



BY EMAIL

July 15, 2024

To: All parties in EB-2023-0298

**Re: Upper Canada Transmission 2, Inc. (East-West Tie Limited Partnership)
Application for 2024 Electricity Transmission Rates
Request for Confidentiality
OEB File Number: EB-2023-0298**

Following the Decision and Order into the application by Upper Canada Transmission 2 Inc. (Upper Canada Transmission), the Ontario Energy Board (OEB) is now addressing the unique matter of the confidentiality requests made by the applicant.

This stage of the proceeding is unique in that the OEB is determining the confidentiality requests of an applicant after the results of the application have already been agreed upon by all parties and approved by an OEB Decision. The OEB agreed to defer consideration of the confidentiality requests until after the settlement conference, as proposed by SEC.

The OEB agrees with the sixteen Upper Canada Transmission redaction requests supported by OEB staff in its submission of May 13, 2024^[1]. In reaching a decision regarding the remaining confidentiality requests, the panel has a question of clarification.

The OEB has reviewed Upper Canada Transmission's redaction requests^[2] including the attachment of the letter from Valard (Valard letter). The Valard letter outlined concerns that public disclosure of the redacted information may cause harm to Valard's competitive position in a market where knowledge of the cost and pricing structure of Valard would be advantageous to a competitor. This might have collateral consequences, presumably, to Upper Canada Transmission's ability to retain Valard or one of its limited number of competitors again.

^[1] OEB staff submission, May 13, 2024, p. 2.

^[2] Upper Canada Transmission letters dated February 5, 2024 and February 13, 2024, requesting Confidential Treatment of Responses to Interrogatories

The OEB has a question for the parties specific to the filed settlement agreement. With each settled issue, there is a list of supporting evidence references. The OEB asks the parties whether the public version of the interrogatory responses listed with each issue is sufficient to support the result for the purpose of the OEB's decision as well as the public understanding of what had transpired in the conclusion of the application by settlement agreement.

Upper Canada Transmission may wish to coordinate the response to this question on behalf of the parties to the settlement agreement.

Yours truly,

Nancy Marconi
Registrar