

This page sets out the instructions for completing the Prescribed Form – Evidence of Indigenous Support.

All capitalized terms used in these instructions and the Prescribed Form – Evidence of Indigenous Support, unless otherwise stated, have the meanings ascribed to them in the E-LT1 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 Reliability Project that is the subject of the Proposal. The Proponent should use the name given to the Long-Term Reliability Project in the Prescribed Form – Proponent Information, Declarations and Workbook.
- 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 LT.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(e) of the E-LT1 RFP, a Proponent is to complete and submit in the Proposal: (i) the main body of this Prescribed Form; and (ii) the applicable Evidence of Indigenous Support Confirmation in Exhibit B, as indicated in Section 2, from each Indigenous Community with authority over the Indigenous Lands.
- l. The applicable evidence of Indigenous Support Confirmation must be dated no earlier than January 27, 2022 and provided in Exhibit B.
- m. Indigenous Communities have the option of using the Indigenous Support Resolution using the form of Indigenous Support Resolution provided Exhibit A, should they so choose. Alternatives to the Indigenous Support Resolution are an Indigenous Support Confirmation Letter or a Blanket Indigenous Support Resolution.

GUIDANCE FOR INDIGENOUS COMMUNITIES:

The IESO is undertaking the E-LT1 RFP to competitively procure year-round capacity from dispatchable New Build and Eligible Expansion resources, including New Build and Eligible Expansion facilities incorporating Electricity generation and storage, registered or able to become registered in the IESO Administered Markets, larger than one (1) MW and which can deliver a continuous amount of Electricity to a connection point on a Distribution System or Transmission System for at least four (4) consecutive hours during the Qualifying Hours.

Should an Indigenous Community wish to support a particular Long-Term Reliability Project, a group of Long-Term Reliability Projects, or one or more particular technology types, they must either pass a Indigenous Support Resolution (project-specific) or a Blanket Indigenous Support Resolution or provide an Indigenous Support Confirmation Letter from one or more individuals authorized by an executed band council resolution of such Indigenous Community.

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

- (A) identify:
 - (i) the Proponent;
 - (ii) the name, technology and Maximum Contract Capacity of the Long-Term Reliability Project; and
 - (iii) the Indigenous Lands; and
- (B) state that the Indigenous Community supports the construction and operation of the Long-Term Reliability Project on the Indigenous Lands. The statement in such resolution may be qualified as being solely for the purposes of the requirements of the E-LT1 RFP or any contract awarded under the E-LT1 RFP and does not supersede any applicable permits or approvals under applicable Laws and Regulations that may be required for a particular Long-Term Reliability Project.

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Capitalized terms not defined herein have the meanings ascribed to them in the E-LT1 RFP.

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

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| Legal name of the Proponent: | |
| Name of the Long-Term Reliability Project: | |
| Unique Project ID of the Long-Term Reliability Project: | |
| 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 Indian Act, RSC 1985, c I-5</p> <p>“designated lands” as set out in the Indian Act, RSC 1985, c I-5</p> <p>“special reserves” as set out in s. 36.1 of the Indian Act, RSC 1985, c I-5</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, 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</p> <p>Crown lands or other lands that Canada has agreed to recommend be set apart as reserve for a First Nation in Ontario that is a “band” as defined in the Indian Act, RSC 1985, c I-5 in settlement of such First Nation’s land claim</p> <p>Lands acquired and held by a First Nation in Ontario that is a “band” as defined in the Indian Act, RSC 1985, c I-5 in the exercise of its powers under paragraph 18(2)(a) of the First Nations Land Management Act, SC 1999, c 24, provided that such lands are the subject of an application or proposal by such First Nation to have Canada set the lands apart as reserve pursuant to Canada’s “Additions to</p> |

| | |
|--|---|
| | Reserve/Reserve Creation Policy” (2016) or the <i>Addition of Lands to Reserves and Reserve Creation Act, SC 2018, c 27</i> |
| Legal description of the Indigenous Lands: | |
| Name of the Indigenous Community with authority over the Indigenous Lands: | |

Section 2 – Indigenous Support Confirmation

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|---|--|
| The form of Indigenous Support Confirmation attached in Exhibit B is: | <p>An Indigenous Support Resolution dated no earlier than January 27, 2022</p> <p>OR</p> <p>An Indigenous Support Confirmation Letter dated no earlier than January 27, 2022</p> <p>OR</p> <p>A Blanket Indigenous Support Resolution dated no earlier than January 27, 2022</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 SUPPORT RESOLUTION

Resolution NO: _____ Date: _____

[Note: The Indigenous Support Resolution must not be dated earlier than January 27, 2022.]

WHEREAS:

1. The Proponent is proposing to construct and operate a Long-Term Reliability Project, with the characteristics outlined in the table below, under the E-LT1 RFP.

| | |
|---|--|
| Name of the Long-Term Reliability Project: | |
| Proponent: | |
| Technology of the Long-Term Reliability Project: | |
| Maximum Contract Capacity of the Long-Term Reliability Project (in MW): | |
| Legal description of the portion of the Project Site that is located on Indigenous Lands: | |

2. Pursuant to the E-LT1 RFP, if the Long-Term Reliability 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 Support Resolution;

NOW THEREFORE BE IT RESOLVED THAT:

3. *<Name of the Indigenous Community>* supports the development, construction and operation of the Long-Term Reliability Project on the Indigenous Lands.

4. This resolution's sole purpose is to enable the Proponent to satisfy the mandatory requirements of Section 4.2(e) of the E-LT1 RFP.

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

on the ____ day of _____, 20__

< At least one signature is required.>

EXHIBIT B
INDIGENOUS SUPPORT CONFIRMATION

Note: Attach the Indigenous Support Confirmation.