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**Our File No. 10146-06**

October 17, 2019

Public Utilities Board of Manitoba  
400-330 Portage Avenue  
Winnipeg, Manitoba, R3C 0C4

**Attention: Mr. Darren Christle, Board Secretary and Executive Director**

Dear Mr. Christle:

**Re: Efficiency Manitoba Initial 3-Year Energy Efficiency Plan Application:  
MKO Comments on the Applicant's Preliminary Issues List**

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We have been retained to represent Manitoba Keewatinowi Okimakanak Inc. ("**MKO**") in the above-noted proceeding (the "**Application**"). MKO is intending to file an application with the Manitoba Public Utilities Board (the "**Board**") seeking intervener status in the Board's hearing into this Application.

MKO is in receipt of the preliminary issues list (the "**Preliminary Issues List**") and timetable provided by Efficiency Manitoba (the "**Applicant**"). MKO thanks the Board for this opportunity to provide comments on these documents. We note that MKO's comments herein will be limited to comments on the Preliminary Issues List. We reserve the right to submit comments on the revised timetable once received.

Upon receipt and review of the Preliminary Issues List provided to counsel by email on September 18, 2019, and discussed at the informal meeting of counsel on September 19, 2019, MKO was, and remains, concerned with the Applicant's omission from the list of considerations of all of:

1. energy efficiency issues specific to northern Manitoba,
2. energy efficiency issues specific to First Nations including those serviced by diesel, and
3. energy efficiency issues specific to First Nation citizens living on-reserve, including those serviced by diesel.

It is the position of MKO that potential issues and considerations pertaining to First Nations and First Nation citizens living on-reserve, including those serviced by diesel, must be recognized as being separate and distinct from other groups and other customer classes, and therefore must be separately and properly considered in this hearing.

MKO recognizes this proceeding as an opportunity to set the parameters for the beginning of

the relationship between the newest Crown corporation in Manitoba and First Nations in Manitoba. As a Crown corporation and an agent of the Crown, Efficiency Manitoba must engage with First Nations in northern Manitoba in a meaningful, and respectful manner in the spirit of reconciliation.

Therefore, it is the position of MKO that the Board's hearing into Efficiency Manitoba's 3-year plan to achieve the goals set out in the relevant legislation and regulation must include specific consideration of issues pertaining to First Nations.

Suggested wording for additional issues for consideration at the hearing could include:

- Accessibility of Efficiency Plan to First Nations and First Nation citizens in Manitoba, including consideration of interests of First Nation On-Reserve Residential, commercial and industrial customers;
- Consideration of the appropriate percentage of the DSM budget for low income and hard to reach customers, with specific consideration of the DSM budget for First Nation customers and customers living on-reserve, including those serviced by diesel; and
- Consideration of barriers to DSM uptake on-reserve;
- Consideration of the engagement strategy with respect to low income and hard to reach customers, with specific consideration of the engagement strategy with respect to First Nation customers and customers living on-reserve, including those serviced by diesel.

It is the position of MKO that these issues have the potential to significantly affect the outcome of the hearing into the Application and therefore must be thoroughly tested. MKO sincerely hopes that the Applicant's omission of the words "First Nation" from the Preliminary Issues List was merely an oversight, and not an indication of Efficiency Manitoba's intention to omit issues pertaining to First Nations and First Nation citizens going forward.

Once again, MKO thanks the Board for the opportunity to provide comments on the Applicant's preliminary list of issues and looks forward to the Board's procedural order in this matter.

Should you have any questions or concerns, please contact the undersigned.

Yours truly,

**JERCH LAW**

Per: 

**Jared Wheeler**

cc: Board Counsel  
Efficiency Manitoba  
Potential Interveners