

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

All capitalized terms used in these instructions and the Prescribed Form: Evidence of Indigenous Support (Energy), unless otherwise stated, have the meanings ascribed to them in the LT2(e) RFP.

### **INSTRUCTIONS APPLICABLE TO ALL PRESCRIBED FORMS:**

- a. The first page of a Prescribed Form should be marked with the name of the Long-Term Energy Project that is the subject of the Proposal. The Proponent should use the name given to the Long-Term Energy Project in the Prescribed Form: Proponent Information, Declarations and Workbook (Energy).
- 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 [LT2.RFP@ieso.ca](mailto:LT2.RFP@ieso.ca).
- d. Information provided in each Prescribed Form should be consistent with the information provided in the Proposal.
- e. Where the Prescribed Form has multiple pages, the pages of the Prescribed Form should be kept together in the Proposal in sequential order.
- f. 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.
- g. 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.
- h. 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".
- i. 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.
- j. 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:**

- k. To meet the mandatory requirements of Section 4.2(b) of the LT2(e) 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, from each Indigenous Community with authority over the Indigenous Lands.
- l. The applicable Indigenous Support Confirmation must be dated no earlier than [•]/*[NTD: Insert Date]*, and
- m. A copy of the Indigenous Support Confirmation must be provided in Exhibit B.
- 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 Long-Term Energy Project is located wholly on Municipal Project Lands, Crown lands, Unincorporated Territory or any combination thereof.

## **GUIDANCE FOR INDIGENOUS COMMUNITIES:**

The IESO is undertaking the LT2(e) RFP to competitively procure year-round energy generation services, on a Contract Capacity basis from New Build Electricity generating facilities larger than one (1) MW registered or able to become registered in the *IESO-administered markets*.

Should an Indigenous Community wish to support the submission of a Proposal for a particular Long-Term Energy 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 Long-Term Energy Project
  - (ii) the name of the Long-Term Energy Project
  - (iii) the name of the Proponent

- (iv) the generating technology type of the Long-Term Energy Project;
  - (v) the maximum potential Contract Capacity of the Long-Term Energy Project (which may not exceed the maximum Contract Capacity ultimately provided in the Prescribed Form: Proponent Information, Declarations and Workbook (Energy) in respect of the Long-Term Energy Project); and
  - (vi) the legal description or GPS coordinates of the Indigenous Lands
- (B) confirm that the Proponent has 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
- (C) state:
- (i) that the Indigenous Community supports the submission of a Proposal for the Long-Term Energy 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 LT2(e) RFP and does not supersede any applicable permits or approvals under applicable Laws and Regulations that may be required for a particular Long-Term Energy Project; and
  - (ii) that the Proponent has undertaken, or has committed to undertake, Indigenous and community engagement activities in respect of the Long-Term Energy Project to the satisfaction of the Indigenous Community.

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Capitalized terms not defined herein have the meanings ascribed to them in the LT2(e) RFP.

**Section 1 – Information of the Proponent and the Long-Term Energy Project**

a.	Unique Project ID of the Long-Term Energy Project: <i>&lt;input Unique Project ID&gt;</i>	
b.	Legal name of the Proponent: <i>&lt;input legal name of the Proponent&gt;</i>	
c.	Name of the Long-Term Energy Project: <i>&lt;input name of the Long-Term Energy Project&gt;</i>	
d.	The type of Indigenous Lands on which the Project Site is located, in whole or in part, is:	<input type="checkbox"/> “reserve” land as set out in the <i>Indian Act</i> , RSC 1985, c I-5; <input type="checkbox"/> “designated lands” as set out in the <i>Indian Act</i> , RSC 1985, c I-5 <input type="checkbox"/> “special reserves” as set out in s. 36.1 of the <i>Indian Act</i> , RSC 1985, c I-5 <input type="checkbox"/> 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 <i>Indian Act</i> , RSC 1985, c I-5, 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> , SC 2018, c 27; <input type="checkbox"/> 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 <i>Indian Act</i> , RSC 1985, c I-5 in settlement of such First Nation’s land claim <input type="checkbox"/> “settlement lands” transferred to the Algonquins of Ontario or its Institutions pursuant to the Algonquins of Ontario Treaty with Canada

		and Ontario (" <b>Treaty</b> "), 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 of Ontario communities or Treaty beneficiaries
e.	Legal description or GPS coordinates of the Indigenous Lands  <input description including applicable land registration instruments>	
f.	Name(s) of all Indigenous Community(ies) with authority over the Indigenous Lands:  <input name of Indigenous Community>	Indigenous Community 1:  Indigenous Community 2 (if applicable):

## Section 2 – Pre-Engagement Confirmation Notice

a.	A Pre-Engagement Confirmation Notice has been delivered to the Indigenous Community with authority over the Indigenous Lands in accordance with Section 2.1(c)(iii) of the LT2(e) RFP:	<input type="checkbox"/> Yes, a Pre-Engagement Confirmation Notice was delivered to Indigenous Community 1 named above in Section 1(f)  AND (if applicable)  <input type="checkbox"/> Yes, a Pre-Engagement Confirmation Notice was delivered to Indigenous Community 2 named above in Section 1(f)
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## Section 3 – Indigenous Support Confirmation

a.	The form of Indigenous Support Confirmation used for Indigenous Community 1 named above in Section 1(f) attached in Exhibit B is:	<input type="checkbox"/> An Indigenous Support Resolution dated no earlier than [•] OR <input type="checkbox"/> An Indigenous Support Confirmation Letter dated no earlier than [•]
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<b>b.</b>	<p>The form of Indigenous Support Confirmation used for Indigenous Community 2 named above in Section 1(f) attached in Exhibit B is (if applicable):</p>	<p><input type="checkbox"/> An Indigenous Support Resolution dated no earlier than [•] OR <input type="checkbox"/> An Indigenous Support Confirmation Letter dated no earlier than [•]</p>
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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 [•].]*

**WHEREAS:**

1. The Proponent is proposing to construct and operate a Long-Term Energy Project located on Indigenous Lands, as defined and with the characteristics outlined in the table below, under the Long-Term 2 (Energy) Request for Proposals ("**LT2(e) RFP**") issued by the Independent Electricity System Operator ("**IESO**").
2. Capitalized terms not defined herein have the meanings ascribed to them in the LT2(e) RFP.
3. The Proponent has delivered 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 should only be required as part of the Pre-Engagement Confirmation Notice if available.

Unique Project ID of the Long-Term Energy Project: <i>&lt;input Unique Project ID&gt;</i>	
Legal name of the Proponent: <i>&lt;input legal name of the Proponent&gt;</i>	
Name of the Long-Term Energy Project: <i>&lt;input name of the Long-Term Energy Project&gt;</i>	
Technology of the Long-Term Energy Project: <i>&lt;input technology of the Long-Term Energy Project&gt;</i>	



<p>Maximum potential Contract Capacity of the Long-Term Energy Project (in MW):</p> <p><i>&lt;input the maximum potential Contract Capacity of the Long-Term Energy Project (in MW)&gt;</i></p>	
<p>Legal description (or GPS coordinates) of the portion of the Project Site that is located on Indigenous Lands:</p> <p><i>&lt;input description including applicable land registration instruments&gt;</i></p>	

- Pursuant to the LT2(e) RFP, if the Long-Term Energy 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 Long-Term Energy Project pursuant to the LT2(e) RFP.
- This resolution's sole purpose is to enable the Proponent to satisfy the mandatory requirements of Section 4.2(b)(ii) of the LT2(e) RFP and may not be used for the purpose of any other form of approval in relation to the Proposal or Long-Term Energy Project or for any other purpose.
- The Proponent has undertaken, or has committed to undertake, Indigenous and community engagement activities in respect of the Long-Term Energy Project to the satisfaction of the Indigenous Community.

*[Remainder of page intentionally left blank. Signature page follows.]*

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

on the \_\_\_ day of \_\_\_\_\_, 20\_\_

< At least one signature is required.>

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**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).*

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