



MANITOBA METIS FEDERATION INC.
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David Chartrand, LL.D. (hon), O.M.
President

January 4, 2018

CONFIDENTIAL

VP General Counsel and Corporate Secretary
Manitoba Hydro
360 Portage Avenue
PO Box 815 Stn Main
Winnipeg MB R3C 2P4

Deputy Minister to the Minister responsible for Manitoba Hydro
309-450 Broadway
Winnipeg MB R3C 0V8

Dear Sirs,

**RE: REQUEST FOR MEETING OF TRIPARTITE STEERING COMMITTEE TO
RESOLVE ISSUE UNDER THE KWAYSH-KIN-NA-MIHK LA PAAZH
AGREEMENT WITHIN SIXTY DAYS**

Pursuant to section 5.1.3 of the Kwaysh-kin-na-mihk la paazh Agreement (also known as the "Turning the Page Agreement" or the "TPA") executed by the Manitoba Métis Federation ("MMF"), Her Majesty the Queen in Right of the Province of Manitoba ("Manitoba") and Manitoba Hydro-Electrical Board ("Hydro") on November 26, 2014, I am writing to request a meeting of the Tripartite Steering Committee.

The purpose of this requested Tripartite Steering Committee meeting is to ensure the prompt and diligent further implementation of the agreement reached between the MMF President and the President and CEO of the Manitoba Hydro-Electrical Board on June 29, 2017, which was subsequently duly ratified, and given legal force and effect, by way of approval by both the Manitoba Hydro Board and the MMF Board of Directors in July 2017 (the "Agreement").

The Agreement addresses outstanding and legally-enforceable obligations flowing from the TPA, including the Unaddressed Impacts of the Bipole III Transmission Project that both the MMF and Hydro acknowledged and agreed to through a mutually agreeable

process.¹ The fact that the MMF and Hydro were able to reach agreement on these complex and challenging issues—without Manitoba’s involvement or intervention—demonstrates that the laudable purpose and objective of the TPA has been advanced.

The results of this MMF-Hydro collaborative process with respect to Bipole III as well as other MMF-Hydro engagements with respect to Future Development Projects (as contemplated under section 4.3 of the TPA) informed the formal negotiations process that was agreed by the MMF President and the President and CEO of Manitoba Hydro-Electrical Board by way of a Memorandum of Understanding executed on March 1, 2017.

Since the Agreement’s ratification, both the MMF and Hydro have relied on it and moved forward on implementing it. For example, the MMF’s legal positions and support in relation to the Bipole III Transmission Project, the Manitoba-Minnesota Transmission Project, the St. Vital Reinforcement Transmission Project, the Lake Winnipeg East System Reinforcement Project and the Birtle Transmission Project (collectively “the Projects”), including legal positions taken in regulatory reviews and Crown consultation related to some of these Projects as well as public support for Hydro, have been based on the Agreement and the MMF’s obligations flowing from it. In addition, based on the Agreement, the MMF has also not pursued Other Remedies (as contemplated under section 5.1.4 of the TPA) available to it at law.

Since the Agreement’s approval by both the MMF Board of Directors and Manitoba Hydro-Electrical Board in July 2017, the MMF’s legal counsel has been informed by Hydro’s legal counsel that a more detailed written agreement has been prepared (as contemplated by section 9 of the Agreement), however, a copy of this more detailed written agreement has not yet been provided to the MMF and has been delayed for various reasons internal to Hydro. Because the finalization of this detailed written agreement—based on the binding Agreement—flows from the legal obligations in the TPA, which the MMF notes engages the honour of the Crown, the MMF is requesting a meeting under section 5.1.3 of the TPA to “provide oversight for the implementation of [the TPA]” as well as to “address issues constructively as they may arise.” More specifically, the MMF seeks this meeting to ensure the honourable and diligent implementation of the Agreement through finalizing the above-mentioned detailed written agreement expeditiously.

Moreover, given the conditions set out in Hydro’s Bipole III Transmission Project Licence from Manitoba as well as the upcoming National Energy Board hearings with respect to the Manitoba-Minnesota Transmission Line Project and the Manitoba Crown’s consultation obligations owing to the Manitoba Métis Community related to the Projects, a meeting of the Tripartite Steering Committee should happen as soon as

¹ The MMF also notes that aspects of the Agreement fulfill Condition No. 4 of Manitoba Hydro’s Licence for the Bipole III Transmission Project, which was issued by Manitoba on August 14, 2013.

possible and prior to any Party taking "any other action"² with respect to the implementation of the Agreement given our shared legal commitments to following the processes set out in the TPA. In addition, the TPA further commits that any issue which the Tripartite Steering Committee cannot resolve shall be referred to the "MMF President, the Minister responsible for Manitoba Hydro and the President and Chief Executive Officer of Hydro who will meet to endeavour to resolve, or establish a process to resolve, such dispute, which may include third party mediation or arbitration."

I look forward to convening a meeting of the Tripartite Steering Committee in order to advance the purpose of the TPA as soon as possible. In order to coordinate a mutually agreeable date, time and location for said meeting, please contact Amanda Boudreau, Executive and Special Assistant in the MMF President's Office at (204) 586-8474 or via email at aboudreau@mmf.mb.ca.

Yours very truly,



Marci Riel
Director, Energy and Infrastructure, Manitoba Metis Federation
(MMF Member of Tripartite Steering Committee)

c.c. David Chartrand, President, Manitoba Metis Federation
Jack Park, Minister, Energy and Infrastructure, Manitoba Metis Federation
Marc LeClair, Advisor to President Chartrand, Manitoba Metis Federation
Jason Madden, MMF Legal Counsel, Pape Salter Teillet LLP
Tom Isaac, MMF Legal Counsel, Cassels Brock LLP

² TPA, section 5.1.2