

March 3, 2010

**CONFIDENTIAL
COURIER**

Ontario Energy Board
P.O. Box 2319
27th Floor
2300 Yonge Street
Toronto ON M4P 1E4

Attention: Ms. K. Walli, Board Secretary

Dear Ms. Walli:

Re: Great Lakes Power Transmission LP - Application for 2010 Transmission Rates (EB-2009-0408) - Applicant Interrogatory Responses - Request for Confidential Treatment of Information

We are counsel to Great Lakes Power Transmission LP ("GLPT"), applicant in the above-noted proceeding. In accordance with Procedural Order #1 in EB-2009-0408, GLPT has filed its responses to interrogatories from Board Staff on March 3, 2010 (together with responses to intervenor interrogatories). The requests made in Board Staff Interrogatories #55 and #96 require GLPT to provide information that GLPT regards as being of a confidential nature. As such, GLPT is filing these materials in accordance with Rule 10 of the *Rules of Practice and Procedure* and the Board's *Practice Direction on Confidential Filings*.

1. Request

In accordance with Rule 10, GLPT is requesting that the following be treated as confidential:

- all of GLPT's response to Board Staff Interrogatory #96 (See **Attachment "A"**), and
- all appendices referred to in GLPT's responses to Board Staff Interrogatory #55(i)(a) (See **Attachment "B"**) and (d) (See **Attachment "C"**).

2. Non-Confidential Description

For the non-confidential description of the information for which GLPT seeks confidential treatment, please refer to GLPT's responses to Board Staff Interrogatories #55 and to the request made in Board Staff Interrogatory #96.

3. Reasons for Confidentiality Request


The request made in Board Staff Interrogatory #55(1)(a) is that GLPT file the federal and provincial tax returns, as well as the federal and provincial notices of assessment, for the corporation that owned the Great Lakes Power Limited (GLPL) Transmission Division for the 2006, 2007 and 2008 taxation years. Consistent with the types of information that the Board has previously held as confidential, as listed in Appendix C of the *Practice Direction on Confidential Filings*, GLPT regards the information contained in these documents to be of a confidential nature. This is particularly so because the tax-related information of GLPL relates to both regulated and unregulated businesses.

The request made in Board Staff Interrogatory #55(1)(d) is that GLPT file the federal and provincial tax returns, as well as the federal and provincial notices of assessment, for Great Lakes Power Transmission Inc. (GLPT Inc.) and for Brookfield Infrastructure Holdings (Canada) Inc. (BIH), the partners of GLPT, for the 2006, 2007 and 2008 taxation years. Consistent with the types of information that the Board has previously held as confidential, as listed in Appendix C of the *Practice Direction on Confidential Filings*, GLPT regards the information contained in these documents to be of a confidential nature. This is particularly so because the tax-related information of GLPT Inc. and BIH relates to both regulated and unregulated businesses.

The request made in Board Staff Interrogatory #96 seeks information on how directly connected customer loads influence GLPT's charge determinant levels for the three pools (Network, Line Connection and Transformation Connection). As contemplated in Board Staff's notes to Interrogatory #96, GLPT has concerns about providing the requested information because the information, even if provided without providing the names of the delivery points, could still be used to identify one or more specific customers. As such, providing the information has the potential to reveal proprietary information about directly connected customer loads.

A copy of this letter without the confidential Attachments "A", "B" or "C" has been provided to all parties to EB-2009-0408.

Yours truly,



Charles Keizer

Tel 416.865.7512
Fax 416.865.7380
ckeizer@torys.com

cc: A. McPhee, GLPT
D. Fecteau, GLPT
J. Myers, Torys LLP