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February 5, 2014

Manitoba Keewatinowi Okimakanak, Inc.  
Natural resources Secretariat,  
6<sup>th</sup> Floor, 338 Broadway Avenue,  
Winnipeg, MB  
R3C 0T2

Att: Mr. Michael Anderson, Research Director

Re: MKO's Request to Expand the Scope of its Intervention in the Public Utilities Board (PUB) NFAT Review

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The PUB has reviewed MKO's request to expand the scope of the MKO Intervention in the PUB NFAT Review, to include 'macro-environmental considerations'. MKO proposes to address:

- The values and objectives which guide Water Regime management in respect of considerations for aquatic ecosystems and fisheries; and
- The protection and management of iconic species which are integral to the cultural identity of the MKO First nations, such as caribou and Lake Sturgeon.

MKO has indicated that if the scope of MKO's intervention is expanded to include 'socio-economic considerations', MKO would engage Dr. Terry Dick as an expert on Lake Sturgeon in Canada, including Nelson River populations of Lake Sturgeon.

Manitoba Hydro (MH) has, in its correspondence, opposed the expansion of MKO's scope of intervention to include macro-environmental considerations and has opposed the MKO proposal to have Dr. Dick testify. MH has indicated that Dr. Dick testified on the same matters before the Clean Environment Commission's Hearing respecting the Keeyask EIS.

Furthermore, MH submits that there is sufficient evidence already before the PUB in the NFAT as to the impact MH's Preferred development Plan will have on Lake Sturgeon.

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Having considered the request by MKO, as well as MH's response, the PUB denies approval of MKO's request to expand the scope of its intervention in the NFAT Review.

The Board is mindful of the Terms of Reference that expressly exclude from the NFAT Review, the environmental reviews of the proposed projects as those will be conducted through individual processes by the Clean Environment Commission. The NFAT is not an environmental assessment hearing and addresses only "macro environmental" matters. These were defined in Board Order 92/13 as:

A critical analysis of the macro environmental impacts and benefits of Manitoba Hydra's Preferred Development Plan and Alternative Plans. Specifically this refers to the collective macro-economic consequences of changes to air, and, water, flora and fauna, including the potential significance of these changes, their equitable distribution within and between present and future generations.

The PUB is satisfied that Dr. Dick has provided testimony to the Clean Environment Commission with respect to Keeyask on substantially similar issues as the ones now proposed by MKO. While an environmental assessment of Conawapa has not yet taken place, the Board is of the view that the scope of work proposed for Dr. Dick is better suited to an environmental assessment hearing and falls outside the "macro" scope set out for the NFAT.

Yours Truly,

*"Original Signed By:"*

Kurt Simonsen, P.Eng  
Associate Secretary

cc. Legal Counsel for MH, Interveners, IECs and PUB