



# *Manitoba Keewatinowik Okimakanak, Inc.*

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**Office of the Grand Chief**

DAVID HARPER

May 14, 2013

Hollis M. Singh  
Secretary and Executive Director  
The Public Utilities Board  
400 - 330 Portage Avenue  
Winnipeg, Manitoba  
R3C 0C4

Dear Mr. Singh:

**Re: Intervenor Request Form of the Manitoba Keewatinowik Okimakanak, Inc. (MKO)  
NFAT review for Manitoba Hydro's proposed preferred development plan**

Please find attached the Intervenor Request Form of the Manitoba Keewatinowik Okimakanak, Inc. (MKO) for the NFAT review for Manitoba Hydro's proposed preferred development plan.

MKO presently contemplates, subject to any further direction by the Board, that the work plan portion of the attached form is to be determined as part of the budget development process, which budget MKO understands is to be prepared after August 16, 2013 and filed with the Public Utilities Board by August 30, 2013.

Sincerely,

Michael Anderson  
Research Director

cc. Manitoba Hydro  
Board Counsel  
Prospective Intervenors

**The Public Utilities Board**  
 400 - 330 Portage  
 Winnipeg, MB R3C 0C4

## NEEDS FOR AND ALTERNATIVES TO (NFAT) REVIEW OF MANITOBA HYDRO'S PROPOSED DEVELOPMENT PLAN INTERVENER REQUEST FORM

<b>1. Name of Requesting Party:</b>		
Manitoba Keewatinowi Okimakanak, Inc. (MKO)		
<b>2. Address of Requesting Party:</b>		
6th Floor – 338 Broadway, Winnipeg, Manitoba, R3C 0T2		
<b>3. Phone Number:</b>	<b>Business:</b>	<b>Residence</b>
	(204) 927-7500	
	<b>Fax Number:</b>	<b>E-mail:</b>
	(204) 927-7509	
<b>4. Contact Person(s):</b>		
Michael Anderson, Research Director, Manitoba Keewatinowi Okimakanak, Inc., Natural Resources Secretariat		
<b>5. Address:</b>		
6th Floor – 338 Broadway, Winnipeg, Manitoba, R3C 0T2		
<b>6. Phone Number:</b>	<b>Business:</b>	<b>Residence:</b>
	(204) 794-4312	(204) 962-8420
	<b>Fax Number:</b>	<b>E-mail:</b>
	(204) 927-7509	manderson@mkonorth.com
<b>7. How many members does your organization have?</b>		65,000 Treaty First Nation citizens
<b>8. How many years has your organization been in existence?</b>		32 years
<b>9. Please provide a list of the executive members of your organization:</b>		
Grand Chief David Harper, MANITOBA KEEWATINOWI OKIMAKANAK, INC. Chief Jerry Primrose, NISICHAWAYASIIHK CREE NATION Nelson House, MB ROB Chief Ron Evans, NORWAY HOUSE CREE NATION Norway House, MB R0B 1B0 Chief Garrison Settee, PIMICIKAMAK CREE NATION Cross Lake, MB ROB OJO Chief Jack Dysart, O-PIPON-NA-PIWIN Box 25, South Indian Lake, MB R0B 1N0 Chief Gilbert Andrews, GOD'S LAKE FIRST NATION God's Lake Narrows, MB R0B 0M0 Chief Jimmy Thorassie, SAYISI DENE DENESULINE NATION Tadoule Lake, MB R0B 2C0 Chief Arlen Dumas, MATHIAS COLOMB CREE NATION Pukatawagan, MB ROB 1GO Chief Eugene Wood, ST. THERESA POINT FIRST NATION St. Theresa Point, MB R0B 1J0		

#### 10. What is the purpose/mandate of your organization?

The objectives of MKO are to maintain, strengthen, enhance, lobby for and defend the interests and rights of First Nation peoples within its jurisdiction and to promote, develop and secure a standard and quality of life deemed desirable and acceptable by its member First Nations. The objectives of MKO also include: a) protecting, promoting and advancing all inherent, treaty and Aboriginal rights of its member First Nations; b) providing technical assistance, consultative services and advice on all policies and statutes affecting all member First Nations' people; c) protecting and advancing the powers, authority and autonomy of the governments of the MKO First Nations; d) promoting, protecting and advancing the rights to establish First Nations political, economical, judicial, social, language and cultural institutions deemed necessary by the member First Nations governments; e) working Tribal Councils, affiliated First Nation organizations and MKO First Nation and all MKO First Nations citizens regardless of where they live.

#### 11. To what extent are the members of your organization affected by the outcome of this review?

- The Keeyask and Conawapa Generating Stations and much of their associated domestic AC transmission facilities will be planned, constructed and operated within the ancestral and traditional territories of the MKO First Nations.
- Several of the MKO First Nations directly affected by the projects have entered into arrangements to plan, construct, own and operate the Keeyask and Conawapa Generating Stations in partnership with Manitoba Hydro.
- The MKO First Nations have an interest in determining the socio-economic impacts and benefits of the Plan and alternatives in respect of the MKO First Nations.
- All of the citizens of the MKO First Nations and the MKO First Nation government facilities receive electricity service from Manitoba Hydro and are Manitoba Hydro customers. The MKO First Nations will be affected by and wish to determine any impact on domestic electricity rates over time with and without the Plan and with alternatives.

#### 12. What issues are of specific concern to your organization?

- The alignment of Manitoba Hydro's proposed preferred development plan (Plan) for major new hydro-electric generation and Canada-USA interconnection facilities to the inherent, Treaty and other rights and interests in waters, lands and resources and other interests of the Hydro-affected MKO First Nations and other MKO First Nations.
- The alignment of the Plan to the Treaties and agreements entered into between the Hydro-affected MKO First Nations, Manitoba, Manitoba Hydro, Canada and other Treaties and agreements affecting other MKO First Nations.
- The alignment of the Plan to the plans, objectives and interests of the Hydro-affected MKO First Nations and other MKO First Nations, including the free, prior and informed consent of the MKO First Nations.

#### 13. State the reasons for the proposed intervention, to the extent not captured above.

As stated by MKO before the Clean Environment Commission in 2004 in respect of the Wuskwatim Generation and Transmission Projects, MKO will seek, as conditions of the approval of any Plan or of any project approvals arising from any Plan:

- a high standard of protection of the Aboriginal and Treaty rights of MKO Citizens, including the application of the Crown-First Nation Consultation and Accommodation process (and the free, prior and informed consent of the MKO First Nations as now recognized by the United Nations Declaration on the Rights of Indigenous Peoples);
- the full implementation of the provisions of any Treaty, agreement or settlement related to existing hydroelectric and transmission projects;
- the resolution of all outstanding claims related to hydroelectric and transmission development and the related regulation and diversion of waterways;
- high standards for environmental review, environmental assessment and the mitigation of any project impacts; and
- a high standard of socio-economic benefit and revenue sharing, including effective procurement, employment, training and resource equity for the citizens of the MKO First Nations, the MKO First Nations and business entities of the MKO First Nations.

MKO wishes to examine each of these further matters in the context of the Plan and to the extent that these matters are determined to be within the scope of the NFAT proceeding.

14. Nature of the proposed intervention.			
a) Does your organization intend		Yes	No
(i)	to appear throughout the review:	X	
(ii)	to participate in the production of evidence:	X	
(iii)	to participate in the testing of evidence through cross-examination:	X	
(iv)	to present final submissions to the Board:	X	
b) Does your organization intend to call witnesses:		Yes	No
		X	
c) If yes to No. 14b), please list the proposed witness(es) (use separate pages if necessary):			
(i)	Name:	Witnesses to be confirmed	
(ii)	Address:		
(iii)	Qualifications:		
(iv)	Subject of submission:		
Tentative working title: "The MKO First Nations and Manitoba Hydro's proposed preferred development plan for the Keeyask and Conawapa Generating Stations, their associated domestic AC transmission facilities and a new Canada-USA transmission interconnection"			
15. Will your organization be applying for costs under Part IV of the PUB's Rules of Practice and Procedure:		Yes	No
		X	
If yes: Refer to Section 43 of Rules of Practice and Procedure. Provide detailed budget as per the attached Appendix II.			
16. Are you planning a joint intervention or collaboration with other proposed interveners on any issues? If so, please set out the extent of your joint intervention or collaboration:			
MKO will communicate with other intervenors to minimize duplication and to explore opportunities for collaboration.			
MKO will provide further information as to the scope and estimated cost of MKO's participation in due course and further to a review of the Plan as filed by Manitoba Hydro.			

17. Please provide a work plan defining the major proposed activities of all participants and the estimated hours:  
(e.g.: Jane Smith – Review MH filing; prepare information requests regarding socioeconomic impacts; draft & submit report on socioeconomic impacts; oral testimony at hearing)

The work plan is to be determined as part of the budget development process, which budget MKO understands is to be prepared after August 16, 2013 and filed with the Public Utilities Board by August 30, 2013.