



Registrar and Board Secretary
Ontario Energy Board
27th Floor
2300 Yonge Street
Toronto, ON
M4P 1E4

January 10, 2022

Dear Ms. Marconi,

**Re: London Hydro Inc.-Reply Submissions on Confidentiality Requests
2022 Cost of Service Application
Ontario Energy Board (OEB) File Number: EB-2021-0041**

In response to London Hydro's various requests for confidential treatment of material it filed in response to interrogatories it received two submissions on January 10, 2022; one from OEB Staff and one from SEC.

OEB Staff and SEC raised objections to only two of London Hydro's request for confidential treatment, those objections relating to:

2-SEC-11 a) and d): London Hydro sought confidential treatment of the 3 attachments to these two interrogatories as they relate to the details of the ongoing RFP process for London Hydro's upcoming CIS Project.

1-SEC-1: London Hydro sought confidential treatment of the 7 MEARIE/Korn Ferry compensation surveys attached to this response.

Neither OEB Staff nor SEC raised objections to the other requests for confidential treatment by London Hydro.

2-SEC-11 a) and d)

While both OEB Staff and SEC agreed that there was commercially sensitive information within the attachments provided by London Hydro in response to 2-SEC-11 a) and d), both OEB Staff and SEC submitted that London Hydro's request that all of that documentation, rather the redaction of specific information, was overbroad. OEB Staff specifically submitted that the two documents referred to as:

- Dec 2019 Board of Directors Package, and
- April 2021 Board of Directors Package

should not be granted confidential status, and that the document:

- CIS Refresh – Planning and Business Requirements

which contains cost breakdown information similar to the information redacted in 2-Staff-32 should be filed on a confidential basis.

On review of OEB Staff and SEC's submissions and the documents in question London Hydro respectfully agrees with OEB Staff's submission (which is similar in scope to SEC's submission) to the effect that of the three documents provided in response to 2-SEC-11 a) and d) only the document titled CIS Refresh – Planning and Business Requirements need to be filed on a confidential basis, the April 2021 Board of Directors package can be filed on the public record, while the December 2019 Board of Directors Package can be filed on the public record with pages 9 and 11 being redacted as it contains cost information. We have provided a version of that document with the proposed redactions.

1-SEC-1

As noted this interrogatory response has 7 MEARIE/Korn Ferry compensation studies attached to it for which London Hydro has sought confidential treatment. Both OEB Staff and SEC object to these documents being filed on a confidential basis.

London Hydro repeats and relies on its previous submission in support of its request for confidential treatment of these documents. As noted by London Hydro in its original submission:

- a) it is only in possession of these surveys as a result of its agreement to continue to seek to maintain the confidentiality of those documents, and
- b) those documents represent the work product of MEARIE/Korn Ferry that, when placed on the public record, loses its value in the marketplace.

In London Hydro's respectful submission, to the extent that it is valuable to it and the OEB for a 3rd party to engage the time and resources to produce such surveys and make them available to regulated utilities and, ultimately, to the OEB and interested participants in the regulatory process on a confidential basis, undermining the market value of that work product to the 3rd party by making those surveys accessible on the public record runs a high risk of that 3rd party discontinuing its efforts in producing such surveys.

Respectfully submitted,



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