

Colm Boyle
T: 416-367-7273
cboyle@blg.com

John Vellone
T: 416-367-6730
jvellone@blg.com

Borden Ladner Gervais LLP
Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto ON M5H 4E3
Canada
T 416-367-6000
F 416-367-6749
blg.com



File No. 22164.3

July 31, 2024

BY EMAIL & RESS

Ms. Nancy Marconi
Ontario Energy Board
2300 Yonge Street, 27th Floor
Toronto, ON M4P1E4

Dear Ms. Marconi:

**Re: Essex Powerlines Corporation (“EPLC”) Cost of Service Application for 2025
Electricity Distribution Rates (“Application”)
Ontario Energy Board (“OEB”) File No. EB-2024-0022 / EB-2024-0096
Interrogatory Responses**

On June 12, 2024, the OEB issued Procedural Order No. 1 setting out a process for interrogatories on the Application. On July 10, 2024, OEB Staff, School Energy Coalition, and Vulnerable Energy Consumer Coalition filed written interrogatories to EPLC. Enclosed are EPLC’s responses to those interrogatories.

EPLC is hereby requesting confidential treatment of the responses to interrogatories 4-Staff-41(b), 4-SEC-30(e), and 4.0-VECC-36 pursuant to sections 9A, 10.01 and 10.02 of the OEB’s *Rules of Practice and Procedure* (revised July 13, 2023) and sections 5.1.1, 5.1.2 and 10 of the OEB’s *Practice Direction on Confidential Filings* (revised December 17, 2021) (“**Practice Direction**”).

Location	Reason for Confidentiality
4-Staff-41 4.0-VECC-36	The redacted information is “personal information” under the <i>Freedom of Information and Protection of Privacy Act</i> as it pertains to an identifiable individual about their employment history or information relating to financial transactions with their employer (EPLC). The redacted information pertains to personal information about salaries, benefits, pay adjustments and bonuses of executive staff at EPLC that has been consistently treated in a confidential manner by EPLC and the OEB. ¹ Disclosure of this information could significantly prejudice EPLC in future

¹ Decision on Confidentiality EB-2021-0048, Oshawa PUC Networks Inc., December 14, 2020, p.4.

	<p>salary negotiations with employees of EPLC or create an atmosphere of discontent.</p> <p>The redacted information in this case pertains to an identifiable individual. Provision of this information would allow the inference of compensation information for identifiable individuals or multiple individuals.²</p> <p>Specifically to 4.0-VECC-36, the requested redactions involve groups of less than two employees in each Job Classification and the salary ranges would effectively disclose the exact compensation information for the employees within these Job Classifications. The redacted information data is not sufficiently aggregated to protect the identity of individual employees and there is a risk that particular information could reasonably be identified. The disclosed hourly rates for other Job Classifications are for unionized employees that are subject to a public Collective Agreement.</p> <p>Accordingly, the redacted information in 4-Staff-41 and 4.0-VECC-36 should remain redacted and should not be provided parties to who would otherwise be allowed to have access to confidential information in accordance with section 6 of the Practice Direction.</p>						
4-SEC-30	<p>EPLC is filing portions of the shared services agreements EPLC has with its affiliates on a confidential basis, as shown in the table below. The redactions in the schedules relate to unit pricing and/or billing rates for a defined scope of work and are presumptively confidential under section 4 of the Practice Direction.</p> <p>Alternatively, the redactions in the schedules are confidential technical, commercial or financial materials that EPLC has consistently treated in a confidential manner. Disclosure of this information could produce a significant loss or gain. The confidential information would disclose a detailed scope of work, along with unit pricing, that could be used by competitors to undercut or unfairly compete with the contracting parties. Further, the information could interfere with future negotiations with alternative vendors as they would have access to pricing information that was previously acceptable to EPLC.</p> <table border="1" data-bbox="505 1581 1451 1806"> <thead> <tr> <th data-bbox="505 1581 922 1623">Agreement / Date</th> <th data-bbox="922 1581 1451 1623">Confidential Redactions</th> </tr> </thead> <tbody> <tr> <td data-bbox="505 1623 922 1734">Utilismart Services Agreement (UCC-2019-02) April 1, 2019</td> <td data-bbox="922 1623 1451 1734">Schedule A & B and signatures redacted as confidential.</td> </tr> <tr> <td data-bbox="505 1734 922 1806">MSA Sept 25, 2002</td> <td data-bbox="922 1734 1451 1806">Signatures redacted as confidential</td> </tr> </tbody> </table>	Agreement / Date	Confidential Redactions	Utilismart Services Agreement (UCC-2019-02) April 1, 2019	Schedule A & B and signatures redacted as confidential.	MSA Sept 25, 2002	Signatures redacted as confidential
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Utilismart Services Agreement (UCC-2019-02) April 1, 2019	Schedule A & B and signatures redacted as confidential.						
MSA Sept 25, 2002	Signatures redacted as confidential						

² Decision on Confidentiality EB-2021-0009, Brantford Power Inc., August 19, 2021; Decision on Confidentiality EB-2020-0007, Burlington Hydro Inc., January 12, 2021.

	MSA March 1, 2009	Schedule A and signatures redacted as confidential.
	Utilismart Software Term License and Services Agreement (UCC-2018-14) August 1, 2018	Schedule A & B and signatures redacted as confidential.
	Utilismart Services Agreement (UCC-2023-87) November 1, 2023	Schedule A & B and signatures redacted as confidential.

Please contact the undersigned with any questions.

Yours truly,

BORDEN LADNER GERVAIS LLP



Colm Boyle

CB/JV