

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

"APPENDIX I"

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INTERVENER REQUEST FORM

1. Application Re Hearing:		
Manitoba hydro 2017/2018 & 2018/2019 General Rate Application		
2. Name of Requesting Party:		
Assembly of Manitoba Chiefs		
3. Address of Requesting Party:		
5 - 275 Portage Avenue, Winnipeg, MB R3B 2B3		
4. Phone Number:	Business:	Residence
	204-956-0610	
	Fax Number:	E-mail:
	204-956-2109	info@manitobachiefs.com
5. Contact Person(s):		
Senwung Luk and Corey Shefman, Olthuis Kler Townshend LLP (OKT), Legal Counsel		
6. Address:		
OKT: 250 University Avenue, 8th Floor, Toronto Ont, M5H 3E5		
7. Phone Number:	Business:	Residence:
	OKT: 416-981-9330	
	Fax Number:	E-mail:
	OKT: 416-981-9350	sluk@oktlaw.com, cshefman@oktlaw.com
8. State reasons for the proposed intervention (please be specific).		
See Schedule A		

THE PUBLIC UTILITIES
BOARD OF MANITOBA

JUN 05 2017

9. State nature of proposed intervention.		
a) Do you intend	Yes	No
(i) to appear throughout the hearing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(ii) to participate in the production of evidence:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iii) to participate in the testing of evidence:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(iv) to present final argument:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Do you intend to call witnesses:	Yes	No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) If yes to No. 9b), please provide witness':		
(i) Name:	Phillip Raphals	
(ii) Address:	326 Saint-Joseph Blvd East, Suite 100, Montreal QC, H2T 1J2	
(iii) Qualifications:	See attached CV	
(iv) Subject of submission (please note date for filing submission):	Phillip Raphals, Executive Director of the Hellos Centre and a recognized expert who has appeared before energy regulators in multiple provinces, will provide evidence on technical aspects of the Application, alternatives to the proposed rate increases, and the impacts of the rates and rate increases on First Nations peoples in Manitoba. Specific details of his submission and date for filing will be forthcoming and include Justification for the proposed rates, including residential, general service and First Nations Education rates, as well as suitability of energy efficiency and DSM programs offered to First Nations communities	
10. Will you be applying for costs under Board Order No. 163/87:	Yes	No
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If yes: Refer to Section 43 of Rules of Practice and Procedure. Provide detailed budget as per the attached Appendix II.		
11. Comments and other information:		



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"APPENDIX II"

INTERVENER BUDGET AND COST SUMMARY SHEET

To be used to prepare a budget for the Intervener Request
Form, Item 10, and to make a claim for an Award of Costs.

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Prepared by:		Date:
Senwung Luk, Corey Shefman		June 2, 2017
Hearing:		
2017/18 & 2018/19 General Rate Application		
Period Covered:		
June 2017 to December 2017		
Intervener's Name:		
Assembly of Manitoba Chiefs (AMC)		
Contact Person or Persons:		
Senwung Luk, Corey Shefman		
Address:		
250 University Avenue, 8th Floor, Toronto Ontario, M5H 3E5		
Phone Number:	Business:	Residence:
	416-981-9330	
	Fax Number:	E-mail:
	416-981-9350	sluk@oktlaw.com, cshefman@oktlaw.com

See Costs on Page 2.

Schedule A

The Assembly of Manitoba Chiefs ("AMC") is the political, advocacy and technical coordinating body which represents 62 of the 63 First Nations in Manitoba, made up of approximately 130,000 people. AMC is led by a Grand Chief, who is elected every three years and is governed by the Chiefs in Assembly, a regular gathering of AMC's 62 member First Nations. The First Nation members of AMC and the First Nations people who they represent live in every corner of Manitoba and are amongst the most southerly and northerly ratepayers in Manitoba.

All members of AMC First Nations, the First Nations themselves, the institutions associated with and operated by the First Nations (including schools, health centres and corporations), and the AMC secretariat, are Manitoba Hydro ratepayers and rely on Manitoba Hydro for the vast majority of their electrical power. Unlike most intervenors, AMC represents both residential and general service ratepayers, as well as institutions subject to the special First Nations Education Rate. Moreover, AMC's member First Nations are reserve communities under the federal *Indian Act*, with unique jurisdictional and infrastructure considerations that differ from other power users in the Province. This diverse array of interests has given AMC unique insight into the ways in which Manitoba Hydro's proposed rate increase will affect First Nation customers.

AMC proposes to address three discrete but related issues which arise out of the Application.

1. The proposed increase is extraordinarily large and abrupt. This significant and sudden increase will have a serious and particular impact on First Nation Residential and General Service ratepayers. AMC intends to call evidence on the socio-economic conditions of its member communities and on the ways in which Hydro rates, as well as the proposed rate increases, impact those communities. Ways in which those impacts can be mitigated will be addressed by AMC's evidence and the Applicant's evidence with respect to the socio-economic impact of the proposed increases will be tested.
2. The First Nations Education Rate is a part of Hydro's application. AMC intends to explore the relationship between that rate and the cost of service, and on whether the assumptions behind the establishment of this rate remain valid.
3. The efficacy of energy efficiency initiatives and demand side management programs, as they apply to the different circumstances of on-reserve residents.

In addition to the three areas above which will be addressed in AMC's evidence, AMC also intends to test the Applicant's evidence and bring concerns to the Board on issues including, but not limited to:

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- The reasonableness, accuracy and necessity of the costs (capital and otherwise) underlying the rate increases;
- Whether Manitoba Hydro's proposed revenue requirement is justified;
- Whether the proposed rates are just and reasonable.

AMC, through its evidence and submissions, will also provide concrete solutions and alternatives to the issues raised.

Personnel

AMC proposes to submit Philip Raphals, Executive Director of the Helios Centre and a recognized subject matter expert on rate-making and energy policy, as an expert witness. Mr. Raphals has appeared before energy regulators and in courts across Canada and has been involved in energy industry research for over 20 years. Mr. Raphals' CV is attached to this Schedule.

AMC will be represented by Counsel from Olthuis Kleer Townshend LLP ("OKT").

- Senwung Luk is a Partner at OKT. He was called to the Bar in 2007 has previously appeared before the Newfoundland and Labrador Public Utilities Board.
- Corey Shefman is an Associate at OKT. He was called to the Bar in Manitoba in 2013, and Ontario in 2017. Corey previously appeared before the Manitoba PUB at the NFAT in 2014.

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Fees – To be completed for legal counsel or experts				
Description	Hours	Days	Rate	Costs
Senior Legal Counsel				
Preparation	100	16	190	19,000.00
Appearance	100	20	190	19,000.00
Argument & Reply	30	3	190	5,700.00
Senior Legal Counsel Fees Total	200	35	190	\$43,700.00
Junior Legal Counsel				
Preparation	80	12	140	11,200
Appearance	80	10	140	11,200
Argument & Reply	20	2	140	2,800
Junior Legal Counsel Fees Total	150	20	140	\$25,200
All Legal Fees Total				\$68,900
Travel (Other)				\$6,000.00
Accommodation	35 Nights	Rate: 150		\$5,250.00
Meals	35 days			\$1,575.00
Miscellaneous	Taxis: 500		Supplies: 1,000	\$1,500.00
Disbursements Total				\$14,325.00

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Description	Hours	Days	Rate	Costs
Expert Consultant				
Preparation	190	25	250	47,500.00
Appearance	40	4	250	8,000.00
Argument & Reply	40	4	250	8,000.00
Consultant Fees Total	270	33		\$63,500.00

Travel (Other)				\$1,200.00
Accommodation	4 Nights	Rate: 150		\$600.00
Meals	12 meals			\$180.00
Miscellaneous	Taxis: 120		Supplies: 0	\$120.00
Disbursements Total				\$2,100.00
TOTAL FEES AND DISBURSEMENTS				\$148,825.00