

ASSEMBLY OF MANITOBA CHIEFS

MANITOBA HYDRO GENERAL RATE APPLICATION 17/18 & 18/19

(AMC-11)

ANSWERS OF MANITOBA HYDRO TO WRITTEN INTERROGATORIES

NOTE: While Manitoba Hydro is of the view that the majority of the questions do not relate to “*the revenue requirements of Manitoba Hydro, and the rates that the Utility seeks to charge its customers*”, it is prepared to answer these questions at this time on a “without prejudice” basis in the interests of being responsive. However, Manitoba Hydro will object to future questions if they do not relate directly to revenue requirements or rates.

1. **Does Manitoba Hydro have an official action plan/written policy which includes, incorporates or addresses the adoption of the Truth and Reconciliation Commission of Canada’s Calls to Action (“TRC Calls to Action”)?**

a) **If the answer to Question 1 is not “Yes”, why does Manitoba Hydro not have such a plan/policy? Is there a timeline for when Manitoba Hydro is aiming to have such an action plan/written policy produced?**

Manitoba Hydro invests a significant amount of resources and management attention on developing and maintaining positive relationships with indigenous peoples. One of Manitoba Hydro’s four corporate wide Strategic Priorities is to “respect and support indigenous peoples in all aspects of our business”. Further, Manitoba Hydro has a Vice President led group dedicated to Indigenous Relations.

“Engaging impacted Indigenous communities in a positive way is vital to enhancing working relationships. We continue to place emphasis on addressing the adverse effects of our operations and fostering respect and support of Indigenous peoples in all aspects of our business.” (Annual Report, 2016-17)

“Manitoba Hydro’s mitigation program addresses past, present and ongoing adverse effects of historical hydroelectric development.” (Notes to Consolidated Financial Statements - Annual Report, 2016-17)

Manitoba Hydro does not currently have a specific action plan or written policy designed to explicitly address the adoption of the TRC Calls to Action (and UNDRIP). Manitoba Hydro’s understanding is that Canada will be engaging with Indigenous Peoples on how to implement the principles of UNDRIP, and that engagement will include the provinces and territories. As a Manitoba Crown Corporation, Manitoba Hydro also needs to ensure that its policies are aligned with and supported by Manitoba’s own action plans and policies. As such, it is challenging for Manitoba Hydro to independently develop an official policy related to certain TRC Calls to Action while Provincial and Federal policies regarding implementation of UNDRIP are still being developed. However, while anticipating further clarity from Canada and Manitoba, Manitoba Hydro is already acting on many aspects of the TRC Calls to Action and continuing to work to build strong relationships with Indigenous communities and to mitigate the impacts of its resource development on impacted communities.

2. Please produce any such plan or written policy referred to in Question 1.

See above # 1.

3. **What has Manitoba Hydro done to implement TRC Call to Action 92 by “adopt[ing] the United Nations Declaration on the Rights of Indigenous Peoples as a reconciliation framework and [applying] its principles, norms and standards to corporate policy and core operational activities including Indigenous peoples and their lands and resources....”?**

See above # 1. Further, Mr Shepherd described Manitoba Hydro’s approach to new generation development and other projects and how those approaches relate to the TRC Call to Action 92 at pages 558 through 560 of the transcript.

4. **What plans do Manitoba Hydro have in place for providing redress to Indigenous peoples in accordance with Article 28(2) of UNDRIP?**

Manitoba Hydro has made very significant efforts to address the impacts of its historical developments with Indigenous communities. These efforts have included multilateral agreements that also include the Provincial and Federal governments, as well as bilateral agreements between Manitoba Hydro and individual Indigenous communities.

5. **Please outline any forecast budgetary impact of these plans on Hydro’s financial position. If these plans have not been integrated into Hydro’s financial forecasts, please explain why.**

See pages 78, 79 and 86 in the Notes to Consolidated Financial Statements - Annual Report, 2016-17 which describe the treatment of mitigation liabilities in Manitoba Hydro’s Financial Statements.

Further, as stated by Mr. Shepherd at pages 564 and 566, when agreements are in place, or reasonably certain, they are put into the financial plan.