential agreements agreed
3 by our chief and council for -- suggested from our
4 consultants, I was told at the time. But the
5 consultants say, It's your council. It's your council.
6 They point fingers. But I know by -- by the documents,
7 \$4 million, that's what they were getting every year.

8 And there's something that's never been
9 mentioned. There was an external account. We used to
10 wonder, How do they have money over there? How do they
11 have money, taking these Elders out to Winnipeg? They
12 only took a handful of people out every week, giving
13 them eighteen hundred dollar (\$1,800) cheques. Why?
14 What's going on out there? That's what we're so angry
15 about while our -- our people at Split Lake were
16 suffering overcrowding of houses, E. coli in the water,
17 moulded houses. There was even cockroaches. That's
18 when we just had enough.

19 We needed the attention of the Chief and
20 Council to explain to us. We wanted answers, because -
21 - because Hydro only wants the Chief's signature. Even
22 the council aren't even respected enough. It's just
23 the Chief's signature. I saw that during the protest.
24 I was one of the protesters there. We had to shut down
25 our Band office. Our -- none of -- our Band -- Band

1 office has never been shut down as long as I've been
2 alive, or no one's -- I -- I -- no one's known for the
3 shut -- Band office to be shut down, but it got to that
4 point.

5 That's enough. We need answers,
6 especially with our people suffering while others are
7 shopping in Winnipeg with these meetings. We don't
8 even know what's being agreed upon. I went to one (1)
9 meeting over there. They pro -- they provided a
10 presentation and then some Elders were asking a couple
11 of questions, and -- the certain person said, No, ask
12 questions later. They shut down the meeting at one
13 o'clock. They weren't allowed to ask questions.

14 They just put people there that were for
15 the development, and they -- I don't even think they
16 understood what was happening. So I don't know.
17 There's just a lot of -- a lot of divide and conquer
18 that was mentioned. That's what was happening.
19 Internal fighting. There were some people that were
20 for the dam because they were benefiting.

21 There were some talk of building a
22 certain road for a certain family, and they were going
23 to develop a construction company for that family.
24 There was cert --things like that. And wherever that
25 money touched, it even -- it even affected the church

1 people. You know, there was money being put in their
2 accounts, and the church people were attacking people
3 in the community. That's very sad, how this infighting
4 was happening. Even today, we can't even get rid of
5 the consultants. We need the Chief's signature.

6 Health Canada came to my house knocking
7 on my door saying, You have E. coli in your water tank.
8 I have a water tank. And there was \$14 million
9 proposed for a water sewer system, but it was only for
10 sewer.

11 Indian Affairs said they would help us,
12 but it didn't go anywhere. Yes, they're in court, and
13 even -- I think we're even paying from our pocket for
14 that court case. I don't know why, because it was a
15 engineer and the -- the construction group that were
16 saying, It's your fault, it's your fault. But TCN is
17 paying for the court costs? I don't understand that.
18 But that's what I was told from one of our -- our
19 finance people, that we're paying. That is so wrong.

20 We were part of the protest. There's
21 still a injunction open with my name on it. And -- and
22 it was because of Bipole I and II, as well. Why aren't
23 there any accumulative effects? You know, the
24 aftermath of what -- what caused -- what adverse
25 effects, I guess, for transmission line 1 and 2, what

1 are they? What are the mercury levels over there? My
2 grandfathers, Simeon Beardy (phonetic) and Jake Wavey
3 (phonetic), they were waiting for compensation and
4 never got any. They never received any. And they
5 passed on already. What's going to happen when we get
6 fairness?

7 I just -- and this Churchill River
8 diversion. What -- where -- that's right in our
9 resource management area. That's the only area that we
10 have left to hunt and trap our -- our Aboriginal
11 rights, and that's even been taken away, threatened by
12 this Bipole III. Hydro needs Bipole III, and they're
13 giving us a time line. Oh, you have till end of -- end
14 of June or else you're going to lose it. We'll get
15 somebody else to do it.

16 And I have one (1) thing to say about
17 that EIP that's being threatened for us to sign. If
18 there's no agreement with the trap line -- trap line
19 resource -- or sorry, resource land users, any
20 agreements with the Trap Line 15 that were affected,
21 the families there and the -- the Bipole I and II
22 compensation that is supposed to be paid, you know,
23 there's past claims like that.

24 If those things aren't addressed, aren't
25 -- aren't dealt with, then there will be -- there will

1 be a protest. There will be a block. We will not put
2 up with Hydro's bullying anymore. They threaten us
3 every time. I'm a councillor, and I don't know how
4 many times I said to quit threatening.

5 They -- we haven't received any
6 negotiation funds since February. They stopped
7 funding. They say, Oh, we're not going to give you
8 anymore -- anymore money because you're not listening,
9 you're not abiding by what we want. And I said, This
10 is not about building for you. This is not about
11 developing. This is about what you're taking from us
12 as First Nations people.

13 You're taking from us. How do you tell
14 an Aboriginal people you have to stop fishing? That
15 you have to stop trapping? That you can't teach your
16 grandchildren that, because there won't be animals
17 there anymore? Hydro say, Oh, there's a lot of land, a
18 lot of land. I can't see it.

19 How many Skidoos did I have to buy, we
20 had to purchase? We can't -- my husband have -- has a
21 trap line at Trap Line 50. Can you imagine going
22 through a Skidoo that winter time? It's hard.

23 PR 280, my last -- PR 280 was developed
24 by Hydro, but Hydro says, We don't need to even worry
25 about PR 280. Well, it'll -- we'll give you some money

1 to upgrade it. And I said, Okay, the government wants
2 to say it's -- it's a pur -- it's a provincial highway.
3 If it is, then why don't you pave it? It was there
4 because Manitoba Hydro put it there.

5 There's these past dams and more past
6 dams are being developed, and that road is being used.
7 And how many people need to die on that road before
8 anybody can pay attention? There is a map already of
9 how many people died and where they died. I should
10 have brought that today. There's dust there every day
11 and these big trucks that use that road. And we don't
12 even see our people using that -- I mean, in those
13 vehicles. We see people, Caucasian people, driving
14 those. We don't see Aboriginal people driving those.

15 And this Britco that's there today,
16 nobody's working there from the sur -- the surrounding
17 communities, the KCN communities. It's just that,
18 okay, we're promised DNC work, but that's it. We don't
19 need to promise you anything else. But in the JKDR
20 Article 13, it states that it's going to be an ongoing
21 process negotiat -- not negotiation, but promising of
22 work all the time. And there's some promise of a
23 hundred people that you will -- will employ, Hydro
24 says.

25 But then they can -- they count someone

1 that's rehired, rehired, rehired within a year as, you
2 know, a number. Not the same person. They've rehi --
3 you can lay off somebody and retire in two (2) weeks
4 time. They count that as a second hire.

5 It's just, I don't trust Hydro. I don't
6 trust the Corporation. I don't look at it -- look at
7 the people that work for Hydro as my best friends.
8 There are people that we need to -- they need to please
9 us because they're taking from us. We didn't ask for
10 that dam to be there. Nobody ever asked us. Kelsey
11 was put there because of Inco.

12 What about the sewer discharge? How
13 come our -- our water treatment plant isn't upgraded?
14 We are angry people and we are ignored. Again, this
15 EIP has to be agreed by the people of Split Lake.

16 MR. SVEN HOMBACH: You'll have to wrap
17 it up in a minute or two (2).

18 MS. MELANIE SPENCE: One (1) thing,
19 too, is we haven't had doctors since September in our
20 community. And again they've mentioned -- mentioned
21 cancer patients. We haven't had doctors. At the
22 Keeyask, they have what, two (2) ambulance vehicles?
23 They have paramedics. They have fire hydrants.
24 They're even talking about a bar. There is a bar being
25 proposed there.

1 And our community is -- is -- our
2 communities, all of them, not -- they don't allow
3 alcohol. But again, it doesn't matter what the
4 communities want. It's what we want. We have to
5 please -- please Hydro. I just don't -- I don't agree
6 with drinking. Okay. Thank you for your time.

7 MR. SVEN HOMBACH: I'd like to thank
8 this panel. Next on the schedule is a panel from South
9 Indian Lake, so perhaps we'll stand down for one (1)
10 minute to allow the parties to get into position.

11

12 (BRIEF PAUSE)

13

14 PRESENTATION BY SOUTH INDIAN LAKE:

15 MS. SHIRLEY DUCHARME: Hi. My name is
16 Shirley Ducharme, and I'm from South Indian Lake. I'm
17 a parent, grandmother, and educator. We want to thank
18 the PUB panel for the opportunity to present.

19 Access to these processes has been
20 lacking to Northern impact people. Our issues and
21 concerns are important to these projects, and we have
22 not been heard. This is -- we are -- have been
23 committed -- we committed ourselves to come out and
24 speak 'cause we -- we have been impacted and live
25 through this for -- going on forty (40) years.

1 Our presentation will cover a number of
2 areas which we will go through, but it will also show
3 the link to the Keeyask project near the end, which
4 Leslie will present.

5

6 (BRIEF PAUSE)

7

8 MS. SHIRLEY DUCHARME: Okay. I'm going
9 to continue now. Okay. Living through the impacts of
10 Churchill River Diversion and the uncertain future for
11 the young generations.

12 If you look at the first slide, that was
13 our community. It is not like that now. We've been
14 relocated to the other side, and now most of the --
15 where you see the buildings, I'd say about 100 feet --
16 would that be right -- is under water. But we go back
17 to those annually because it's -- it's healing for us.
18 That used to be where we -- we were raised as children,
19 and we go back to camp and take our grandchildren just
20 to live and bring the memories back, and just to teach
21 them, This is how it was before. It is so depressing
22 to, you know, be -- to be telling that to our children.
23 They don't know what was natural.

24 I don't want to be slack on this. Les,
25 can you help me? I can't -- it's not bumping ahead the

1 slide.

2

3 (BRIEF PAUSE)

4

5 MS. SHIRLEY DUCHARME: Okay. So this
6 is an overview of the soci -- socioeconomic impacts of
7 Churchill River Diversion Augmented Flow Program. I'd
8 say the manmade disasters to our community. And this
9 is the overview that you will -- we will be touching on
10 the topics.

11 And we have to move along quickly, but
12 all this has been given to the PUB Board, so I have --
13 really have to apologize because we -- we have a four
14 (4) hour drive to head home after our presentations so
15 we'll move on.

16 Okay. The biggest impact. Our fishing
17 and trapping industry have been greatly impacted.
18 Southern Indian Lake fishermen used to catch about
19 420,000 kilograms quota annually. Now only about 50
20 kilograms. Fishing is not affordable because there's
21 currently no meaningful pro -- production in South
22 Indian Lake.

23 Going on forty (40) years now, the
24 impacts of this industry is coming close to extinction.
25 For the young people, there is no chance to go fishing

1 for employment or learning. The majority of the fish
2 are gone, affected by the fluctuation of water. There
3 is no chance of recovery of fish as erosion is ongoing,
4 unless there is a change.

5 The compensation the fishers were paid
6 was based on approximately ninety (90) -- ninety-four
7 (94) fishermen. It was inadequate compared to the
8 value of the fishery to our community. The settlement
9 amount was based on the information given in relation
10 to the CRD interim licence, and was in turn used for
11 expectations of a comeback to the fishing economy and
12 trying to provide employment with fishing based on that
13 information. It was not based on the AFP of future
14 projects.

15 In spite of all agreements signed by
16 subsidy that was provided from Manitoba Hydro for the
17 fishing is no longer available due to cutbacks of
18 Manitoba Hydro, which just recently happened in 2000 --
19 2013. We believe this is to be an attempt to help the
20 sub -- sub -- sustainability of these expensive
21 projects.

22 This puts the fishermen in a position of
23 not being able to fish in land because of the -- they
24 do have the extra costs of airplane fare. And that's
25 where they caught the most fish. Never mind the

1 Southern Indian Lake. It was really the rich fish
2 provided quali -- grade A whitefish. But not now; only
3 cutters, the lowest graded fish that are being caught.
4 Some studies were done. Whitefish shows no growth,
5 when mainly the jumbo and large were in abundance to
6 this lake. Now, no longer.

7 Our socioeconomic has not been justified
8 at all. Very little employment for communities that
9 have been impacted, such as South Indian. Before the
10 flood, people were self-sufficient, hard working,
11 independent, and close to the land that provided all
12 the resources to enjoy life. At that time 90 percent
13 of the people were fishermen and trappers.

14 Today, approximately 80 percent of the
15 people are unemployed and live on social assi --
16 assistance, which is pretty sad. We see this as again
17 another addition to the most destructive project, CRD-
18 AFP, that we have had to live through. A land and
19 lake, once so rich with all the resources that were for
20 our livelihood and future.

21 Our way of life has been totally
22 altered. Projects like Wuskwatim, the proposed
23 Conawapa and Keeyask dams, are investment by Manitoba
24 and Manitoba Hydro into this continued destruction and
25 negative altered lifestyle. With no address or

1 acknowledgment of ongoing destruction, our way of life
2 and culture may become extinct as the result of these
3 projects.

4 I'll give you an example. This is a
5 picture of my dad. You don't know the pain that he --
6 that he went through when the flood happ -- happened.
7 He's a fisherman. You could see the depression on a
8 daily basis when he came home. Once he would, you
9 know, set ten (10) nets and bring back thirty (30) tubs
10 of fish. But now, after the flood, where did the fish
11 go? He'd go -- he'd come back, one (1) or two (2) fish
12 would be caught in the net. How depressing, you know,
13 when -- when you were brought up and you had an economy
14 of your own that's totally went down the drain.

15 All natural, now when you look at our
16 recreation, has been flooded out. Traditional ways.
17 The enjoyment of picking berries, sea -- seagull egg
18 gathering. You know, the birds, we don't see an island
19 where they used to nest. We can't find where they are
20 nesting now.

21 When you look at that clip there, that
22 used to be the rocky shores, beautiful beaches around
23 our community. I'd get up in the morning and then walk
24 down the shoreline., take a line with a nail using as a
25 fish hook, toss it into the water, and there I'd pull

1 out a fish that would be my -- my lunch for the day.
2 But nowadays I'm trying -- you know, bringing my
3 grandchildren fishing. Well, what do I get? If I
4 cast, I'll be snagged under a -- on a tree that is, you
5 know, in the water still standing.

6 Is it fun? Well, no. You know, it's
7 just very hard to explain to your child, This is where
8 I used to fish and enjoy the lakes of Southern Indian
9 Lake and the richness, the fish all around. But now
10 it's not fun anymore.

11 With the CRD compensation, some of the
12 monies was used to build an arena. The monies from the
13 compensation has been used to operate and maintain this
14 facility 100 percent, unlike other communities, such as
15 Nelson House. The Hydro bill alone averages thirty-one
16 thousand (31,000) annually with basic usage.

17 We are at the point where we may not be
18 able to continue to keep this facility open. And with
19 the projected doubling or tripling of rates due to
20 these projects, Manitoba Hydro will guarantee that our
21 only facility in the community for our youth will --
22 will close.

23 MS. HILDA DYSART: Good evening. And
24 again, myself, I'm really glad that I'm able to be here
25 to do the presentation. My name is Hilda Dysart. I

1 was born in South Indian Lake. I was raised in South
2 Indian Lake. I've raised all my children there.
3 Although they were very small when the CRD happened,
4 they were not able to live in the same fashion that I
5 did, to enjoy the land in all its fruitfulness. Now
6 there is nothing there that we can enjoy, but we still
7 try.

8 The people have lost their self-worth,
9 pride, dignity, moti -- motivation, determination,
10 after being stripped of their livelihood. I'm only
11 reading parts of this, but the full document is given
12 to the panel. Once a totally independent, hardworking
13 community, now struggling to keep up -- to keep up with
14 ongoing changed land, with no acknowledgment of the
15 continued destruction of their environment to power
16 these new projects. Wuskwatim, Keeyask, Conawapa, and
17 the Preferred Development Plan has been decided. Are
18 we to be sacrificed?

19 There is a low education -- sorry.
20 There is a low graduation rate. Working in the school,
21 we see the kindergarten class enrollment with twenty-
22 five (25) students. Out of this, only ten (10) or less
23 will graduate. With the low education rate, this will
24 guarantee the youth do not have the opportunity to work
25 with other projects or employers anywhere. This is a

1 growing majority of the Aboriginal youth throughout the
2 Hydro-impacted communities.

3 Relocation of the community with
4 substandard houses that did not fit the lifestyle of
5 our people and again was inadequate to the then
6 population and future generations, a promise of a
7 bright future, which remains unfulfilled.

8 Band recognition of OPCN, the O-Pipon-
9 Na-Piwin Cree Nation. As the result of the Wuskwatim
10 project our community finally realized band
11 recognition. Only now we are realizing that this will
12 be a long road to reserve land in a uncertain future,
13 as the only immediate result was the benefit of the
14 elimination of four hundred (400) no votes for the
15 project development agreement with NCN and Hydro. Now,
16 it is the third round of re -- redrafting and voting
17 after what was supposed to be the perfect agreement.

18 When there is little hope and faced with
19 much devastation, people are put in a position that
20 they have low ser -- self-esteem. There has been a
21 rise in social issues such as the alcohol and drug use.
22 The social assistance is basically the livelihood of
23 our people. This has -- has to change, or the real
24 impacts of these projects and the costs of our
25 communities in the province has been -- has yet to be

1 counted. Where is this cost in the Preferred
2 Development Agreement -- I mean, sorry, Plan.

3 The community agreed to build -- to
4 build an economy with the compensation started a
5 tourist fishing and hunting lodge, the Big Sand Lake
6 Lodge, which seasonally employs approximately twenty-
7 five (25) to thirty (30) local people. Unfortunately,
8 due to the US economics, it is dif -- it is difficult
9 to sustain, yet we receive no gift of \$50 million from
10 Manitoba Hydro such as being proposed to NCN in the
11 supplemental PDA 2.

12 Due to the failed projections of US
13 revenue from Wuskwatim what lessons have we learned?
14 Where is the fairness and equality? And where are the
15 benefits that everyone was sold? Don't sacrifice us
16 again for another project that is not needed, and all
17 will cost future generation untold -- untold expenses,
18 hardships. Has this been analyzed?

19 Where is the environmental socioeconomic
20 cost to South Indian Lake, its people, youth and future
21 generations unborn? What gives Manitoba Hydro and
22 Manitoba the right to destroy a lake, a population of
23 fish, an economy, a culture, and the future of
24 thousands of Aboriginal youth and ignore it is the cost
25 to proposed projects? Where is this new air -- era of

1 Aboriginal relations that is being sold to the American
2 consumer?

3 Our white fish, our -- our natural
4 habitat's disruptions like the white fish spawn freeze
5 over or dry out in the spring because of the
6 fluctuation of the lake. Fish are older and smaller,
7 resulting in mainly uncatchable fish, low production
8 rates.

9 The plant growth fish feed on is gone
10 with fluctuations of the water. Our Manitoba Premier
11 promotes that the sturgeon fishery will be rebuilt in
12 Northern Manitoba as the result of the Keeyask and
13 Conawapa projects. What about our sturgeon, northern
14 pike, walleye, lake white fish? Are not -- are we not
15 people that have equal needs? Why are we not
16 considered since -- since Wuskwatim, Keeyask, and
17 Conawapa will rely on our lake, our -- our lake for
18 water that will generate a significant -- significant
19 amount of power that is to be sold? Yet we are
20 overlooked.

21 The shoreline habitats of some species
22 are gone, and so are those birds of what used to be a
23 sustainable, healthy food source. The eroded
24 shorelines and the debris on the shorelines make it
25 difficult for animals to travel and feed. Caribou no

1 longer migrate to the community because of the currents
2 that keep the water open all year. Our younger
3 generations have not even seen the caribou herds.

4 At this time, thank you very much. And
5 I would like to turn the mic over to Leslie Dysart.

6 MR. LESLIE DYSART: Thank you. I will
7 attempt to -- to show the link between South Indian
8 Lake, the CRD, and the Augmented Flow Program that are
9 -- that are to power the proposed projects.

10 South Indian -- South Indian and its
11 operations are a signishun -- significant part of the
12 proposed project. South Indian Lake is the reservoir
13 that will power the existing and proposed projects.
14 This is simply a fact. There is no debate about it.
15 There is no question. It's a fact. Our -- our lake,
16 our reservoir, will power these dams -- you haven't
17 been told this -- a fact that Manitoba Hydro has not
18 shared with you, or detailed in any of their
19 submissions.

20

21 (BRIEF PAUSE)

22

23 MR. LESLIE DYSART: In regard to the
24 CRD augmented flow and the links to Keeyask and
25 potentially Conawapa, what do we know? There's very

1 little mention, description, justification, or link to
2 the proposed Keeyask projects of the -- or the benefits
3 and -- and impacts, and need of the Churchill River
4 diversion in the NFAT submission that Manitoba Hydro
5 made to the PUB panel.

6 There is no mention at all of the
7 Augmented Flow Program in relation to the proposed
8 projects, need, demand, revenue, and impacts in the
9 same submission. The big question becomes why?

10 Up to -- to 25 to 40 percent of South
11 Indian Lake water will power the dams. Why is this not
12 mentioned, described, justified, and explained as an
13 operation of the sustainability of the Keeyask project.
14 If it is not needed, why is it operated? Keeyask is --
15 is not going to be operated in a vacuum.

16 There is no permanent licence of the
17 current operation of the CRD after forty-one (41) years
18 of operation. There is no environmental review of the
19 Augmented Flow Program after thirty-eight (38) years of
20 operation. The Augmented Flow Program absorbed the
21 operating perimeters of the interim CRD licence. There
22 is no licence, interim or permanent, for Augmented
23 Flow.

24 There's no cumulative effects study of
25 the system-wide impacts of the most destructive pro --

1 project in Manitoba. There is no adverse impacts
2 agreement in relation to the proposed project to impact
3 the people and groups.

4 The current attitude of Manitoba Hydro
5 is a refusal to discuss the real impacts. Their old
6 habits of divide and attempt to conquer through
7 divisionary tactics is alive and well in South Indian
8 Lake.

9 The four thousand eight hundred and
10 eighty-nine (4,889) page, plus the appendices,
11 submitted to the Public Utilities Board for NFAT only
12 briefly mentioned CRD and absolutely no mention of
13 Augmented Flow Program. Why? Maybe there's no impact
14 to the operation. Then why does it operate? Maybe
15 there's a huge impact to our -- to the operation. Then
16 why not mention it?

17 The latest Wuskwatim Project has failed
18 projections and Keeyask is not needed currently. We
19 are at ground zero of the operation that will provide
20 significantly to these projects. Will we suffer yet
21 again with the indignity of not being addressed,
22 recognize -- recognized as impacted people, suffer the
23 further indignity of paying double, or triple rates to
24 pay for these gambles? Why haven't we not learned from
25 the lessons of Wuskwatim?

1 Keeyask and Conawapa is directly linked
2 to CRD Augmented Flow, South Indian Lake, and its
3 people; oh, and its whole environment.

4 Some person aspects I want to share. I
5 -- I grew in that fishery of South Indian Lake through
6 its changing, right from -- I'm forty-three (43) years
7 old. I've been impacted forty (40) years of those --
8 of the Churchill River Diversion Project. I grew up in
9 the fish camps. I believe I was sixteen (16) years old
10 before I actually spent a -- a summer in the Town of
11 South Indian Lake. I was always out on the -- on the
12 fish camps.

13 I have no illusions of -- of what our
14 lake can produce currently. If there's change, I'm
15 sure it'll improve. But last year I -- I attempted to
16 take my son out, fifteen (15) years old, a big
17 strapping boy, any -- any cont -- any positive
18 contribution to any fisherman, just to show him -- show
19 him somewhat the lifestyle. We went out, set nets.
20 The next morning, again, I had no illusions, we
21 immediately pulled our nets out. There was just --
22 there was just nothing.

23 As a parent you try and teach -- teach
24 your children positive things, but if it's such a
25 negative environment that -- that -- there is no

1 foundation. I -- I try to put the positive spin on it.
2 We'll -- we'll try again next year, you know. We'll --
3 we'll do this and that, but you're forced to lie to
4 your children.

5 Now, recently I visited Minnesota. Some
6 of the potential customers. This was in March. The
7 current position of Manitoba Hydro, just not to talk to
8 people, not deal with issues, ignore them, basically
9 tell you they have no obligation. I mean, that's fine,
10 that's their position. I have -- I have opportunities.
11 I have different things I can do.

12 So one of the opportunities was go down
13 to Minnesota, see what these people think. I made a
14 presentation at a college, actually two (2), and it was
15 -- it was amazing, the -- the feedback I got from the -
16 - these potential customers. They just don't know
17 what's going on. And -- and the great thing is that
18 they care.

19 They -- they asked me, What can we do?
20 One (1) of the things I told them they can do is -- is
21 call your -- your decision makers. Call -- call the
22 people who make the deals, call your governors, your
23 senators, 'cause the ironic thing is Manitoba and
24 Manitoba Hydro care more about you than they do me. So
25 give them a call.

1 Manitoba Hydro is -- you know, right
2 directly from the vice president, Ruth Kristjanson, at
3 Corporate Relations, tells me, No matter what you do,
4 Les, it won't work. Well, that's fine then there's no
5 harm in me trying then, I'm -- I'm thinking.

6 You know, I also had an opportunity to
7 talk with representatives of a similar committee, the
8 Public Utilities Board of -- of Minnesota. And it's
9 interesting. If Hydro doesn't care what we do, I
10 wonder why they sell fairytales like this down to
11 Minnesota. This video was created specifically for
12 Minnesota Power Companies. It's -- it's a fairytale of
13 the reality in Northern Manitoba. It's called (CREE
14 LANGUAGE SPOKEN), Working together. It's a puppet
15 show.

16 I'm very glad Manitoba Hydro produces
17 things like this. I mean, they -- they just create my
18 resolve. You know, throw fuel on the fire, I'm
19 thinking. I didn't know whether to laugh or cry after
20 I saw it, but I'm -- I'm taking a more positive aspect
21 and educating our people as to what message is being
22 sold on their backs at their expense.

23 One (1) of the last options to consider,
24 I'm under no illusions of -- of the PUB. I -- I've
25 been -- I've worked with these processes for over ten

1 (10) years now. CEC through Wuskwatim. Tried to work
2 with Manitoba Hydro. Do I have a lot of faith? Not a
3 lot. Do I have hope? I have hope otherwise I wouldn't
4 be here.

5 You know, you -- you have a -- you have
6 a challenge even -- even if you recommend the project
7 not be built. There's no -- I mean, it's almost
8 guaranteed today that it probably will be. So if --
9 you take that challenge, and -- and use it to the best
10 of your abilities.

11 Now, to try to stay within the terms of
12 -- of this review some of the alternatives to the
13 project that could be considered should be considered.
14 I mean, this should be just natural considering the
15 past impacts of these projects ongoing and forever into
16 the future unless there's change.

17 Why don't we invest in our Aboriginal
18 youth so they once again can contribute positive to the
19 provincial economy? Invest into the South Indian Lake
20 environment so once again it -- it can become
21 sustainable as a contribution to the North and economy.
22 Mandate Manitoba Hydro to operate responsibly for the
23 benefit of all Manitobans as they claim to do
24 currently. Are we not equal to other Manitobans and
25 Canadians?

1 One (1) recommendation that is not up
2 there is: You may want to consider not to recommend
3 the licencing be issued for Keeyask without a
4 cumulative effects study and adverse effects agreement
5 for South Indian Lake. I mean, a solid recommendation:
6 Do not build until these are implemented. Again, learn
7 the lessons of the past projects; the newest project,
8 Wuskwatim, where it's built and we'll figure it out as
9 we go along. I mean, they're going round 3 of redoing
10 the deal, the perfect deal.

11 I mean, I could sit up here for days and
12 it -- and try to educate people. Manitoba Hydro spends
13 a lot of time and money trying to tell a different
14 story. As part of this, I'm not here to make any
15 threats, but the promises -- we will not let you
16 sacrifice our children anymore. That's enough. We're
17 done with that.

18 You sacrificed South Indian, once,
19 twice. There will not be a third time. You know, if
20 that cost has not been considered, it's foolhardy, you
21 know. There used to be policy: kill the Indian and the
22 child. How is this any different from kill the
23 Aboriginal India -- the Aboriginal children's
24 environment, opportunities, hope? Some people might
25 argue it's not the same thing, but it sure makes me

1 feel the same way.

2 So in closing, I would ask you,
3 Cheeskwa, wait. Keeyask does not need to be built.
4 Assess what you know. Address the issues. Do not
5 sacrifice our community, people and our youth for yet
6 another project. Katha pi-ta-mach, not right now. It
7 all may be destroyed. Socioeconomic, environmental
8 impacts, and the cost is too great to be assessed. You
9 have not been informed of everything. It has been
10 intentionally withheld.

11 But you see through this presentation
12 made, there's a lot of questions asked. I would take
13 those to you as challenges. Ask these questions.
14 Demand answers. You already got a timeline to make a
15 recommendation. I mean, how fair is that if you don't
16 have all the information?

17 I thank you. I will be submitting some
18 further information of South Indian Lake production if
19 you don't already have it; an article that was in the
20 Free Press on December 10th, I believe, that really
21 does sum up -- sum up the -- the licensing and the
22 fishing concerns and results, the reality. Thank you.

23

24 (BRIEF PAUSE)

25

1 MR. SVEN HOMBACH: Thank you.

2 THE CHAIRPERSON: I just have one (1)
3 question. With respect to the CEC review of the
4 Keeyask Project, did you appear before the -- the panel
5 during the -- the hearing for the environmental review
6 of the Keeyask Project?

7

8 (BRIEF PAUSE)

9

10 MR. LESLIE DYSART: No, I did not make
11 a presentation, or I don't think anybody from South
12 Indian Lake did. I do have experience with that with
13 the Wuskwatim. I do see some of the futility of doing
14 it. I mean, it's good to share information, but in
15 retrospect, like the -- to the issues we have to deal
16 with sometimes it's better to be at home dealing with
17 them then spending time. I mean like today, this is a
18 two (2) dayer for us just to be here for the fifteen
19 (15) -- or twenty (20) minutes that we're allocated.

20 We're not as well funded as the
21 proponents, you know. That's just our reality.

22

23 (BRIEF PAUSE)

24

25 MR. SVEN HOMBACH: Okay. Thank you

1 very much. We've got one (1) last panel scheduled for
2 this evening. It's a panel from Nisichawayasihk Cree
3 Nation. Again, if I could ask the presenters to step
4 forward and get into position, we'll get started in a
5 minute.

6

7 (BRIEF PAUSE)

8

9 PRESENTATION BY NISICHAWAYASIIHK CREE NATION:

10 MR. MARCEL MOODY: Good evening. My
11 name is -- my name is Marcel Moody, Chief of
12 Nisichawayasihk Cree Nation. I'm appearing today with
13 my council colleagues, as well as one of my most
14 respected Elders, Jimmy Hunter-Spence right here. And
15 I got two (2) of my colleagues, Joe Moose and Shirley
16 Linklater, and two (2) of my other colleagues cannot be
17 here, but we're united in these issues.

18 Unfortunately for today Joe and I are --
19 are in disagreement. He's a Montreal fan, I'm a Boston
20 fan, and we're here -- stuck here this aft -- this
21 evening not being able to watch that hockey game, so.

22 To give you some background, I have been
23 involved with Manitoba Hydro matters for several
24 decades. I served as one of our lead negotiators when
25 we negotiated our agreement to implement the Northern

1 Flood Agreement, and I was part of the negotiating team
2 that negotiated our Wuskwatim Project Development
3 Agreement.

4 I have held the future development and
5 the Wuskwatim portfolios for the past decade. Jimmy
6 and I are also representatives on the board of the
7 general partner in the Wuskwatim Limited Partnership.

8 Let me start by thanking you for
9 allowing us to make a presen -- presentations to you
10 today, and for accommodating council's schedule. The
11 first thing I want to say is that I'm -- I'm not going
12 to comment on matters that effect the other First
13 Nations in terms of the agreements as well. We respect
14 what they do as we expect them with our matters.

15 We had -- we had not originally planned
16 to participate in these hearings, although we support
17 the -- the right of the other four (4) Cree communities
18 who are our partners in the Keeyask Project to decide
19 their own destiny. However, after having reviewed the
20 transcripts from these hearings, and in particular the
21 presentations of Dr. Peter Kulchyski and Will Braun, we
22 believe we have no choice but to correct any inaccurate
23 impressions they may have left with you about our
24 implementation agreement signed in 1996; the
25 development of the Wuskwatim Project, which we consider

1 to be our project, and our partners with Manitoba
2 Hydro.

3 We acknowledge that this hearing is not
4 about the Wuskwatim Project, but you should know that
5 we participated fully in the CEC hearings that
6 addressed both environmental issues and the NFAT issues
7 in relation to our project more than ten (10) years
8 ago. You should also know that the projects under
9 review by you today are being criticized by the same
10 people who were opponents to our project a decade ago.
11 We tried to explain our perspectives to them ten (10)
12 years ago but they refused to accept them then or since
13 that only we have the right to decide what's in the
14 best interest of our First Nation.

15 Frankly, we're getting weary of trying
16 to reason with people who are not our citizens, who
17 have closed minds, and who have mounted a campaign of
18 sustained opposition to these actions we have taken
19 with the support of our citizens through a double
20 majority vote. We believe that our story is one (1) of
21 courage about how we are overcoming adversity and
22 building something for our citizens now and in the
23 future. We believe our community should be applauded
24 for overcoming a history of devastation from the Hydro
25 development and partner with Manitoba Hydro for the

1 benefit, not only for our citizens but other
2 Manitobans.

3 On page 4 and 7 of the -- of his report,
4 De. Kulchyski refers to the -- the NFA implementation
5 agreements such as our 1996 agreement, as so called
6 implementation agreements. He suggests elsewhere in
7 his report that there are untold liabilities that you
8 need to be aware of as a result of unfulfilled promises
9 in the Northern Flood Agreement.

10 On page 7 he specifically refers to a
11 schedule that called for more research into mechanisms
12 that would alleviate mass poverty and mas unemployment.
13 I am very familiar with these provisions -- provisions
14 and the use of litigation that took place about the NFA
15 before we decided to enter into negotiations for a
16 comprehensive agreement.

17 Dr. Kulchyski indicates our agreements
18 are invalid, as, according to him, a constitutional
19 amendment is necessary to give effect to our agreement.
20 I am not a lawyer. I under -- my understanding is that
21 neither is Dr. Kulchyski. I leave it to the lawyers
22 for the parties to argue about whether his views of
23 Supreme Court of Canada decisions have merit and
24 whether he's entitled to offer legal opinions at all.
25 I can, however, assure you we obtain legal advice from

1 our own legal counsel, as well as Dr. Bryan Schwartz, a
2 Professor of Law at the University of Manitoba before
3 we entered into the 1996 agreement.

4 On behalf of our nation I also
5 participated in legislative and parliamentary
6 proceedings in relation to relevant legislation to
7 implement our agreement. I can also advise you that
8 our implication agreement was approved by over two-
9 thirds (2/3s) of our citizens in a double majority
10 vote.

11 Since 1996 this agreement has resulted
12 in millions of dollars being spent on programs and
13 services in our community. In fact, we used some of
14 the monies from that agreement to purchase this hotel
15 where these hearings are being held.

16 In 1996 we were 100 percent dependent on
17 the Federal Government for our funding. We are now
18 down to less than 50 percent. Our dream was to use the
19 agreement as a stepping stone to a -- to a more
20 prosperous future for our citizens. Thus, we dispute
21 Dr. Kulchyski's contention on page 10 of his report
22 that Manitoba Hydro's effort to spur community
23 development has consistently been a complete fiasco.

24 While we do not always agree with
25 Manitoba Hydro and we continue to go -- to negotiate

1 with them about a variety of other matters, such as
2 improvements to the causeway they built in our
3 community, we do not believe their implementation
4 agreement has been a complete disaster. have we
5 eradicated mass poverty and mass unemployment in our
6 community? No. But we're making improvements. And I
7 note that to our knowledge the poverty and unemployment
8 occur in other parts of Canada as well. That leads me
9 to Wuskwatim.

10 For the consideration we received for
11 the 1996 agreement was a process we call Article 8. It
12 is a joint development process requiring disclosure
13 information, funding for negotiations, and other
14 matters, and the conclusion of our agreement in
15 relation to benefits before any future development
16 occurs within our traditional territory. We gave up
17 additional compensation for this process. Therefore,
18 we find it very disheartening to see the comments in
19 the media and elsewhere about the process costs.

20 These are part of the benefits we
21 obtained when we resolved our NFA issues and are part
22 of the obligations Manitoba Hydro has to us. They are
23 part of the socioeconomic costs of these projects and
24 should not be seen in a negative light. They have
25 allowed our citizens to build capacity through

1 employment for the past decade.

2 Do we retain advisors also? Of course
3 we do. We are a modern First Nation and understand
4 this is part of the cost of doing business. We
5 attempted to address a number of Dr. Kulchyski's
6 assertions in a letter to the CEC, which due to various
7 events was not entered on the record, so we would ask
8 that this letter be marked as -- as an exhibit in these
9 proceedings as our present time -- presentation time is
10 limited.

11 I would also ask you to enter as an
12 exhibit an article I recently wrote that was published
13 in the Winnipeg Free Press in response to an article by
14 Will Braun in the same newspaper so that I do not have
15 to repeat the information here today.

16 I would also like to have a few minutes
17 to address Will Braun's comments to you on May 2nd
18 which took place the day before my article was
19 published. It is my -- it is our council's view that
20 Mr. Braun simply has refused to understand the
21 arrangements we put in place in 1996 and in 2006, or
22 any of the subsequent changes we made.

23 To clarify, we understand when we're
24 negotiating a deal that as Hydro developments are
25 capital intensive there would be losses in the early

1 year -- early years. We negotiated arrangements to
2 ensure there will be cash flow to our community in
3 those years.

4 In response to Dr. Kulchyski again, we
5 also negotiated an arrangement to recognize or believe
6 that we have an Aboriginal right to water. Benefits
7 have been -- have been paid to the community and -- and
8 will continue to be paid to our community. Manitoba
9 Hydro as a partner has worked with us to ensure that
10 there will be benefits for our community now and in the
11 future through a variety of means.

12 We have invested millions of dollars of
13 our own money in the Wuskwatim Project in addition to
14 the debt our opponents refer to. We saved money to
15 invest, and this has meant diverting funds needed
16 elsewhere into the project. But we expect to receive
17 those monies back within a reasonable period of time.

18 We negotiated various provisions in the
19 PDA to protect our interest. We believe that these are
20 fair arrangements, and should be acceptable to
21 Manitobans since without them it is unlikely that we
22 would agree to any further Hydro development within our
23 territory.

24 Our ancestors were willing to share our
25 lands and resources and we are willing to continue

1 doing the same thing, but now we want to ensure that
2 our citizens will benefit from development. While we
3 anticipate Wuskwatim will provide benefits for our
4 community, we also recognize this is just one (1) part
5 of the picture and there is still more work to do.

6 Did we understand that our arrangements
7 included risk? Yes. Did the experts predict the
8 global recession and the impact the fracking? No. Did
9 we put in place provisions to minimize the risk for our
10 Nation? Yes, we did. Does the -- does everyone in the
11 -- our community understand all the arrangements?
12 Probably not. We have made a concerted effort to
13 provide information about these complex arrangements,
14 and we have a good working relationship with Manitoba
15 Hydro.

16 Has the partnership worked? We think it
17 has. Will it always work? We cannot predict the
18 future, but if it does not work we have negotiated
19 provisions for us to terminate the partnership.

20 Perhaps one of the best analogies I can
21 provide you is the process we went through when we
22 purchased this hotel. We did our due diligence. Risks
23 were identified. And some thought it would not be a
24 profitable deal. Others thought it would be. We
25 decided to make that investment, and bought the hotel.

1 We have done all right, but our revenues have been
2 recently impacted by unforeseen events, such as
3 construction of new hotels in Thompson from three (3)
4 to ten (10). We also had to undertake renovations to
5 maintain our market share at the time when the
6 construction sector was expanding.

7 Would we have made the same decision
8 today when -- that we did fifteen (15) years ago?
9 Maybe not but that does not mean our deal is a bad
10 deal. It means that, as any deal, there are risks.

11 We recently opened a Family Food Store
12 in Thompson and are planning to open one in Nelson
13 House. We're in the lumber business. All our
14 businesses come with risk. This does not mean that
15 investments should not be made; simply that they must
16 be managed, and as in any partnership, there must be a
17 good relationship with one's partner.

18 In this case, we believe that we have a
19 good working relationship with Manitoba Hydro, although
20 it is not always smooth sailing, and we do not always
21 agree about everything, which I am sure you will not
22 find surprising.

23 But I -- as I indicated at the beginning
24 of my -- of our presentation, by managing the funds we
25 received from our Implementation Agreement, we have

1 been able to build our revenue base where we are no
2 longer completely dependent upon the federal
3 government. This would be a success story by anyone's
4 definition. We want greater control over our own lands
5 and resources and believe in self-government provides
6 the best chance for moving our citizens out of poverty.
7 Our partnership with Manitoba Hydro has helped us build
8 the capacity we need to develop.

9 We are the only First Nation that --
10 that has partnered with Manitoba Hydro to plan to
11 develop, build, and now operate a hydroelectric
12 project. As a result, we have a unique and important
13 perspective to offer you. Thus, we ask you that you
14 give weight to our views. And when you consider your
15 terms of reference, in particular, the provisions that
16 require you to assess the socioeconomic impacts and
17 benefits of the plan and the alternatives to Northern
18 Aboriginal communities, as well as the overall
19 socioeconomic benefits to Manitobans.

20 In closing, we want it clearly
21 understood that Dr. Kulchyski and Will Braun don't have
22 the right to speak for us. They do not make the
23 decisions for us. We find their comments offensive and
24 disrespectful, particularly as they persist in refusing
25 to take a balanced approach to any assessment -- any

1 assessment of the issues.

2 Given our past history with the
3 residential school fiasco, we find it particular
4 outrageous that our decisions are being challenged with
5 sarcasm by a representative of the very organization
6 that devastated our families and our community. We
7 have the right to exercise our sovereignty and to
8 decide for ourselves whether we want to invest in
9 hydroelectric developments in this province and on the
10 terms. And in our respectful opinion, so do TCN, War
11 Lake, York Factory, Fox Lake, and we respect the right
12 to do so.

13 The bottom line is Wuskwatim was never
14 intended to solve all our problems. But we believe
15 we're on the right path and it'll help us in our quest
16 to become self-sufficient, which has always been our
17 goal. Ekosani. Thank you for listening to me.

18 ELDER JIMMY HUNTER-SPENCE: Good
19 evening. My name is Jimmy Hunter-Spence. Tansi.
20 Welcome, everybody, to Treaty 5 territory. I want to
21 thank you for giving me this opportunity to appear
22 before you today to share my thoughts about the
23 Wuskwatim Project and our partnership with Manitoba
24 Hydro.

25 As mentioned by Chief Moody, I'm an

1 Elder in our community. In this capacity, I work
2 closely with other Elders, our leaders, and others in
3 our community. I was on the council for a number of
4 years and spent part of my working life employed by
5 Manitoba telephone system.

6 In terms of the Wuskwatim Project, I was
7 involved in the negotiations and I've been privileged
8 to continue to represent my community as one of the
9 directors on a general -- General Partnership Board. I
10 -- I also am a member of the constru -- I was also a
11 member of the Construction Advisory Committee and a
12 member of the Monitoring Advisory Committee.

13 I have participated in the Ethinesewin
14 tours. That's the Elders that go on tours. Have
15 incorporated our traditional customary laws into
16 project planning, implementation, and monitoring.
17 Basically, I've been involved in all stages of the
18 planning, construction, and operation of the Wuskwatim
19 Project from the beginning and to the end, including
20 the present.

21 To assist you understand where our
22 community's coming from, I want to share with you some
23 of the comments I made about the project ten (10) years
24 ago and explain what I think today. In 2004, I
25 explained that I had been raised by grandmother and we

1 used to live off the land. I have vivid memories of
2 the beauty of our land and waters.

3 Those days are gone now because of the
4 flooding caused by the Churchill River Diversion. The
5 destruction of those beautiful shore areas of our
6 fishing and camping spots made me angry and hurt for a
7 long time. And part of that anger will likely stay
8 with me, as the loss is -- is immeasurable.

9 Any of us who remember the past cannot
10 easily move forward and trust those who help to
11 devastate our lives. Many of our people do not fully
12 trust Manitoba Hydro to this day. But to me and to
13 others in my community, it meant a lot when Ed
14 Wojczynski made a public apology to us on behalf of
15 Manitoba Hydro.

16 That may seem meaningless -- meaningless
17 to you, but for us it helped to start a process of
18 forgiveness and reconciliation, which are fundable --
19 fundamental parts of our beliefs and part of our
20 Ethinewin, our -- our traditional and customary laws.
21 Manitoba Hydro's apology helped us move forward and
22 support the development of the project that could
23 benefit our people, as well as other Manitobans.

24 We supported our Chief and Council, our
25 professional advisors, our partners, as we believe --

1 as we believe that -- that working together, we can
2 secure our econ -- economic interest while being
3 mindful of our traditional responsibilities to Mother
4 Earth. And like in the past from now -- from now, when
5 our views must be considered, we must be able to full -
6 - fully participate in the development of our natural
7 resources. We must obtain the benefits from
8 developments within our traditional territory.

9 Being a co-owner of the Wuskwatim
10 Project offers participation and potential long --
11 long-term benefits for our people. But we must be
12 mindful of the responsibilities as stewards of our
13 Mother Earth, and for all -- all things God has put on
14 this earth for us to enjoy. This is why our Elders
15 advised us for a low head project on Wuskwatim instead
16 of high head for less devastation.

17 In 2000 -- 2004 I went on to say, We
18 cannot survive on handouts. We knew Wuskwatim, or any
19 other single economic development project, will not
20 solve our everyday social problems. We must work
21 together to strength our -- strengthen our social and
22 spiritual development. And this will be easier if we
23 are not under some economic pressures that have licked
24 us in the past.

25 Part of our solution for us is to

1 participate in the development of our resources by
2 making strategic investments in our resources,
3 including Manitoba Hydro development. Since I made
4 those statements ten (10) years ago, I have seen our
5 participation come into fruition. I have seen our
6 people employed at the project site, and in other
7 positions in our community.

8 I saw the implementation of our cross-
9 culture program, which is mandatory for all workers to
10 attend so they could learn about our culture and who
11 are our -- who are our people. I saw our customary law
12 principles treated equally in a meanfully (sic) way in
13 project monitoring. I have seen the first benefits
14 flow into our trust.

15 Our partnership has faced challenges
16 initially. We have to move from being self-interested
17 parties advocating on behalf of our communities during
18 negotiations to thinking and acting as partners. This
19 was tough at times, and became more challenging when
20 the global economy suffered the blow, and then as the
21 project was starting.

22 Our project has in many ways mirrored
23 the ups and downs that are taking place in the broader
24 global marketplace. When the economics of the project
25 start to be impacted by the various business risks, we

1 have to find ways to address both partners' concerns,
2 as well as those of our partnership.

3 By working together in establishing a
4 relationship built upon mutual respect and trust and
5 belief, we have been able to accomplish this. Time --
6 time will tell we were right -- if we were right to
7 make the choices we did, but if -- if there are -- but
8 they're our choices -- but they are our choices to
9 make.

10 For many years, we have been told by
11 others how to think, how to dress, where to live, who
12 we can live with, and even whether our children could
13 live with us. To participate, to face Councillor
14 D'Arcy Linklater in a newsletter article Marcel
15 referred to, while we cannot ignore the impacts of
16 colonization we can learn -- we can all learn from these
17 impacts and make changes that will be better for our
18 lives and our relationships with others.

19 More than a decade after we began the
20 Wuskwatim journey, I can stand before you today and say
21 that I believe our partnership with Manitoba Hydro is
22 working. I also believe that if -- if good-willed
23 people continue to work together respectfully we can
24 solve the problems that will arise in any long-term
25 partnership.

1 As NCN citizens, we deserve this chance.
2 As Manitobans, we are contributing members on -- on a
3 broader -- of the broader community. No longer are we
4 or will be dependent on anyone. While we may not
5 receive benefits as high as initially projected --
6 projected, even at today's lower projections are
7 significant -- today's lower projections are
8 significant and will make a huge difference for us now
9 and in the future.

10 I respectfully request that you consider
11 our presentations. (CREE LANGUAGE SPOKEN) for
12 listening to me.

13 MR. JOE MOOSE: Thank you. Mr.
14 Chairman, can I stand up there?

15 THE CHAIRPERSON: Certainly.

16 MR. JOE MOOSE: Mine will be
17 unscripted. As you walk around Thompson here, ladies
18 and gentlemen, many of our people living in poverty,
19 (CREE LANGUAGE SPOKEN), meaning they live in poverty.
20 What do you really say to your relative that you see
21 out there walking, hungry, dressed -- clothes dirty?
22 Give me a dollar. I want to eat. Give me a smoke, you
23 know.

24 Colonization has affected our people in
25 many, many ways: lateral violence, social impacts, the

1 way we feel and think about ourselves and First Nations
2 people. A lot of these people who walk around here
3 walk around with their heads down. Do we not want to
4 uplift our nation and have it prosper and grow? Not
5 only ours, as Nisi -- Nisichawayasihk Cree Nation, the
6 mere fact that this process is occurring, CNC hearings,
7 tells you a lot that Canada is changing. Crown
8 corporations are changing how they conduct business
9 with us.

10 Do not forget some of you stand here
11 where your children were loaded on a plane. Like in my
12 case, where I'm originally from, South Indian Lake, the
13 Beechcraft landed there. I was just talk -- talking to
14 my Uncle Oscar (phonetic) in -- in Leaf Rapids.
15 Peoples' kids were rounded up and thrown on the plane:
16 no rights.

17 We have come beyond that. It is our
18 destiny to change the way we feel, the way we act,
19 create momentum that focusses on change for the future.
20 I believe Nisichawayasihk has done that. Can we
21 honestly say that this is the best deal possible? Of
22 course there's going to be opponents to it.
23 Everybody's got an opinion. But at the end of the day,
24 time will tell how far our nation will prosper and
25 prevail. Time will tell whether -- how many of our

1 people will be walking out there with their heads down
2 panhandling and bumming.

3 We say, No. Nisichawayasihk has taken
4 the approach. We want to employ our people. We want
5 to provide additional housing for our people. Yes, we
6 can say that the impacts were far reaching. We can
7 never go backwards in terms of rebuilding the land and
8 the destruction that it has.

9 I used to live on the land. I used to
10 collect eggs with my grandfather, seagull eggs, and eat
11 them when the water was pure and you could drink it. I
12 -- I'm very angered by the destruction to our land, but
13 how do we move forward as a nation? Do we not accept
14 nothing or go into partnership and try to get something
15 out of our devastation? Nisichawayasihk Cree Nation
16 has taken that role in wanting to make change for its
17 people.

18 I have five (5) daughters. What do I
19 say to them ten (10) or fifteen (15) years from now if
20 I don't try to do something for them? I'm sorry, my
21 girl. If I would have done things differently as a
22 leader maybe you'll have a house.

23 We have a backlog of over five hundred
24 (500) houses in Nelson House. You are continued to be
25 oppressed by systems not created by Manitoba Hydro but

1 by the governments of Canada. Ask yourself this. Even
2 if you have A1 credit you cannot get a mortgage on a
3 house. Why? There's no resale value on the reserve
4 because who's going to buy your house, so, therefore,
5 you're limited.

6 So when you accept all the things that
7 cause you to be held back by systems and governments
8 and whatnot, do you say, I'll blame them, and just be
9 there, be stagnant, or do you rise as a nation and say,
10 We will no longer continue to be stagnant?

11 Our generation and the generations yet
12 to come will unfold and have their heads high. I say
13 to you this: When you win, we win. When we win, you
14 win. Every kid likes to dream, the Nikes, the hockey
15 equipment, Bauer, everything, so how do we provide for
16 our children that want what other people have?

17 You know, you hear our young people when
18 they come to Thompson, I'd like to -- I'd like to drive
19 that Z71 Corvette that some Inco boys drive. You know,
20 our peop -- our people wish for good things. We, as
21 council, both past and present, wish only the best for
22 our people. And at this juncture, this is what -- the
23 best we could do for our people.

24 Like I said, there are opponents of this
25 deal that don't -- don't approve of our deal, and I

1 used to be one of the biggest critics of council. And
2 when you sit on council, there -- there might be some
3 past leadership here, you try to talk to the super
4 power. We are small communities negotiating against
5 super powers, and times are changing. The mere fact
6 that we're here in this room says that times are
7 changing.

8 People are going to listen to us. We're
9 starting to matter. Let's continue that momentum
10 forward and continue to prosper as a nation, and not
11 hold each other back. We are here not to comment on
12 your deals and what you have. That is your business.
13 That is the mutual respect we have for you. Thus our
14 presentation did not indicate any comments towards any
15 of the other First Nations because you have your own
16 autonomy, your own right, your own right sovereignty.
17 The Creator gave you that sovereignty as a nation.

18 And likewise, we live in the big
19 umbrella of Canada. How do we best prosper under the
20 umbrella of Canada? Our nation took the approach of
21 entering into a partnership with Manitoba Hydro that we
22 felt was beneficial to the people, not only past
23 leaders, our present leaders. None of us as leadership
24 have the right to condemn our people for ratifying this
25 agreement, the 1996 original implementation agreement.

1 We have to respect the people that voted in favour of
2 this agreement, both PDA 1 and 2.

3 And even the mere fact that we're --
4 we're in negotiations yet again illustrates that in
5 some way Manitoba Hydro has shown positive good faith
6 for us because like my coll -- the -- the Chief alluded
7 to earlier, fracking and other global recessions have
8 impacted our revenue stream and thus we have to go to
9 the renegotiating table. None of these leadership
10 sitting here went to the negotiating table for
11 themselves. I think their heart was in it for their
12 children, their grandchildren.

13 When I die and I leave this -- this
14 world, I often ask myself, What min -- minimal impacts
15 will I have in this World? Will my legacy in some
16 small way be remembered by my grandchildren or my great
17 grandchildren? (CREE LANGUAGE SPOKEN)? Will I be
18 remembered is what I'm saying in Cree. You know, and
19 that's the legacy we have as First Nations people.
20 That, yes, there are certain limitations in our
21 resource base.

22 Reserve, even the word 'reserve',
23 leftover land, (CREE LANGUAGE SPOKEN) in Cree, that's
24 what that means. (CREE LANGUAGE SPOKEN), leftover,
25 reserve. And even the mere fact that it's translated

1 into that tells you where we've come from, and we have
2 to ask ourselves where are we heading? What kind of
3 tools will we embrace to build a brighter future for
4 our children?

5 They may not -- we might have to buy
6 Firestorm power tools and not use DeWalt, but we will
7 build things with those tools that will be beneficial
8 to our people. We will go forward and expand our
9 resource area economic base because that is the way out
10 of poverty. That is the way to healthier self-esteem,
11 to feel better about yourself for you as a people.

12 At the end of the day, nobody wants to
13 leave here and have their grandchildren develop low
14 self-esteem because of decisions that past leadership
15 made that has negative impacts. At the end of the day
16 we strive to be the best for our people. And it is our
17 people that put us in power, and it is our mandate to
18 carry out our people's wishes. Thus we entered into a
19 PDA Supplemental Agreement because we owe it to our
20 people to continue to try to do the best for them.

21 (CREE LANGUAGE SPOKEN). God bless you
22 all. Thank you.

23

24 (BRIEF PAUSE)

25

1 THE CHAIRPERSON: We have no questions.
2 We -- we did want to have clarification about the state
3 of negotiations with Manitoba Hydro on addressing --
4 addressing the Partnership Agreement, and your
5 presentation has clarified that for me. Your -- your
6 negotiations are progressing well, from what I -- I
7 understood from your presentation. So thank you very
8 much. You've clarified that question in my mind.

9 So I want to thank you for coming to
10 make this presentation. It was useful to hear from --
11 from you, and -- and hear the progress that you are
12 making in respect of your -- your band. So thank you
13 very much for enlightening us about that.

14 So I want to thank the other people in
15 the room. We -- I know some people have travelled a
16 great distance to be here, so thank you very much for
17 all of you who have attended. And thank you for taking
18 the time and trouble to prepare these materials and
19 share them with us. And all of these materials,
20 including your testimony, will be added to our website
21 and made available to -- made available to the public
22 so they can read what we heard tonight. So thank you
23 very much for that and all the best to you.

24

25 --- Upon adjourning at 8:48 p.m.

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2 Certified correct,

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7 Cheryl Lavigne, Ms.

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