

This page sets out the instructions for completing the Prescribed Form: Evidence of Indigenous Support (Capacity).

All capitalized or italicized terms used in these instructions and the Prescribed Form: Evidence of Indigenous Support (Capacity), unless otherwise stated, have the meanings ascribed to them in the LLT(c) RFP.

INSTRUCTIONS APPLICABLE TO ALL PRESCRIBED FORMS:

- a. The first page of a Prescribed Form should be marked with the name of the LLT Capacity Project that is the subject of the Proposal. The Proponent should use the name given to the LLT Capacity Project in the Prescribed Form: Proponent Information, Declarations and Workbook (Capacity).
- b. This instruction page is not required to be submitted as part of the completed Prescribed Form.
- c. The Prescribed Form is required to be submitted electronically via email to the IESO at LLT.RFP@ieso.ca.
- d. Information provided in each Prescribed Form should be consistent with the information provided in the Proposal.
- e. If a field in the Prescribed Form is pre-populated with "As indicated in the Proposal Workbook", the Proponent is not to input any further information in such pre-populated field.
- f. Where the Prescribed Form has multiple pages, the pages of the Prescribed Form should be kept together in the Proposal in sequential order.
- g. Where a blank field for a section/page reference is provided in a Prescribed Form, enter the section/page reference of the Proposal where the substantiating evidence for that particular item can be found.
- h. Apart from the completion of any blanks, drop down lists, check boxes or similar uncompleted information in a Prescribed Form, no amendments may be made to the wording of a Prescribed Form.
- i. Each Prescribed Form must be completed in its entirety. Fields marked <if applicable> must be completed if applicable to the Proposal. If not applicable, they should be marked "Not Applicable".
- j. If a signature is required for a Prescribed Form, the Prescribed Form must be signed by a person with authority to bind the Proponent. The Prescribed Form may be printed, signed and scanned, or may be signed digitally through Adobe (Digital ID, or Fill and Sign), Apple Preview or DocuSign.
- k. With the exception of this instruction page, instructions within a Prescribed Form will be enclosed in brackets.

INSTRUCTIONS SPECIFIC TO THIS PRESCRIBED FORM: EVIDENCE OF INDIGENOUS SUPPORT (CAPACITY):

- l. To meet the mandatory requirements of Section 4.2(a) of the LLT(c) RFP, where the Project Site is proposed to be located in whole or in part on Indigenous Lands, a Proponent is to complete and submit in the Proposal: (i) the main body of this Prescribed Form; and (ii) a copy of the applicable Indigenous Support Confirmation in Exhibit B, as indicated in Section 3 of this Prescribed Form, from each Indigenous Community with authority over the Indigenous Lands.
- m. The applicable Indigenous Support Confirmation must be dated no earlier than the RFP Effective Date.
- n. Indigenous Communities have the option of using the Indigenous Resolution in Support of Proposal Submission using the form of resolution provided in Exhibit A hereto, should they so choose. An alternative to the Indigenous Resolution in Support of Proposal Submission is an Indigenous Support Confirmation Letter.
- o. An Indigenous Support Confirmation is not required if the Project Site of the LLT Capacity Project is located wholly on Municipal Project Lands, Federal Crown Lands that are not Indigenous Lands, Provincial Crown Lands, Unincorporated Territory or any combination thereof.

GUIDANCE FOR INDIGENOUS COMMUNITIES:

The IESO is undertaking the LLT(c) RFP to competitively procure year-round capacity services, on a Maximum Contract Capacity basis from Electricity Storage Facilities, each with a Nameplate Capacity equal to or larger than ten (10) MW, that: (A) is a New Build and provides dispatchable capacity services to meet system reliability needs; (B) is directly connected to a Distribution System or a Transmission System in Ontario and uses its own meter(s) to Deliver and Withdraw Electricity (for clarity, "its own meter(s)" means meter(s) not used by any other facility) in accordance with all Laws and Regulations to and from the *IESO-controlled grid*; (C) is comprised of one or more *electricity storage units* that are capable of being registered under the Market Rules other than as a *self-scheduling electricity storage facility*; (D) has a Duration Capability of at least eight (8) consecutive hours during the Qualifying Hours; (E) uses Eligible LDES Technology as its sole means of storing and delivering Electricity withdrawn from the Connection Point; (F) has Withdrawal Capability that is equal to or greater than the Contract Capacity in each of Winter and Summer; and (G) in the case of a Regulation Ready-Required Facility, meets the Regulation Services Readiness Requirements.

Should an Indigenous Community wish to support the submission of a Proposal for a particular LLT Capacity Project, they must either pass an Indigenous Resolution in Support of Proposal Submission (project-specific) or provide an Indigenous Support Confirmation Letter (project-specific) from one or more individuals authorized by an executed band council resolution (or equivalent) of such Indigenous Community.

Indigenous Communities are encouraged to use the template Indigenous Resolution in Support of Proposal Submission in Exhibit A. Should an Indigenous Community wish to develop its own resolution, the resolution must:

- (A) identify:
- (i) the Unique Project ID of the LLT Capacity Project (if applicable / known)
 - (ii) the name of the LLT Capacity Project
 - (iii) the name of the Proponent
 - (iv) the Eligible LDES Technology type of the LLT Capacity Project;
 - (v) the maximum potential Contract Capacity of the LLT Capacity Project (which must not be less than, and may exceed, the largest Contract Capacity ultimately provided in the Prescribed Form: Proponent Information, Declarations and Workbook (Capacity) in respect of the LLT Capacity Project); and
 - (vi) the legal description or GPS coordinates of the Indigenous Lands; and
- (B) confirm that the Proponent has, no later than sixty (60) days prior to the date of the Indigenous Support Confirmation, delivered a Pre-Engagement Confirmation Notice to an applicable Local Body Administrator in respect of the Indigenous Community that includes the information above, except for the Unique Project ID which should only be required as part of the Pre-Engagement Confirmation Notice if available, and a sample of a Pre-Engagement Confirmation Notice has been provided in Exhibit C for your convenience; and
- (C) state:
- (i) that the Indigenous Community supports the submission of a Proposal for the LLT Capacity Project located on the Indigenous Lands. The statement in such resolution may be qualified as being solely for the purposes of satisfying the mandatory requirements of the LLT(c) RFP and does not supersede any applicable permits or approvals under applicable Laws and Regulations that may be required for a particular LLT Capacity Project; and
 - (ii) that the Proponent has undertaken, or has committed to undertake, Indigenous and community engagement activities in respect of the LLT Capacity Project to the satisfaction of the Indigenous Community; and
- (D) include the name of the Indigenous Community with authority over the Indigenous Lands, at least one signature from a band council member or equivalent, and the date.

[THE REMAINDER OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK]

Capitalized terms not defined herein have the meanings ascribed to them in the LLT(c) RFP.

Section 1 – Information of the Proponent and the LLT Capacity Project:

a.	Unique Project ID of the LLT Capacity Project: <i><input Unique Project ID></i>	
b.	Legal name of the Proponent: <i><input legal name of the Proponent></i>	
c.	Name of the LLT Capacity Project: <i><input name of the LLT Capacity Project></i>	
d.	The type of Indigenous Lands on which the Project Site is located, in whole or in part, is:	<p>“reserve” land as set out in the <i>Indian Act</i> (Canada);</p> <p>“designated lands” as set out in the <i>Indian Act</i>, (Canada);</p> <p>“special reserves” as set out in s. 36.1 of the <i>Indian Act</i>(Canada)</p> <p>fee simple lands that are held in trust for the benefit of a First Nation in Ontario that is a “band” as defined in the Indian Act (Canada), provided that those lands are the subject of an application or proposal by such First Nation to have Canada set the lands apart as reserve lands pursuant to Canada’s “Additions to Reserve/Reserve Creation Policy Directive” (2016) or the <i>Addition of Lands to Reserves and Reserve Creation Act</i> (Canada);</p> <p>Crown lands or other lands that Canada has agreed to recommend to be set apart as reserve for a First Nation in Ontario that is a “band” as defined in the Indian Act (Canada) in settlement of such First Nation’s land claim</p> <p>“settlement lands” transferred to the Algonquins of Ontario or its Institutions pursuant to the Algonquins of Ontario Treaty with Canada and Ontario (“Treaty”), or otherwise held by the Algonquins of Ontario or its institutions pursuant to the Treaty, for the benefit of one or more of the Algonquins</p>

		of Ontario communities or Treaty beneficiaries
e.	List of Properties located on Indigenous Lands that are included in the Project Site (legal description or GPS coordinates):	As indicated in the Proposal Workbook
f.	Name(s) of all Indigenous Community(ies) with authority over the Indigenous Lands that are included in the Project Site:	As indicated in the Proposal Workbook

Section 2 – Pre-Engagement Confirmation Notice:

a.	In accordance with Section 2.1(c)(iv) of the LLT(c) RFP a Pre-Engagement Confirmation Notice has been delivered to each Indigenous Community with authority over the Indigenous Lands included in the Project Site:	The Proponent confirms the following: Yes, a Pre-Engagement Confirmation Notice was delivered, no later than sixty (60) days prior to the date of the Indigenous Support Confirmation, to each Indigenous Community with authority over the Indigenous Lands
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Section 3 – Indigenous Support Confirmation:

a.	In accordance with Section 2.1(c)(v) of the LLT(c) RFP the Proponent has submitted the Indigenous Support Confirmation(s) which has/have not been revoked, amended or supplemented in any material respect as of the date hereof, is:	The Proposal includes the following attached as Exhibit B: With respect to each Indigenous Community with authority over the Indigenous Lands: An Indigenous Resolution in Support of Proposal Submission dated no earlier than the RFP Effective Date OR An Indigenous Support Confirmation Letter dated no earlier than the RFP Effective Date
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[SIGNATURE PAGE FOLLOWS]



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Suite 1600
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T 416-967-7474
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www.ieso.ca

**Prescribed Form: Evidence of Indigenous
Support (Capacity)**
LLT.RFP@ieso.ca

LLT(c)PF-IS100

I hereby confirm that I am an individual with the authority to bind the Proponent and that, if applicable, by signing this form using electronic signature, I agree to the content, terms and conditions set out in the document on behalf of the Proponent.

PROPONENT NAME: _____

Per: _____

Print Name:

Print Title:

(I have authority to bind the Proponent)

Date Signed:

EXHIBIT A
FORM OF INDIGENOUS RESOLUTION IN SUPPORT OF PROPOSAL SUBMISSION

Resolution NO: _____ Date: _____

[Note: The Indigenous Resolution in Support of Proposal Submission must not be dated earlier than the RFP Effective Date.]

WHEREAS:

1. The Proponent is proposing to construct and operate an LLT Capacity Project with the characteristics outlined in the table below, on the land identified below, which is subject to the authority of *<insert name of Indigenous Community>* _____, under the Long Lead-Time Capacity Services Request for Proposals ("**LLT(c) RFP**") issued by the Independent Electricity System Operator ("**IESO**").
2. Capitalized terms not defined herein have the meanings ascribed to them in the LLT(c) RFP.
3. The Proponent has delivered, no later than sixty (60) days prior to the date of this resolution, a Pre-Engagement Confirmation Notice to an applicable Local Body Administrator in respect of the Indigenous Lands that includes the details outlined in the table below, except for the Unique Project ID which is only required as part of the Pre-Engagement Confirmation Notice if available.

Unique Project ID of the LLT Capacity Project (if available): <i><input Unique Project ID></i>	
Legal name of the Proponent: <i><input legal name of the Proponent></i>	
Name of the LLT Capacity Project: <i><input name of the LLT Capacity Project></i>	
Eligible LDES Technology of the LLT Capacity Project: <i><input Eligible LDES Technology of the LLT Capacity Project></i>	
Maximum potential Contract Capacity of the LLT Capacity Project (in MW): <i><input the maximum potential Contract Capacity of the LLT Capacity Project (in MW)></i>	

<p>Legal description (or GPS coordinates) of the portion of the Project Site that is located on Indigenous Lands: <input description including applicable land registration instruments></p>	
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- Pursuant to the LLT(c) RFP, if the LLT Capacity Project is proposed to be located in whole or in part on Indigenous Lands, the Proposal must include Indigenous Support Confirmation which may be in the form of an Indigenous Resolution in Support of Proposal Submission;

NOW THEREFORE BE IT RESOLVED THAT:

- <insert Name of the Indigenous Community> _____ supports the submission of a Proposal in respect of the LLT Capacity Project pursuant to the LLT(c) RFP.
- This resolution's sole purpose is to enable the Proponent to satisfy the mandatory requirements of Section 4.2(a) of the LLT(c) RFP and may not be used for the purpose of any other form of approval in relation to the Proposal or LLT Capacity Project or for any other purpose.
- The Proponent has undertaken, or has committed to undertake, Indigenous and community engagement activities in respect of the LLT Capacity Project to the satisfaction of the Indigenous Community.

DULY RESOLVED BY THE BAND COUNCIL (OR EQUIVALENT) OF THE INDIGENOUS COMMUNITY

on the ___ day of _____, 20__

< At least one signature is required.>

Print Name: _____

Signature: _____

Print Title: _____

EXHIBIT B
INDIGENOUS SUPPORT CONFIRMATION

Note: Attach the Indigenous Support Confirmation (i.e., Indigenous Resolution in Support of Proposal Submission or Indigenous Support Confirmation Letter).

**EXHIBIT C
SAMPLE OF PRE-ENGAGEMENT CONFIRMATION NOTICE**

Date: _____

Re: Pre-Engagement Confirmation Notice under the LLT(c) RFP

Dear *<insert name of the Local Body Administrator>* _____,

The Proponent (defined below) is proposing to construct and operate a LLT Capacity Project, with the characteristics outlined in the table below, on the land identified below, which is subject to the authority of *<insert name of Indigenous Community>* _____, under the Long Lead-Time Capacity Services Request for Proposals ("**LLT(c) RFP**") issued by the Independent Electricity System Operator ("**IESO**").

We, the Proponent intend to submit a Proposal under the LLT(c) RFP and seek to confirm applicable land-use details in relation to the Indigenous Lands identified below.

Unique Project ID of the LLT Capacity Project (if available): <i><input Unique Project ID></i>	
Legal name of the Proponent: <i><input legal name of the Proponent></i>	
Name of the LLT Capacity Project: <i><input name of the LLT Capacity Project></i>	
Eligible LDES Technology of the LLT Capacity Project: <i><input Eligible LDES Technology of the LLT Capacity Project></i>	
Maximum potential Contract Capacity of the LLT Capacity Project (in MW): <i><input the maximum potential Contract Capacity of the LLT Capacity Project (in MW)></i>	
Legal description (or GPS coordinates) of the portion of the proposed Project Site that is located on Indigenous Lands: <i><input description including applicable land registration instruments></i>	

We intend to undertake community engagement in respect of the LLT Capacity Project and appreciate your confirming any applicable land-use details in relation to the Indigenous Lands on which the Project Site is proposed to be located. *Note: Consider detailing planned engagement events, if known.*

We are happy to coordinate with you and receive your feedback in respect of our planned engagements.

PROPONENT NAME: _____

Per: _____

Print Name:

Print Title:

(I have authority to bind the Proponent)

Date Signed: