

## INTERVENER APPLICATION FORM

Application re Hearing:			
Name of Prospective Intervener (Organization Name or Individual):			
<b>Prospective Intervener Contact Information</b>			
Organization or Individual Address:			
Organization Contact Person(s) (if applicable):			
Contact Information:	Business:		Other Phone:
	Fax Number:		Email:
<b>Representative Contact Information:</b>			
Counsel or Representative Name(s):			
Organization (if different from above) :			
Address (if different from above):			
Contact Information (if different from above):	Business:		Other Phone:
	Fax Number:		Email:
Counsel Seniority:			
Years of Experience	_____ Years	Tariff Rate	\$ _____
Also representing (if applicable):			

**Additional Information**

(For organizations only) Please describe the mandate of your organization and provide a description of the membership, including the number of members. Please also confirm whether the organization's intervention in this proceeding is supported by a resolution of the governing body, if any. Please enclose the resolution, if any, with your Application, along with supporting documentation of your mandate and membership

Please state your reasons for intervening in this proceeding:

Please state how you are directly affected by the Board's decision in this matter:

Please explain whether and how you represent a substantial number of ratepayers that are otherwise not represented on issues that are within the scope of this proceeding:

Please describe your experience, information, or expertise relevant to this matter that would contribute to the Board's decision making, including any other prior interventions in regulatory matters before this Board or other decision-makers:

Please list the key issues you intend to address in the proceeding. Please be specific.		
Do you intend to participate fully and actively, including attendance at hearings, submission of evidence, and testing of evidence and cross examination of witnesses? If yes, please describe your intended participation.		
Do you intend to request an award of costs for your participation? Please explain how you meet the criteria for an award of costs.		
Do you intend to retain experts or consultants? If yes, please attach copies of the <i>curriculum vitae</i> for any expert and/or consultant, as well as the following:		
<b>Expert Consultant #1:</b>		
Name:	Experience	Evidence to be provided on issues in scope:
	_____Years	
Telephone #:	Tariff Rate:	
	\$_____	
Address and Email:	Firm or Organization:	Brief explanation of experience relevant to evidence to be provided:

<b>Expert Consultant #2:</b>		
Name:	Experience:	Evidence to be provided on issues in scope:
	_____Years	
Telephone #:	Tariff Rate:	
	\$_____	
Address and Email:	Firm or organization:	Brief explanation of experience relevant to evidence to be provided:
<b>Expert Consultant #3:</b>		
Name:	Years of Experience:	Evidence to be provided on issues in scope:
	_____Years	
Telephone #:	Tariff Rate:	
	\$_____	
Address and Email:	Firm or organization:	Brief explanation of experience relevant to evidence to be provided:

Do you intend to provide evidence from witnesses other than experts and/or consultants? If yes, please provide:	
<b>Witness #1:</b>	
Name:	Evidence to be provided on issues in scope:
Email:	Brief explanation of relevant experience and/or knowledge to issues in scope:
Address and Phone number:	
Do you intent to seek approval for any other form of participation or provision of evidence, including for which you intend to seek an award of costs? If yes, please provide details and an explanation of the relation to issues in scope in the proceeding.	

## SCHEDULE "A"

### Description of Membership & Mandate

The AMC is the political and technical coordinating organization for 62 of the 63 First Nations in Manitoba. AMC represents a diversity of Anishinaabe (Ojibway), Nehetho/Inineu (Cree), Anishininew (Ojibwe-Cree), Denesuline (Dene), and Dakota Oyate (Dakota) people. This includes 151,000 First Nations citizens in the province, accounting for approximately 12% of the provincial population.

The AMC is led by the Grand Chief, who is elected every three years and is governed by the Chiefs-in-Assembly, a regular gathering of the political representatives of each of the AMC's 62 member First Nations. In between assemblies of the Chiefs-in-Assembly, the Executive Council of Chiefs (the "ECC") functions as a source of authority for the AMC. The ECC is composed of the Grand Chief, 5 Chiefs selected by northern First Nations and 5 Chiefs selected by southern First Nations.

The AMC's mandate is, among other things, to advocate for the collective interests of First Nations in Manitoba while respecting the inherent self-determination and self-government of each First Nation.

### Direct Effects of the Board's Decision & Substantial Number of Ratepayers

All of the AMC's member First Nations and their citizens and institutions associated with and operated by each First Nation (including schools, health centres and corporations), and the AMC Secretariat, are Manitoba Hydro ratepayers and rely on Manitoba Hydro for their electrical power. The AMC's member First Nations and their citizens and corporate entities include both residential and general service ratepayers. The AMC's member First Nations have unique jurisdictional and infrastructure considerations that differ from other power users in the province stemming from the inherent Aboriginal and Treaty rights of these First Nations, protected by s. 35 of the *Constitution Act, 1932*. This diverse array of interests gives the AMC unique insight regarding the reasonableness of Manitoba Hydro's rates.

### The AMC's Experience, Information and Expertise Relevant to this Matter

The AMC has substantial expertise and information relative to this matter.

The AMC intervened in the 2017/18 & 2018/19 General Rate Application, which contributed to the Public Utility Board's (the "PUB") decision to create the First Nations On-Reserve Residential Rate Class and to attribute a 0% rate increase to that class. The AMC again intervened in the 2019/20 Electric Rate Application, which also attributed a 0% rate increase to the First Nations On-Reserve Residential Rate Class. The reasoning for those decisions and facts related to the disproportionate level of energy poverty facing First Nations on-reserve residential ratepayers continues to be an issue today.

The AMC acted as an intervener before the Manitoba Court of Appeal in *Manitoba (Hydro-Electric Board) v Manitoba (Public Utilities Board)*, 2020 MBCA 50 where the Court of Appeal considered the creation of the First Nations On-Reserve Residential Rate Class and determined that although the PUB has the authority to direct new customer classifications, it acted outside of its authority in ordering the First Nations On-Reserve Residential Rate Class.

The AMC continued to be involved in proceedings before the PUB following that decision, in particular the process leading up to Board Order 100-20 and the process to date regarding the Consumers Coalition Application for a Status Update Hearing and Order 89/21.

### Reasons for Intervening

First Nations on-reserve residential ratepayers have been affected by an approximately 9% rate increase since September 1, 2020. There has been little or no fulsome regulatory oversight to ensure that Manitoba Hydro's rates continue to be just and reasonable. The AMC is concerned that this has substantially exacerbated the energy poverty faced by these ratepayers during a time of economic recession and the significant negative effects of the COVID-19 pandemic, amounting to rate shock.

The AMC's member First Nations also have an interest in ensuring that the rates paid by their citizens off-reserve, and rates paid by First Nation's corporate and institutional accounts remain just and reasonable.

### **Key Issues the AMC Intends to Address**

The AMC will intervene on the issue of whether Manitoba Hydro's current rates are just and reasonable. When a more specific issues list is set, the AMC will set out which issues it intends to intervene on considering the needs and interests of its member First Nations and their citizens.

### **Costs**

The AMC intends to submit a request for costs pursuant to the PUB's intervener costs policy. By the end of this hearing, the AMC anticipates that it will have met all criteria of the Intervener Costs Policy for an award of costs.